2018 Regional Transportation Plan for Kern County

Final Program Environmental Impact Report

SCH No. 2017041081

Prepared for:
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August 2018
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1.0 INTRODUCTION

This document is the Final Program Environmental Impact Report ("PEIR" or "EIR") for the 2018 Regional Transportation Plan ("2018 RTP" or "Plan"). This document together with the Draft PEIR and its technical appendices comprise the Final PEIR. The document has been prepared by the Kern Council of Governments (Kern COG) in accordance with the California Environmental Quality Act (CEQA).

The Final PEIR is required under Section 15132 of the State CEQA Guidelines to include the Draft PEIR, comments and recommendations received on the Draft PEIR, the responses of the lead agency to significant environmental issues raised by those comments in the review and consultation process, and any other relevant information added by the lead agency (including minor changes to the PEIR). A Mitigation Monitoring and Reporting Program is also required; it can be a separate document, or, as in this case, included in the Final PEIR.

The evaluation and response to comments is an important part of the CEQA process as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft PEIR; (2) the ability to detect any omissions which may have occurred during preparation of the Draft PEIR; (3) the ability to check for accuracy of the analysis contained within the Draft PEIR; (4) the ability to share expertise; (5) the ability to discover public concerns.

This document provides revisions to the Draft PEIR made in response to comments, staff review, and/or changes to the proposed project. These revisions also correct, clarify, and amplify the text of the Draft PEIR, as appropriate, and do not alter the conclusions of the Draft PEIR.

PROCESS

In accordance with Section 15050 of the State CEQA Guidelines Kern COG is the lead agency that prepared both the Draft and Final PEIR for the project, the 2018 RTP.

Kern COG prepared and circulated the Draft PEIR for a period of 45 days, extending from May 25, 2018 and ending on July 12, 2018. The Draft PEIR was available for review at the office of Kern COG and at local libraries in the County, and an electronic copy of the Draft PEIR was posted on the Kern COG website. A public hearing on the Draft PEIR was held on June 21, 2018 in at Kern COG’s offices in Bakersfield. Additional public hearings were held on June 6, 2018 in Ridgecrest and on June 19, 2018 in Arvin. A Notice of Availability of the Draft PEIR was transmitted to responsible and trustee agencies, regulatory agencies and other to request comments on the Draft PEIR, pursuant to State CEQA Guidelines.
Section 15086. Comments on the Draft PEIR were received during the comment period, and those comments are responded to in this Final PEIR. The Final PEIR, together with the proposed project, will be submitted to Kern COG Board for review, and the Board will consider certification of the Final PEIR and approval of the RTP.

**CONTENT OF THE FINAL PROGRAM EIR**

As discussed above, the primary intent of the Final PEIR is to provide a forum to air and address comments pertaining to the analysis contained within the Draft PEIR. Pursuant to Section 15088 of the State CEQA Guidelines, Kern COG has reviewed and addressed all comments received on the Draft PEIR by the comment period deadline. Included within the Final PEIR are the written comments that were submitted during the public comment period as well as oral comments (relevant to the PEIR) received at the two public hearings.

In order to adequately address the comments provided by interested agencies and the public in an organized manner, this Final PEIR includes the following chapters and appendices:

**Section 1.0: Introduction.** This chapter provides a brief introduction to the Final PEIR and its contents.

**Section 2.0: Corrections and Additions.** This chapter provides a list of corrections and additions to the Draft PEIR. None of the changes significantly impact the conclusions presented in the Draft PEIR.

**Section 3.0 Responses to Comments:** This chapter provides a list of commenting agencies, organizations, and individuals. Responses to all comments on the Draft PEIR are also included in this chapter. Some of the comment letters received on the Draft PEIR also provide comments on the Plan (not the anticipated environmental impacts). These Plan-related comments are addressed separately as part of the RTP process.

**Section 4.0 Mitigation Monitoring and Reporting Program:** This chapter includes the Mitigation Monitoring and Reporting Program (MMRP) prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the State CEQA Guidelines.

The Final EIR also includes the previously circulated Draft PEIR.
REVIEW AND CERTIFICATION OF THE FINAL PEIR

Consistent with CEQA (Public Resource Code Section 21092.5), responses to agency comments are being forwarded to each commenting agency 10 days prior to certification of the Final PEIR. In addition, responses are also being distributed to all commenters who provided an address. The Final PEIR is available for public review at libraries throughout the County. Additionally, the Final PEIR can be downloaded at www.kerncog.org.
2.0 COMMENT LETTERS AND RESPONSES

The Draft Program EIR was submitted to the State Clearinghouse Office of Planning and Research and circulated for a 45-day public review on May 25, 2018. The Draft 2018 RTP was circulated for an additional 10 days of public comments during the same period as the Draft Program EIR (55 days, from May 15, 2018 to July 12, 2018). Comments were received on both the 2018 RTP and the Program EIR (PEIR).

Additional comments on both the 2018 RTP and Draft PEIR were provided at the two public hearings conducted on the 2014 RTP and PPEIR. A list of commenters on the PEIR is shown on the following page. Comments that address the 2018 RTP are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.

The original bracketed comment letters are provided followed by a numbered response to each bracketed comment. Individual comments within each letter are numbered and the response is given a matching number. Where responses result in a change to the Draft PEIR, the resulting change is identified in the response.

In some cases, commenters on the 2018 RTP indicated in the subject line of their letter that they were providing comment on the Draft PEIR, but the substance of their letter included only comments on the 2018 RTP. These letters are not addressed in this Final PEIR. This Final PEIR indicates where comments with a letter are responded to within the 2018 RTP Appendix I.
## Table 2.0-1
**List of Commenters on the Draft EIR**

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2.0-1 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT PROGRAM EIR

The original bracketed comment letters are provided on the following pages, followed by a numbered response to each bracketed comment. Individual comments within each letter are numbered and the response is given a matching number.
June 1, 2018

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

Re: Comments on the Draft 2018 RTP/SCS Transportation Model

Dear Mr. Hakimi,

Thank you for the opportunity to provide comments on the Draft 2018 Regional Transportation Plan (Draft RTP).\(^1\) Thank you also to Kern Council of Governments staff for meeting with my coworker, Patricia Leal and me on May 7, 2018 to give the Transportation Modeling 101 presentation. We appreciate your office taking the time to give the presentation and answer our questions. Since the presentation was a general introduction to transportation modeling and not specific to the Kern Council of Governments’ transportation model created and run for the 2018 RTP cycle, we have a few concerns about the model used in the document. This letter sets forth those concerns and provides recommendations with respect to how Kern COG can resolve them below.

I. The Draft RTP Transportation Model Description is Vague and Lacks Specificity Concerning its Methodology, Performance Measures, and Results

The Draft RTP describes its transportation model in several chapters and Appendix D. While it highlights the model’s purpose and mentions the various strategies that make up the methodology, the methodology itself is not elaborated on. Furthermore, the performance standards are defined, however are not analyzed in the document by applying the definitions to how it ran in the model.\(^2\) In previous RTP cycles, the model was more thoroughly described and included shortcomings, performance measures, and modeling results. The model specificity of the earlier RTP documents reflect a level of transparency for the public in learning more about the specific modeling prepared for the Plan’s performance.

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1 Leadership Counsel previously submitted two comment letters on the 2018 RTP/SCS update prior to the release of the Draft RTP. We will submit further comments on the 2018 Draft RTP/SCS prior to the comment deadline.
2 Leadership Counsel will comment on and analyze performance measures in a subsequent comment letter prior to the comment deadline.
For example, the 2011 RTP provided a much more detailed model process. It described shortcomings such as a rise in the number of hours spent in congested traffic. 2011 RTP 2-24. It also described the model as “sensitive to travel reducing strategies such as access transit, regional/central accessibility, and other balance land development techniques that capture more trips locally.” 2011 RTP 4-83. Furthermore, it included a simple, yet clear statement that certain parties, like developers, could request custom runs of the Kern Regional Transportation Model. 2011 RTP 4-83.

The Draft 2018 RTP should include shortcomings of the model and the model’s sensitivities. It should also include a clearly designated section to elaborate on modeling results.

II. Kern COG Should Incorporate the Transportation Modeling Committee’s Policies and Procedures for Maintaining the Model

As the entity responsible for oversight of the model, the Transportation Modeling Committee (TMC), in RTP cycles 2011 and 2007 had clear, enumerated policies regarding the transportation model located within the RTP. The Draft 2018 RTP fails to include the current policies and procedures for the TMC. This information is critical because it details specifically how the TMC intends to maintain the model. Kern COG should revise the Draft 2018 RTP to include the TMC’s policies and procedures.

III. The Transportation Model Must Include Data Available For Rural Areas or Justify Why The Data Is Unavailable

As with Kern COG’s last four RTPs, the Draft 2018 RTP states that “Because Kern COG’s regional transportation model cannot estimate passenger miles traveled for rural transit services, estimates for daily investment per PMT countywide are unable to be calculated.” 2018 Draft RTP D-16. The Draft does not elaborate further on why this figure can be calculated for urban but not rural areas or provide any description of steps that will be taken to resolve this issue.

Without an accurate data set which adequately includes rural areas, the RTP cannot achieve an accurate transportation model which may be maintained to reflect current regional demand and needs over the planning period and cannot identify suitable goals, objectives, policies and programs to address those needs. The CalTrans RTP Guidelines emphasize the importance of fully considering rural communities in RTP development:

“The consideration of rural communities within the region in the development of the RTP (including the SCS) is a key element in the process, to ensure that regional GHG reductions and associated co-benefits such as improved access to jobs and services are not achieved at the expense of small towns and rural communities where high frequency transit and/or high density development is not feasible.” (pg. 153)

The failure to include data representing rural transit ridership in the transportation model undermines the Draft’s ability to serve as a “comprehensive performance-based multimodal
IV. The Transportation Model has not been run and shown to the RPAC for feedback.

Based on a review of the posted agendas and minutes over the last few months, it does not appear that Kern COG staff has made the transportation model for review by the Regional Planning Advisory Council (RPAC). At 2018 meetings dated January 3rd and 31st, staff reported that the model was still being refined, and on April 4th staff relayed that model documentation was available online but modeling was still being generated. (Meeting notes from May 2, 2018 are not posted yet.)

To date, the completed modeling identified in the Draft has not been provided to either RPAC or the general public for review. Furthermore, Appendix B of the Draft 2018 RTP includes the following policy:

“At least three regional public workshops will be held with information and tools providing a clear understanding of policy choices and issues. To the extent practicable, each workshop shall include urban simulation computer modeling to create visual representations of the SCS and APS.” (Article IX, Section 5)

It is unclear if the “urban simulation computer modeling” includes a demonstration of the model at the workshops. Kern COG staff should make the modeling available for review.

* * * * *

The 2018 Regional Transportation Plan should thoroughly describe the modeling, the performance strategies, and detail its results. The descriptions should include model variances and the policies and procedures the Transportation Modeling Committees uses in running and evaluating the model. The Draft 2018 RTP lacks this specificity. In the interest of transparency and functionality and satisfying the COG’s requirements to prepare a comprehensive multi-modal transportation plan, the final draft of the 2018 RTP must include these details.

Thank you for your consideration of our comments. Please feel free to contact me at (661) 843-7677 or aglover@leadershipcounsel.org if you have any questions or would like to discuss our comments further.

Sincerely,

Adelyinka Glover, Esq.
Attorney
Leadership Counsel for Justice and Accountability
Cc: Rob Ball; Becky Napier
Letter 1: Leadership Counsel for Justice and Accountability

Mr. Adeyinka Glover, Esq
Leadership Counsel for Justice and Accountability
764 P Street, Suite 012
Fresno, CA 93721

June 1, 2018

Responses 1-1 through 1-4

Comments 1-1 through 1-4 are related to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.
June 21, 2018

Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, California 93301

RE: Draft 2018 Transportation/Sustainable Communities Strategy and Draft EIR
Rural Transit – Additional information

Dear Board Members,

Kern County Planning and Natural Resources appreciates this opportunity to address the Transportation Planning Policy Committee on the Draft 2018 RTP/SCS and Draft EIR. The economic stability of Kern County depends on a comprehensive and realistic transportation plan. The challenges geographically for Kern County are well documented. This county is larger than the State of Rhode Island at 8,200 square miles. Over 5 million acres of land spread across valley, mountain and desert areas. All areas of the county have disadvantaged communities and half the population lives in the unincorporated areas.

The RPAC has worked to create a Sustainable Communities Strategy that acknowledges the challenges of our job centers not being urban focused but rather more appropriately sited in rural areas. Oil and Gas Fields and agricultural industries are not centered in our cities but rather in the rural areas in between. Designing a transportation system that moves commercial transport as well as people and also reduces vehicle miles travel requires innovative thinking not merely mapping on suggestions that are generated from Southern or Northern densely populated regions.

Kern County Planning and Natural Resources is in the second year of our three year plan for the General Plan 2040 project. This comprehensive update has completed a year of public outreach with topics every month at the Kern County Planning Commission. Our work plan can be found at our website. https://kernplanning.com/general-plan-update/.

Transportation issues in our rural areas for job growth and health care is an important topic of discussion. While we provide transit service, the fare ridership does not cover the cost. Comments have been submitted to your Board that more modeling needs to be done and more investment. Based on our land use planning outreach and review of the data provided in the DEIR, this is a request that does not reflect the reality of our planning efforts.

Simply putting more money towards transit will not increase ridership in rural areas. This is acknowledged in the California Transportation Plan 2025 – Rural Issues section, (attached) that notes that exploring alternatives to moving goods through rural areas is important as well as coordinating public transportation services with social services agencies. Yet that California plan also fails to include the new shared mobility aspects that the Draft 2018 RTP/SCS embraces.
A better source of this new mobility world is the University of Chicago report “Promising Practices for Increasing Access to Transportation in Rural Communities” (April 2018 - Attached), that provides new thinking on how to support rural economic growth and daily access for essentials for life such as education, food and health care. Our new paradigm is delivery of our food and direct linkage to health care centers not simply more bus routes. This issue is so important that it will be a dedicated topic for the Kern County General Plan 2040 with the workgroup on Healthy Communities Element focused on identifying out health care and food access land use pattern and were we are lacking and overlying shared mobility solutions.

In summary, the Draft TRP/SCS goes beyond a modeling exercise and provides a blueprint for the future viability of all our communities in all parts of the county. The details of those elements of policy, practices and funding priorities should be the focus of public review and comment as the Kern Cog staff begins public workshops to discuss with the public what they want and need for their communities.

Thank you for this opportunity to provide comments and participate in the creation of our future transportation and mobility plan.

Sincerely,

[Signature]

LORELEITH OVIATT, AICP, Director
Kern County Planning and Natural Resources Department

Cc: Public Works – Warren Maxwell
Promising Practices for Increasing Access to Transportation in Rural Communities

Access to safe, reliable, affordable, and convenient transportation improves the livability of rural communities and quality of life for rural residents.\(^1\) Transportation connects residents of rural communities to employment, education, health care, child care, recreation, and other activities of daily life. Transportation also supports rural economic growth in agriculture, tourism, and service industries.\(^2\)

The personal vehicle is central to the transportation landscape in rural communities. Over 90% of passenger trips in rural areas occur in automobiles, compared to 84% of trips in urban areas. Public transit is limited in rural communities: 4% of rural households use public transit compared to 31% of urban households.\(^3\) Public transit includes fixed-route services, such as buses, which operate on a predetermined route and schedule; demand-response services, also known as dial-a-ride, which use automobiles, buses, and vans that are dispatched on demand as well as paratransit for people who cannot use fixed-route services (e.g., people with disabilities); and flex-route services, where drivers deviate from a fixed route upon request.\(^4\)

Transportation safety is also an issue in rural communities due to limited investments in infrastructure and the increasing use of rural roads over time. An estimated 40% of roads in rural areas are currently inadequate for travel, while nearly 50% of bridges over 20 feet long are currently considered structurally deficient.\(^5\) The lower population density in rural communities further contributes to challenges constructing and maintaining transportation systems due to a lack of funding for rural transit projects.

Transportation is a significant challenge for many rural residents who cannot or do not wish to drive, or do not have access to public transit or other transportation modes that meet their needs. The Health Resources and Services Administration's (HRSA) Federal Office of Rural Health Policy (FORHP) funds rural communities as part of the Section 330A Outreach Authority grant program to address unique health care challenges and increase access to health care services. The Section 330A grant programs are focused on outreach and service delivery; network planning and development; clinical training, recruitment, and retention; emergency services; community and health care services outreach; and benefits counseling, among other services. Many grantees also address social determinants of health, including access to transportation, as a secondary focus area of their projects.

One of the lessons learned from the experiences of the Section 330A program is that there is a need to identify and compile promising practices and resources for rural communities to address community-specific challenges and concerns. The experiences of Section 330A grantees suggest promising strategies that can be adapted and applied in other rural communities. Grantees have successfully implemented a

### Key Findings

- Transportation is a significant challenge for rural residents who cannot or do not wish to drive, or who do not have access to public transit or other modes of transportation that meet their needs.

- Barriers to accessing transportation services in rural communities include long travel distances, low population density, and safety and infrastructure issues.

- Rural communities are implementing programs that provide transportation to people on demand, for any reason.

- Mobility on demand models utilize technologies such as smartphones and mobile apps to increase access to transportation.

- Rural communities are implementing ride-sharing programs using volunteer drivers.

- When implementing rural transportation programs, it is important to collaborate with organizations that are working on transportation issues in the community.

- Rural transportation programs are exploring options to reduce social isolation for older adults and people with disabilities.

The Rural Transportation Toolkit is available at: [https://www.ruralhealthinfo.org/toolkits/transportation](https://www.ruralhealthinfo.org/toolkits/transportation)
range of transportation program models. Examining and compiling promising practices and resources for rural transportation programs can help guide program development, implementation, and sustainability.

**Purpose of the Project**

The purpose of this issue brief is to summarize promising rural transportation program models and share lessons learned from rural communities. The project focused on conducting a literature review of rural transportation programs and studying the experiences of rural transportation programs to identify promising practices, resources, and programs. This project culminated in the Rural Transportation Toolkit, a web-based toolkit of rural transportation program models and resources. The toolkit is hosted on the Rural Health Information Hub (RH Info Hub) website, available at: [https://www.ruralhealthinfo.org/toolkits](https://www.ruralhealthinfo.org/toolkits). Rural communities that are interested in implementing transportation programs may access the toolkit for information on programs, considerations, and resources.

**Transportation Program Models in Rural Communities**

This project identified 15 promising rural transportation program models. These models are implemented in rural communities and are designed to (1) increase access to transportation, (2) help populations overcome transportation barriers, and (3) improve transportation safety or infrastructure. Rural communities may implement a program that blends several models, depending on their target population, community needs and characteristics, and resources.

**Models to Improve Access to Transportation**

Models to improve the availability and access to transportation in rural communities include: public transportation, volunteer models, voucher models, coordinated services models, mobility on demand, ridesharing models, connector services, and mobility management. These models help rural residents travel to schools, businesses, worksites, child care, houses, recreational sites, and shopping, among other destinations.

**Public Transportation Model.** Public transportation systems provide transit services to the public via bus, rail, or other mode on a regular and continual basis. The most common mode of public transit in the U.S. is fixed-route bus systems, which operate on a predetermined route and schedule. In rural communities, 32% of bus services provide fixed route services. However, fixed-route bus services in rural communities do not operate 24 hours a day, 7 days a week, and residents who have mobility limitations or who do not live or work near bus stops may be unable to access bus routes. Fixed-route bus systems are often supported by demand-response services—the second largest type of transportation in the U.S.—and the main transit provider in rural areas and communities with low population density. Flex-route transportation systems, also called deviated fixed-route systems, where buses leave their regular routes on request, are provided by 43% of rural bus services. Rural communities may lack sufficient resources to expand public transportation.

**Volunteer Model.** Many rural transportation programs rely on volunteers to serve as drivers. Volunteer models provide demand-response transportation, often for older adults or people who have disabilities. Some provide door-to-door assistance to their passengers, which is particularly helpful to older adults and passengers with disabilities. Volunteers request a ride from one location to another at a specific time—often for medical appointments, shopping, and social or recreational activities. Volunteers are usually required to schedule a ride in advance. Volunteers often drive their own vehicles. Rural transportation programs implementing a volunteer model must coordinate driver recruitment, background checks, training, and scheduling. Programs may reimburse drivers for the cost of mileage and gas, or offer a voucher for transportation services.

**Voucher Model.** In the voucher model, eligible riders exchange tickets or coupons for a ride from a participating transportation provider. These programs vary in structure—programs may offer free rides or reduced fares, eligibility may be based on age, disability, income, or geographic location, and transportation modes may include public transportation and ridesharing. Voucher programs allow riders to choose transit services that meet their unique needs and preferences. The success of voucher programs is dependent upon the availability of transportation programs in the community and coordination between these organizations.

**Coordinated Services Model.** This model involves coordinating and sharing resources, knowledge, and funding to improve transportation services. Coordinated services models can fill gaps in transportation services and use limited resources more efficiently. Key partners for coordinated services models include human service agencies, non-profits, worksites, transit providers, and local or regional economic development agencies.

**Mobility on Demand.** This model is designed to improve the integration and connectivity of transportation systems. Mobility on demand utilizes technologies such as smartphones and mobile apps to increase access to transportation options, increase convenience, simplify payments, and lower costs. Mobility on demand models are designed to improve the efficiency and effectiveness of transportation services.

**Ridesharing Model.** Ridesharing is a type of demand-response transportation model that involves sharing a vehicle between one or more organizations (vehicle sharing), combining passenger trips with a common destination (carpooling and vanpooling), or using technology to arrange shared rides on short notice or on-route (real-time ridesharing). Ridesharing programs may work with drivers who use their personal
vehicles to provide rides. Many rural ridesharing programs use volunteer drivers and offer free or low-cost services. These programs help to fill gaps in transportation for people who cannot or do not wish to drive and who do not have access to other modes of transportation in the evenings, on weekends, and on holidays.

**Connector Services Model.** Also called feeder services, connector services provide transportation to or from another transportation system (for example, to or from a bus stop). In rural areas, the connector services model is implemented to help community members reach long-distance transportation (i.e., airports or inter-city buses), specific destinations (i.e., health centers or hospitals), or urban locations. An important consideration for ensuring the success of connector services is effective marketing and advertising, so that the public is aware of the routes available to them.

**Mobility Management Model.** In the mobility management model, organizations help people to connect to different transportation options in the community. Important goals of this model include improving efficiency, reducing costs, and maximizing use of resources. Mobility management programs may utilize mobility coordinators who are knowledgeable about the transportation services available in a particular community or county. Mobility coordinators can remove the burden of navigating different transportation systems and help riders to understand the services they are eligible for in their area.

**Models to Overcome Transportation Barriers**

Models such as mobile clinics, telehealth, school and workplace-based health programs, and home visiting programs are designed to help populations overcome transportation barriers in rural communities. These models focus on reducing the need to travel and increasing access to health care services and community supports.

**Mobile Clinics.** Mobile clinics are self-contained vans, recreational vehicles, or other vehicles that have been repurposed to provide clinical services in rural areas to populations that may lack access to specific health care services. Examples of the services provided by rural mobile clinics include dental services, diabetes screenings, immunizations, and x-rays, among others. Mobile clinics regularly visit schools and other community sites to deliver these services, and can help people who would otherwise have to travel long distances to see a provider.

**Telehealth.** Telehealth is “the use of electronic information and telecommunication technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health, and health administration.” Using telehealth, providers deliver care to their patients from a distance, thereby connecting people to health care services and reducing the need to travel for health care. It has been used to provide services including mental health care, chronic disease management, and obstetric care. Telehealth can be used in a provider’s office or in a patient’s home through remote patient monitoring systems. Reimbursement and credentialing are two important considerations for telehealth programs, as is the availability of reliable broadband infrastructure.

**School- and Workplace-Based Health.** Schools and workplaces provide accessible health care to rural populations who experience transportation challenges. School-based health centers are located in or near schools, and provide services to students of all ages. The types of services vary depending on capacity and state regulations, but may include primary care, physical exams, mental health counseling, immunizations, vision and dental screenings, and health education. Similarly, workplace-based clinics are located in or near worksites and enable employees to access health care services.

**Home Visiting Programs.** Home visiting is a strategy to reach people who are less likely to seek health care and social services. Populations targeted for home visiting programs include older adults, pregnant and postpartum mothers, families with infants or young children, and tribal populations. By bringing health care and other resources directly to homes, these programs can support healthy child development and help older adults to live independently in their homes. Often, these models employ community health workers to conduct home visits.

**Models to Improve Transportation Safety or Infrastructure**

Rural program models designed to improve transportation safety or infrastructure include active transportation models, models that increase access to public transportation, and road safety models.

**Active Transportation Models.** Active transportation refers to any human-powered mode of transit, such as walking and biking. This model is an inexpensive way for residents to exercise, explore their communities, and commute to work or school. In some rural communities, walking and biking for transportation is almost as common as in cities. Infrastructure for biking and walking, including protected bike lanes and crosswalks, is important for ensuring pedestrian and biker safety.

**Models that Increase Access to Public Transportation.** Only 11% of rural residents reported having public transit services available near their home, compared to 83% of residents of central cities in Metropolitan Statistical Areas (MSAs). Strategies to increase access to public transportation may include: integrating bicycle lanes, pedestrian paths, and transit systems; introducing features like wheelchair lifts that enable
people with disabilities to access transportation; and installing signage, schedules, and other markers to increase awareness of public transportation.

Road Safety Models. While there has been an overall decrease in motor vehicle-related deaths between 2005 and 2015, rural areas continue to experience more motor vehicle traffic deaths than urban areas. This disparity could be due to higher speeds on rural roads, fewer road safety features, and longer response times for emergency vehicles. Rural communities can implement strategies to lower traffic speeds and volumes to improve safety for drivers, pedestrians, bicyclists, and others who share roadways. Policies and strategic design elements are important for rural road safety models.

Implementation Considerations

When implementing a rural transportation program, careful planning is crucial. One of the most important considerations is funding. Financial resources are required to pay for staff wages, insurance, technology, and vehicle maintenance and fuel, among other costs. Program staff include mobility managers, human resources and hiring managers, customer service representatives, data managers, dispatchers, and drivers.

Collaboration with other transportation organizations in the community and stakeholders that serve the target population is also important. Partnerships facilitate coordination of services, improving the reach and efficiency of the program. Partnerships are also important for promoting and marketing the transportation program, and an effective way to build ridership and community buy-in for the program. Information on program eligibility, cost, coverage, and schedule should be widely disseminated so all potential riders are aware of and may utilize the service. Rural transportation program leaders also noted the importance of identifying a champion for the program.

Safety is also a key consideration for implementing and maintaining a rural transportation program. Policies and practices should be implemented to ensure the safety of program staff and riders. To promote safety, programs should require that drivers carry a valid driver’s license, comply with insurance policies, and complete a background check. Rural transportation programs also offer trainings for drivers on topics ranging from cultural sensitivity and home visiting to identifying victims of abuse and human trafficking. One rural volunteer driver program provides training on “understanding the rider’s point of view.” This program emphasized the importance of building relationships between the driver and rider, which contributed to riders’ satisfaction with, and the overall success of, the volunteer driver program.

Depending on the program’s goals and resources, transportation services may only be offered for specific transportation needs, such as accessing health care services. It is critical to understand which services are covered by insurance, and the limitations of insurance. Additionally, some of these programs only operate during business hours. This can leave a gap in services for people who need to travel for other reasons or during other times. Rural communities are implementing transportation programs that help to fill these gaps by offering transportation to anyone, at any time, for any reason. Some programs provide transportation to people on-demand, while others require rides to be scheduled days or weeks in advance.

Technology is important for supporting rural transportation programs. Mobile applications can help coordinate transportation services. Geographic information systems (GIS) can facilitate the development of fixed routes, assess traffic patterns, or visualize usage areas. Other technology used to reduce transportation barriers include telehealth, which connects people to health care from a distance, and drones, which are a novel method for bringing health care supplies and pharmaceuticals to rural communities. Dispatchers may also use technology, such as GIS or computer-aided dispatching and scheduling, to schedule rides and determine transportation routes. For additional information on implementation, see Module 4: Implementation Considerations for Rural Transportation Programs in the Rural Transportation Toolkit.

Program Evaluation Strategies

Evaluation is important for building the evidence base of “what works” in rural communities related to transportation. Evaluations may focus on process, outcomes, and impact. Process measures focus on measuring how services are provided, for example: number of passenger trips, mileage cost, operational cost per vehicle and per passenger, safety incidents, and punctuality. Outcome measures focus on measuring program results or overall achievements, for example: access to health and social services, awareness of available services, avoided health care costs, policies and legislation, and return on investment.

Rural transportation programs may have limited funds to conduct rigorous evaluations. Rural transportation programs are collecting data using satisfaction surveys, offered on a regular basis or annually. Volunteer driver programs may collect information from both drivers and riders in an application; this data is also useful for evaluation purposes. When conducting evaluations of rural transportation programs, it is important to involve all stakeholders that are affected by the program, such as: drivers and passengers, health care and social service agencies, advocacy groups, government agencies,
transit service providers, transit interest groups, neighborhood organizations, elected officials, local businesses, environmental groups, and funders.

In general, it can be challenging to quantify the value of different transportation options in rural communities. Many impacts are difficult to measure (e.g., reducing social isolation among older adults, and providing transportation to people who would otherwise not seek health care services).

**Sustainability Strategies**

Rural transportation programs may require financial support from a number of organizations. Common funding sources include: federal, state, and local government agencies; associations; foundations; health care providers; faith-based organizations; and entrepreneurs. These funds may be used for different purposes. For example, federal transit grant programs help private, non-profit organizations to meet the transportation needs of older adults and people with disabilities (Section 5310) and support transportation programs in rural and tribal areas that serve populations with less than 50,000 residents (Section 5311). Other federal agencies have grant and loan programs that can be used for transportation infrastructure and planning in rural areas. Medicaid may cover non-emergency medical transportation. Foundations and philanthropic organizations provide funding to support administrative costs, research, and coalition building. To access information about these resources, visit Module 6: Sustainability of Rural Transportation Programs in the Rural Transportation Toolkit.

To support sustainability of the program, some rural transportation programs charge riders a fee to use the service. The fee may be a flat fee or based on the number of miles traveled. Many programs offer services at no cost to the rider or will waive the fee if the rider is unable to pay. Other key issues to consider include: sustaining partnerships, tracking program data, and monitoring community trends and changes in population demographics that may impact the program.

> "We don't ever want to duplicate [the transportation services] that are already there. We are only going to fill in the gaps and work with counties to help get the transportation that is needed in each county."
> - Rural transportation program leader

**Rural Implications**

Rural transportation program leaders emphasized the importance of building a strong network of transportation partners—and complementing other programs in the community rather than competing with them for existing resources. Rural transportation programs may refer people who need rides to other organizations, if they cannot assist them, and may also share drivers. Coordination can increase rural residents' access to different destinations and increase the affordability of the service.

Rural communities may lack transportation services that meet the needs of people who cannot or do not wish to drive; those who do not have access to a personal vehicle; and populations such as older adults, veterans, tribal populations, people with low incomes, and people with disabilities. In addition, transportation services are lacking for individuals who need to travel long distances to reach specialty health care services.

Rural communities have a higher percentage of adults aged 65 years and older compared to the nation as a whole. With a growing older adult population in many rural communities, there is an increasing demand for transportation programs that provide door-to-door or door-through-door assistance. There is also a need to increase the number of vehicles in rural communities that are accessible (for example, able to accommodate walkers or wheel chairs). It will also be important to study the impact of emerging technologies and automated vehicles on transportation access in rural communities.

Further, rural transportation programs are exploring how to expand services to reduce social isolation for older adults and people with disabilities living in rural communities. Research shows that nearly three times as many socially isolated, high-need adults (those with chronic conditions or physical or cognitive limitations) delayed seeking health care due to a lack of transportation.

With transportation playing a key role in the health and wellbeing of rural populations, it is important to identify promising rural transportation models and practices. This project, and the resulting Rural Transportation Toolkit, provides information and resources that can support rural communities in implementing programs that increase access to, and safety of, transportation services.

**Methodology**

Researchers at the NORC Walsh Center for Rural Health Analysis implemented this project by (1) reviewing the literature on rural transportation programs; (2) conducting semi-structured telephone interviews with representatives from organizations that have implemented rural transportation programs; and (3) developing a web-based toolkit containing resources and promising practices.

The literature review was conducted to provide insight on strategies that have been effective in, or could be adapted for, increasing access to transportation in rural areas. From this literature review, we developed a semi-structured interview protocol. The protocol addressed program goals, activities, use of promising or evidence-based approaches, lessons learned, challenges, facilitators, evaluation activities, sustainability plans, and dissemination strategies. We conducted interviews with nine representatives from rural transportation programs,
including two Section 330A grantees. Some programs shared resources (e.g., program brochures, flyers and other materials) for inclusion in the online toolkit. NORC completed the interviews between May and November 2017.

In the second phase of this project, we analyzed the interviews and compiled resources from the literature to develop the toolkit. The toolkit is organized into seven topic areas or “modules.” The modules are: 1) introduction to rural transportation; 2) promising transportation program models; 3) rural transportation program clearinghouse; 4) implementation considerations; 5) evaluation considerations; 6) sustainability strategies; and 7) dissemination of approaches for rural transportation programs.

The product of this research is the Rural Transportation Toolkit, a compilation of information, resources, and models for increasing access to transportation in rural areas. The literature on evidence-based rural transportation programs in rural communities is limited. Therefore, the Rural Transportation Toolkit represents promising practices, rather than evidence-based practices, and provides information and resources for rural communities interested in implementing a rural transportation program. This issue brief presents the key themes that emerged from this project related to rural transportation programs.

To access the Rural Transportation Toolkit, visit: https://www.ruralhealthinfo.org/toolkits/transportation

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**References**


This study was funded under a contract with the Health Resources and Services Administration Federal Office of Rural Health Policy (ORHP), DHESS, Contract Number HHS(250)201300021I/HHS(250)340027I/0002. Under this contract, the NORC Walsh Center for Rural Health Analysis and the University of Minnesota Rural Health Research Center are conducting evaluations of the grant programs established under the Section 330A Outreach Authority. The conclusions and opinions expressed in this report are the author's alone; no endorsement by NORC at the University of Chicago, the University of Minnesota, HRSA, FORHP, or other sources of information is intended or should be inferred. The Walsh Center for Rural Health Analysis is part of NORC at the University of Chicago.
The Vision

California has a safe, sustainable, world-class transportation system that provides for the mobility and accessibility of people, goods, services, and information through an integrated, multimodal network that is developed through collaboration and achieves a Prosperous Economy, a Quality Environment, and Social Equity.
RURAL ISSUES

Rural issues, while as acute as those in urban areas, have very different characteristics. With only eight percent of California's population, rural areas comprise 94 percent of the land area (see Figure 15). Providing transportation services to a sparsely and widely distributed population presents special transportation challenges that must be considered when planning for a balanced, interconnected system.

FIGURE 15
California Rural and Urban Transportation Statistics (2001)

Source: U.S. Department of Transportation, Federal Highway Administration, Highway Statistics.

Rural transportation issues may vary depending on the area's economic base, topography, or proximity to urban areas and popular destinations. There are, however, many areas of common need.

Integrity of the existing road system is a significant concern in rural areas. With approximately 46 percent of the road miles located in rural areas, the proportion of road miles to population creates a far larger responsibility without the economic means to address it. Weather issues exacerbate road condition problems, particularly where flooding, landslides, and snow removal can quickly jeopardize pavement integrity. Figure 16 indicates the condition of California's rural roads using data collected by FHWA.

California's economy relies on the efficient movement of interregional commercial trucking. While rural areas might experience substantial goods movement traffic and associated air quality effects, they typically receive inadequate transportation resources to address the impacts.
For more than 50 consecutive years, California has been the number one food and agricultural producer in the nation. The State's agricultural output is nearly $25 billion per year. This makes truck access of particular importance in bringing food and timber to the world. These large trucks take a substantial toll on the local road systems that feed into the State highways, not only in traffic volumes, but also in impacts to pavement conditions.

California's travel and tourism industry generated an estimated $82.5 billion, and supported over 893,000 jobs in 2004. Destinations in rural areas are major attractions for State, national, and international travelers. For example, Yosemite, Sequoia, Joshua Tree, Cabrillo, and Death Valley National Parks, Point Reyes National Seashore, and Whiskeytown-Shasta-Trinity National Recreation Area attracted nearly 11 million visitors in fiscal year 2000/2001. Rural tourism, and consequently rural economies, are dependent on a well-maintained and reliable roadway system, yet the roadways are inadequate to serve the demand.

Safety is another significant concern in rural areas. Nationally, over 58 percent of the total fatalities occur in rural areas. The rural fatality rate per 100 million vehicle miles traveled is more than twice that of urban areas. The higher fatality rate could be attributed to many factors including rugged terrain, shortened sightlines, unforgiving roadways, faster speeds, alcohol, longer response time to accidents, and distance to medical treatment centers.

For some rural residents, transit service is the only means of transportation. Rural entities are often challenged to provide transit and paratransit services to rural customers sparsely distributed over considerable distances. Regional and intercity bus service can be difficult to provide due to low demand, fare box return requirements, and limited resources for operating and maintaining the system.

FIGURE 16
Rural Road Conditions in California (2000)

Source: U.S. Department of Transportation, Federal Highway Administration, Highway Statistics.

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Intercity bus transportation is an important part of the California's overall surface transportation network and holds particular importance to smaller communities and rural areas. It provides a critical service for smaller communities in which air or passenger rail is not readily available, and, even when these options are available, intercity bus may be more affordable. Since the 1980s, national carriers have abandoned many of the rural intercity bus routes, severely reducing rural mobility.

Rural area airports provide vital access for lifeline medical emergencies, fire fighting, and agricultural operations. These airports also provide links to larger urban airports for passenger and air cargo service. As commercial airports reach passenger and cargo capacity, demand will shift to regional and rural airports to provide general aviation services. Many rural airport runways need to be extended to accommodate larger aircraft.

Rural areas do not have the communication infrastructure that urban areas enjoy. Lack of wireless communication directly affects safety and increases information and advanced transportation systems infrastructure deployment costs.

Transportation plays a crucial role in the sustainable development of rural areas and communities. Pedestrian-oriented main streets in the historical rural downtowns of California have served as examples for improving urban environments. These rural main streets should continue to reflect the community's values and character, while enhancing the rural economy by facilitating goods movement and access to goods, services, and jobs.

While many of the strategies discussed in the previous sections are applicable to rural needs, the following strategies address specific rural issues.

**Partners:**
- Agricultural sector
- Airport operators
- Business community
- California Department of Transportation
- Educators
- Emergency response providers
- Environmental advocates
- Health and human services providers
- Regional Transportation Planning Agencies
- Rural advocacy groups
- Rural communities and counties
- Tourism sector
- Transit and paratransit operators
- Transportation advocates

**Strategies:**

- Ensure rural areas have adequate funds to provide for the operation, maintenance, and rehabilitation of the rural and interregional transportation system,
  - Provide for roadway safety improvements and efficiencies.
  - Provide flexible funding for fund matching opportunities with other programs.
  - Consider interregional traffic, including goods movement and tourism, and weather impacts when allocating resources to rural entities.
• Ensure critical transportation facilities, such as general aviation airports, are adequately funded to provide lifeline services.

- Upgrade communication, including emergency response entities in the early planning stages, to enable deployment of advanced transportation systems to improve safety, incident response, and traveler information.

- Advocate coordinated public transportation services with social service agencies to optimize resources and services.
  - Consult with Native American Tribal Governments to coordinate improved public transportation access to and through tribal lands.
  - Initiate effort with full participation of federal, State, regional, and local governments to explore funding options and opportunities and to address potential barriers.
  - Identify best practices including advanced public transportation technologies to improve and coordinate services.

- Consider the “main street” characteristics of transportation corridors and incorporate community values and context sensitive solutions.

- Explore alternatives to moving goods through rural areas to mitigate impacts on infrastructure and air quality.

- Protect rural airports from incompatible land use encroachment.
Kern Transit Routes
Annual ridership by route:

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<th>Ridership</th>
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<td>Route 130 (Bakersfield – Frazier Park)</td>
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<td>Route 250 (California City – Lancaster)</td>
<td>59,621</td>
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<td>Dial-a-rides</td>
<td>61,357</td>
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<td><strong>System total</strong></td>
<td><strong>394,685</strong></td>
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</tbody>
</table>

Bob Neath
Manager
Kern Regional Transit
2700 “M” Street, Suite 400
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Office (661)862-8859
Mobile (661) 747-5246
bobn@kerncounty.com

Hi Bob,
Letter 2: County of Kern Planning and Natural Resources Department

Ms. Lorelei H. Oviatt, AICP, Director
County of Kern, Planning and Natural Resources Department
2700 M Street, Suite 100
Bakersfield, CA 93301

June 21, 2018

Response 2-1

Comment 2-1 is related to the 2018 RTP only and is addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.
Kern Council of Government  
1401 19th Street  
Third floor  
Bakersfield, Ca 93301

Subject: Long term Goals

Honorable Chairperson, Council Members and Staff

I would suggest the following items for inclusion on a list of desirable transportation goals:

3-1 • Coordination of traffic signals in the greater urban Bakersfield area. This would facilitate traffic flow. Funding of this should come from the fines placed on vehicle licenses for not meeting air quality standards. The nexus occurs when vehicles go from a stop as watching a big rig exhaust will attest. It may be desirable to have this done by a private firm or a city, which is into this and is familiar with the concept, by contract.

3-2 • It is nice to see that sound walls are being constructed in the area’s highway routes. This will help muffle the sound of tailpipes and fenders being shook loose from vehicles. This is caused by the rough and pot holed surface on even new construction. It would appear that this area is not receiving much notice from the powers that be who control funding yet ignore this area. The problem is most noticeable on the right lane so to either get the problem noticed or to handle it locally a proposal to obtain a portable weight truck is in order. Being aware of even the harmonics of empty (though speeding) trucks, the use (or consideration of use) by local enforcement utilizing a weight truck should bring the matter to its proper status. If it becomes necessary to actually obtain a weight truck, then fines left over from the enforcement operation should be dedicated to county road maintenance.

Thank you for your consideration of these suggestions and I think you will agree that they are both doable and cost effective.

Sincerely,

Dennis Fox  
918 Blossom ST.  
Bakersfield, CA 03306

661 366 4093
2.0 Comment Letters and Responses

Letter 3: Private Citizen

Mr. Dennis Fox
918 Blossom Street
Bakersfield, CA 03306

June 2018

Response 3-1

Additional funding for traffic signal coordination is included in the RTP and discussed on page 5-43 as an air emissions reduction strategy.

As described in Section 1.0, Introduction, the PEIR is a programmatic document that provides a region-wide assessment of the potential impacts of implementing the programs, policies, and projects included in the 2018 RTP. The PEIR is not intended to evaluate detailed impacts at the local/project level which would require specific information on location and design of transportation and development projects. Pursuant to the California Environmental Quality Act, potentially significant adverse impacts associated with these transportation and development projects including area planning projects, are required to be analyzed and mitigated prior to approval. CEQA also requires that cumulative impacts be evaluated.

Response 3-2

Chapter 2 of the RTP includes policies 15.2, 18.0, 21.6 and 33.6 which relate to maintenance of local roadways. See also Response 3-1 above.
July 2, 2018

Ms. Raquel Pacheco, Regional Planner  
Kern Council of Governments  
1401 19th Street, Suite 300  
Bakersfield, CA 93301

Subject: Draft 2019 Federal Transportation Improvement Program, Draft 2018 Regional  
Transportation Plan/Sustainable Communities Strategy, Corresponding Draft Conformity Analysis,  
and Draft Environmental Impact Report  
SCH# 2017041081

Dear Ms. Pacheco:

The Department of Conservation, Division of Oil, Gas, and Geothermal Resources (Division)  
regulates oil and gas production facilities in addition to supervising the drilling, maintenance, and  
plugging and abandonment of oil, gas, and geothermal wells in California. The Division has  
received and reviewed the above Draft Environmental Impact Report and submits the following  
evaluation.

The Division routinely reviews construction projects in proximity to oil and gas well operations to  
facilitate local permitting agencies' exercise of local land use authority regarding use of land where  
oil and gas wells are situated. Individual transportation project proposals should be forwarded to  
the Division for review and comment.

All oil and gas well operations are subject to the Division's well permitting process, and all oil and  
gas operations must abide by any pertinent Division statute or regulation. The developer/project  
owner is required to consult with the Division prior to the commencement of any work to uncover a  
known abandoned well.

If during project operations, any unknown wells are encountered the project developer or property  
owner shall immediately notify the Division's Inland District office for consultation. Remedial  
plugging and abandonment operations may be required.

Thank you for the opportunity to comment on this project. Should any questions arise, please  
contact me in the Bakersfield district office at (661) 334-3662.

Sincerely,

Michael Toland  
Senior Oil and Gas Engineer  
Facilities/Environmental, Idle Well and Construction Site Review Unit
Letter 4: CA Department of Conservation – Division of Gas, and Geothermal Resources

Mr. Michael Toland, Senior Oil and Gas Engineer
CA Department of Conservation – Division of Gas and Geothermal Resources
Facilities/Environmental, Idle Well and Construction Site Review Unit
4800 Stockdale Highway, Suite 100
Bakersfield, CA 93309

July 2, 2018

Response 4-1

Commenter requests that all new transportation projects be forwarded to the Division of Gas, and Geothermal Resources (DOGGR) for review and comment. It is anticipated that local agencies will comply with all applicable requirements to notify and consult with DOGGR where construction projects will be in proximity to oil and gas well operations, or upon the discovery of abandoned wells.
July 9, 2018

Ms. Becky Napier, Deputy Director-Administration  
Kern Council of Governments  
1401 19th Street, Suite 300  
Bakersfield, CA 93301  

RE: Review of the Draft Kern Council of Governments 2018 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and Program Environmental Impact Report (PEIR)  

Dear Ms. Napier:

On behalf of Tejon Ranch Company, this correspondence presents comments on the Draft 2018 RTP/SCS and PEIR that the Kern Council of Governments (Kern COG) is circulating for public comments. Tejon Ranch appreciates the opportunity to provide comments on the updated 2018 RTP which is intended to guide development of the Kern Region’s planned multi-modal transportation system as well as provide funding for future transportation projects. An important aspect of the RTP is the inclusion of the Chapter 4 Sustainable Communities Strategy (SCS) that incorporates an action plan for reducing greenhouse gas emissions in compliance with California’s Sustainable Communities and Climate Protection Act (Senate Bill 375). Tejon Ranch planned communities and development projects are designed to promote sustainable development concepts that help to reduce greenhouse gas emissions consistent with the SCS.

1. **Draft May 2018 RTP/SCS Comment**  
   **Chapter 4, SCS, Figure 4-10: Forecasted Development Pattern Map-Kern Region 2035** (page 4-28)

   Although it is understood that the Figure 4-10, Forecasted Development Pattern Map is conceptual in nature and is intended to generally depict planned land use for the Kern Region, it is requested that the Map be modified to include the Kern County adopted Grapevine Specific and Community Plan, especially those planned community areas east of Interstate 5 and south of the Tejon Ranch Commerce Center.
5-2 Draft May, 2018 RTP/SCS PEIR Comments
Section 4.4, Biological Resources Habitat Conservation Plan (pages 4.4-37 and 38)

While the PEIR biological analysis makes reference to the Metropolitan Bakersfield Habitat Conservation Plan, the “Proposed” Kern County Valley Floor Habitat Conservation Plan and the West Mojave Habitat Conservation Plan, no reference is made regarding the Tehachapi Uplands Multiple Species Habitat Conservation Plan (TUMSHCP) which is a significant private conservation planning program addressing the upper elevations of Tejon Ranch.

The TUMSHCP is an approved Incidental Take Permit for 25 covered species including the California Condor. The conservation plan covers 141,888 acres of Tejon Ranch property. The TUMSHCP incorporates a conservation strategy designed to minimize and mitigate species impacts that could occur as a result of the Ranch’s covered activities and uses.

In addition, this Section of the PEIR analysis should acknowledge the existence of the Tejon Ranch Conservation and Land Use Agreement (TRCLUA) which was jointly agreed to by Tejon Ranch, Audubon California, the Endangered Habitats League, Natural Resources Defense Council, Planning and Conservation League and the Sierra Club. Significantly Tejon Ranch’s Agreement provides the potential to preserve up to 240,000 acres of the 270,000 acre Tejon Ranch and the establishment of a Tejon Ranch Conservancy to provide for the management and conservation of natural resource lands subject to a “Ranch-Wide Management Plan.”

5-3 Section 4.4, Biological Resources, CDFW Valley Floor Habitat Conservation Plan, (page 4.4-38)

The description of the proposed Kern County Valley Floor Conservation Plan (VFHCP) needs to be clarified. The VFHCP is not an approved plan. It is a “proposed” program to develop a Natural Communities Conservation Plan (NCCP) Program that is intended to be approved by both the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS). It is inappropriate to describe the VFHCP as a “published” program. Therefore, the PEIR should delete reference to “CDFW” and reference the program as the “Proposed Kern County Valley Floor Habitat Conservation Plan.” Kern COG and their consultant should consult with the Kern County Planning and Natural Resources Department in presenting an appropriate description of the proposed conservation planning program.
Section 4.4, Biological Resources, Preserves Refuges and Other Protected Areas, (pages 4.4-37 and 39)

This Section makes reference to Figure 4.4-2, Resource Areas: Farmland, Habitat, Open Space and Government Lands Map as illustrating the location of protected lands in the plan area.

The Figure 4.4-2 Legend and Map depict “Valley Floor (HCP) Zone” for lands that in many cases involve private property that is not subject to conservation restrictions. It appears premature to depict such “Valley Floor (HCP) Zones” as the proposed program is undergoing revision and has not been adopted. It is suggested that Kern COG consult with the Kern County Planning and Natural Resources Department on this matter of presenting specific habitat zones for a program that has yet to be adopted.

In addition, it is unclear what the Figure 4.4-2 Map Legend category “SB 375 Spheres of Influence and City Limits” is intended to depict. Local Agency Formation Commission (LAFCO) Spheres of Influence and city incorporated limits are not directly affected by SB 375 requirements. Reference to “SB 375” should be deleted from the “Spheres of Influence and City Limits” category in the legend.

Please contact me if you have any questions concerning the PEIR comments. Tejon Ranch appreciates the opportunity to provide comments regarding the RTP/SCS planning and environmental process.

Sincerely,

Ted James, AICP, Consultant

cc: Derek Abbott, Vice President, Community Development & Resource Planning
Tejon Ranch Company
Letter 5:  
Ted James, AICP, Consulting

Mr. Ted James, AICP  
1626 19th Street, Suite 26  
Bakersfield, CA 93301

July 9, 2018

Response 5-1

Comment 5-1 is related to the 2018 RTP only and is addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.

In response to this comment, Figure 4 of the RTP, which is Figure 3.0-4 of the PEIR is revised to show the Grapevine development of Tejon Ranch.

Response 5-2

Page 4.4-38 of the Draft PEIR is revised to add the following (new text is underlined):

Tehachapi Uplands Multiple Species Habitat Conservation Plan (TUMSHCP)

The TUMSHCP is a private conservation planning program. It is an approved Incidental Take Permit for 25 covered species including the California Condor. The conservation plan over 141,888 acres of Tejon Ranch property. The TUMSHCP incorporates a conservation strategy designed to minimize and mitigate species impacts that could occur as a result of the Ranch’s covered activities and uses.

Tejon Ranch Conservation and Land Use Agreement (TRCLUA)

The TRCLUA is an approved agreement between Tejon Ranch, Audubon California, the Endangered Habitats League, Natural Resources Defense Council, Planning and Conservation League and the Sierra Club. This agreement provides the potential to preserve up to 240,000 acres of the 270,000-acre Tejon Ranch and the establishment of a Tejon Ranch Conservancy to provide for the management and conservation of natural resource lands subject to a “Ranch Wide Management Plan”

Response 5-3

Page 4.4-38, first paragraph, of the Draft PEIR is revised as follows (new text is underlined, deleted text is in strikeout font):
CDFW Kern County Valley Floor Natural Communities Conservation Plan/ Habitat Conservation Plan

In 2006, the proposed Kern County published the Valley Floor Natural Communities Conservation Plan/ Habitat-Conservation Plan (VFHCP). The VFHCP would provide for an incidental take permit for Oil and Gas Activities as well as development of the Tejon Ranch Grapevine Project. Kern County, in conjunction with their permitting of these developments, would be the permit holder and as an NCCP it would allow the taking of multiple federal- and state-protected species as well as fully protected species under the CES while providing for landscape level ecological planning. The project area would include the entire 2.3 million acres of the valley portion of Kern County, established the conditions under which Kern County, the California Division of Oil, Gas, and Geothermal Resources (DOGGR), and other Program beneficiaries sought authorization to allow the taking of multiple federal- and state-protected species incidental to development and other land use activities within the historical range of federal-protected plant and animal species, state-protected plant and animal species and/or other species of concern. Species of concern, not currently protected by the federal or state Endangered Species Act (ESA) are also included.

1 Kern County Valley Floor Habitat Conservation Plan, December 2006
https://www.kerncounty.com/planning/pdfs/vfhcp_dec06.pdf

Response 5-4

Figure 4.4-2 of the Draft PEIR is revised to remove the “Valley Floor (HCP) Zones” including both the “High” and “Moderate” Zones

The last item on the legend for Figure 4.4-2 of the Draft PEIR is revised as follows: SB-375 Spheres of Influence and City Limits"
July 10, 2018

Mr. Ahron Hakimi  
Executive Director  
Kern Council of Governments  
1401 19th Street, Third Floor  
Bakersfield, CA 93301

Subject: 2018 Draft Regional Transportation Plan/Sustainable Communities Strategy for Kern County

Dear Mr. Hakimi:

Thank you for the opportunity to comment on the 2018 Draft Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS).

The California High-Speed Rail Program will contribute to economic development and a cleaner environment, preserve agricultural and protected lands, promote efficient mobility, and increased livability in the Central Valley. These same principles are consistent with the Kern Council of Government’s Draft 2018 RTP/SCS.

The California High-Speed Rail Authority (Authority) recognizes that Kern County will benefit from the arrival of High-Speed Rail given the extensive discussion in the RTP/SCS. Projects such as the proposed commuter rail network and the Meadows Field airport planning show the potential for the High-Speed Rail and regional transportation projects to complement each other.

The Authority wishes to congratulate KERNCOG and the City of Bakersfield for supporting and adopting “Making Downtown Bakersfield,” the High-Speed Rail Station Area Plan. This noteworthy plan provides a vision for the revitalization for Downtown Bakersfield and a blueprint for future decisions. This plan includes key core reinvestments in mass transit, bicycling and pedestrian improvements throughout the Downtown and the High-Speed Rail Station, making Downtown more livable and High-Speed Rail ready.

The Authority’s 2018 Business Plan presents a vision for implementing the nation’s first high-speed rail system in the face of challenges that projects around the world of similar magnitude and complexity.

The Draft RTP contains several references to High-Speed Rail. For consistency with the Authority’s latest adopted plan, we request your consideration of the following comments for inclusion in the RTP/SCS:

6-1  
- Chapters 5 Strategic Investments and 7 Future Links sections should be updated to reflect the current 2018 Business Plan’s implementation and delivery strategy, funding, costs, schedule, and ridership estimates.
It should be noted the “Proposed High-Speed Rail Heavy Maintenance Facility” should be removed as the final location has not yet been determined.

The Authority looks forward to ongoing collaboration with Kern Council of Governments on issues that will leverage your interests in multimodal transit infrastructure.

Sincerely,

Diana Gomez
Central Valley Regional Director
(559) 445-5172
diana.gomez@hsr.ca.gov

cc: Becky Napier, Deputy Director – Administration, Kern Council of Governments
    Jacquelyn Kitchen, Planning Director, City of Bakersfield
    Cecelia Griego, Principal Planner, City of Bakersfield
    Caitlin Miller, Air Pollution Specialist, Air Resources Board
    Ken Zatarain, Access Planner, California High-Speed Rail Authority
    Ben Lichty, Supervising Transportation Planner, California High-Speed Rail Authority
    Stuart Mori, Senior Transportation Planner, California High-Speed Rail Authority
Letter 6: CA High Speed Rail Authority

Ms. Diana Gomez, Central Valley Regional Director
CA High Speed Rail Authority
1111 H Street
Fresno, CA 93721

May 10, 2018

Responses 6-1 and 6-2

Comments 6-1 and 6-2 are related to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.
July 12, 2018

Becky Napier
Deputy Director - Administration
Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301

RE: DRAFT 2018 Kern Regional Transportation Plan / Sustainable Community Strategy
and Environmental Impact Report - Comments

Dear Deputy Director Napier,

I am a local independent transportation consultant with an office in downtown
Bakersfield. My comments are solely my own based on my professional knowledge and
experience with transportation planning and my concern for the community in general. I
regularly walk, bike, use transit, and take the train for business and personal reasons.

7-1 A key concern is that the Regional Planning Advisory Committee (RPAC) and the
public have not had the opportunity to review the assumptions, inputs, or model
outputs such as performance measures and GHG reductions for any scenarios,
alternatives or plans prior to release of the Draft.

Kern COG staff explained they decided to use the 2014 RTP/SCS plan (scenario #3) as
the 2018 “Plan”, as they termed it. The only performance measures that were presented
to the RPAC or at public meetings during the outreach efforts were from the 2014
RTP/SCS model. At the last RPAC meeting June 6th staff and RPAC committee
members confirmed that no changes or additions would be made to the Draft. This
means not only was there no opportunity for public input or review of the 2018 “Plan”
and performance measures. That would mean any comments made during the public
comment period may be irrelevant.

7-2 The policies and strategies listed in Chapter 2 Table 2-1 have been expanded
significantly with items that were not presented to the RPAC or the public.

Chapter 4 on page 4-15 states “Directions to 2050” outreach process was used and
there were 6,000 participants. Although this was a very good effort it was done for the
2014 RTP/SCS. The Draft also states the “Directions to 2050” effort was extended to
Feb 2018. However, there are both an Executive Summary and Final Report “Summary
of Public Participation” dated December 2013 on the Kern COG website. Where is an
updated summary report with information from the extension to 2018?
Information gathered during the process may still be relevant but it does not look at what has changed or what has become areas of interest since the 2014 RTP/SCS. For example, new priorities for Active Transportation projects (bike, walk, transit), Disadvantaged Communities, and new alternative modes of transportation such as shared mobility and UBER/LYFT.

7-3 The Environmental Justice (EJ) and Title VI (VI) analysis raise serious concerns. The Draft states in Chapter 2 page 2-15, “The results of the analysis indicate that with the implementation of the plan, Environmental Justice and Title VI communities will be better off than in most measures of performance than the region as a whole.”

However, the tables in Appendix D illustrate to the contrary. Of the 12 tables that have EJ/VI analysis 8 of the EJ, and 6 of the Title VI tables have figures that indicate that the 2042 No Build is better than the 2042 Plan.

The summary table D-3 of all performance measures illustrates that non-EJ or Title VI communities benefit in all measures even in the 5 categories that do not have EJ or Title VI information. This data not only illustrates that EJ and Title VI communities are negatively impacted they also do not benefit from the Plan.

7-4 Also in Appendix D there is a statement that the EJ and Title VI geographic areas depicted on the maps D-1 and D-2 are based on the EJScreen maps. The methodology used to develop the maps in the Draft from the EJScreen maps is missing. Only the term “Predominately”, has been used as a qualifier to determine which areas are EJ or Title VI, and there are no legends on the maps. The EJScreen maps have a legend that depicts color-coded area based on 10% percentage ranges from 50% and above. What percentage ranges were used as a qualifiers for the Draft maps? This indicates that some derivatives of the EJScreen maps were used but not the actual maps. See the attached maps.

Traffic Analysis Zones (TAZ) represent the geographic areas that the model uses to allocate projected land use patterns, traffic volumes, performance measures, VMT and other information. The Draft does not have TAZ maps for the EJ and VI areas used by the modeling or for analysis. Since there is no explanation of the methodology used to create the maps in the Draft it is impossible to confirm that the EJ and VI TAZ’s correlate with the EJScreen maps. TAZ maps that directly correlate to the EJScreen maps and used in the modeling should be included in Appendix D.

7-5 Inconsistent GHG reduction information in Chapter 4 on page 4-51 states, “Based on the analysis of strategies included in the SCS, CO₂ emissions are anticipated to be 14.1% lower than 2005 levels by 2020 and 16.6% lower by 2035, exceeding the targets established by CARB in 2010 as illustrated by Table 4-6.” However, Table 4-6 lists GHG emissions 12.5% lower by 2020 and 12.7% lower by 2035.
This appears to be a cut-and-paste error. The 14.1% and 16.6% figures represent the 2014 SCS reductions. Based on Table 4-6 the 2018 SCS GHG reductions for 2035 are not as good as the 2014 SCS 2035 reductions at 12.7% vs 16.6% respectfully. That is a difference of 32%. Why does the new 2018 SCS perform worse than the old 2014 SCS?

**Staff has stated that the “Plan” for 2018 is the same as the 2014 plan referred to as scenario #3. If that is the cause what is the reason for a drastic reduction? Is this an indicator of a negative trend? In my opinion the real world development is performing better than this Draft may present.**

This leads to concern for the ability to develop a future SCS that will meet the proposed ARB 2035 target of 15% for Kern County.

7-6  

There is confusion as to what scenarios or alternatives were analyzed in the Plan and what was analyzed in the EIR. More details on the alternatives in the EIR (No Project, Old Plan, and Countywide Infill) should be provided.

A Slow Growth alternative was mentioned but staff decided to not analysis it. The ARB letter (April 2018) states a Slow Growth alternative should be analyzed.

The letter from ARB raised important issues that I have not been able to determine they were addressed.

I submit these comments in the interest of assisting RPAC and staff to make improvements and corrections to the Draft RTP/SCS and the development process.

I offer two recommendations. Seek assistance from those that have expertise with EJ and Title VI analysis and outreach efforts.

Second, experience has shown that relying completely in a single model is not wise. I suggest as I did at a RPAC meeting earlier this year that a Plan B should be prepared whenever there are obviously serious issues with the modeling as there has been during this RTP/SCS cycle.

Respectfully,

T. Hightower  
Transportation Consultant

Attachments
Kern Draft 2018 RTP/SCS - EJ Map

Figure D-2: Federal EJ Areas (Minority and Low Income Areas)

Sources: U.S. Census, U.S. EPA EJ Screen Tool 2015
EJ Screen EJ Map
2018 SCS Title VI Map

Figure D-1: Federal Title VI Areas (Predominantly Minority Areas Only)

Sources: U.S. Census, U.S. EPA EJ Screen Tool 2015
EJ Screen Title VI Map
Letter 7: TDH Associated International

Mr. Troy D. Hightower
Transportation Consultant
P.O. Box 2493
Bakersfield, CA 93303

July 12, 2018

Responses 7-1 through 7-5

Comments 7-1 through 7-5 relate to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.

Response 7-6

Descriptions of each alternative are provided on pages 5.0-6 through 5.0-9. Are sufficient to allow analysis at the programmatic level and comparison of impact to those of the project. The Slow Growth Alternative is briefly discussed in the Draft PEIR, on page 5.0-6. CEQA Guidelines Section 15126.6(c) provides:

“"The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency’s determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.”

As stated on page 5.0-6, “[p]reliminary modeling shows that DOF slower growth would lower the ability to achieve the SB 375 2035 target by one to two percentage points meaning that Kern COG would still meet the CARB targets. Therefore, further analysis of this alternative is not necessary as analysis of the Plan is more conservative.”
July 12, 2018

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

Re: Comments on the Draft 2018 RTP/SCS and Environmental Impact Report

Dear Mr. Hakimi,

We thank you for the opportunity to provide written comments on the Draft 2018 Regional Transportation Plan/Sustainable Community Strategy (“Draft”). Leadership Counsel for Justice and Accountability (Leadership Counsel) works alongside residents of disadvantaged communities across the San Joaquin and East Coachella Valley, including throughout Kern County, to advocate for sound policy, eradicate injustice, and secure equal access to opportunity regardless of wealth, race, income or place. Leadership Counsel and Greenfield Walking Group submit the following comments for consideration. Through our comments, we seek to ensure that the Draft 2018 Regional Transportation Plan (RTP) creates sustainable, equitable, and effective transportation planning that benefits all Kern County residents, and that the Draft has thoroughly evaluated and mitigated the environmental and human impacts on Kern County’s disadvantaged communities and populations in accordance with the California Environmental Quality Act (“CEQA”) and state and federal laws.

Kern Council of Governments (COG) must explicitly consider the input of residents, and the RTP/SCS should provide Kern residents with the transportation and housing choices they have consistently requested — especially residents of disadvantaged communities and populations which have been denied the benefits of transportation and housing-related investment and environmental protections. By expanding affordable housing options and access to commercial and retail services in existing communities, increasing access to public transit, and increasing opportunities for walking and biking throughout the County — priorities expressed during the public process, Kern COG can positively impact residents’ health and at the same time meet their targets to reduce greenhouse gas emissions. Moreover, making these investments will help Kern COG ensure equitable investments as required by Title VI and affirmatively overcome practices that have denied access to necessary infrastructure, services and a healthy environment in low
income communities of color. While the Draft includes certain policies supportive of these priorities expressed by residents, it lacks specific action items and includes inconsistent funding allocations to ensure these goals are realized.

I. **Transportation Policies within the Draft should Prioritize Transportation Objectives in Disadvantaged Communities and Advance Environmental Justice Goals**

Pursuant to Government Code Section 65080(a), the RTP shall include a “policy element that describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, and pragmatic objective and policy statements . . .” In a letter dated October 31, 2017, Leadership Counsel, The Center on Race, Poverty and the Environment, Central California Asthma Collaborative, and Greenfield Walking Group, provided comments on proposed policy changes and additions for Chapter 2 of the Draft to assist Kern COG in meeting these and other requirements for the RTP. The letter highlighted the importance of achieving objectives that addressed the transportation needs of disadvantaged communities and including clear, direct policy language to address environmental justice issues impacting those communities.

These proposed changes were discussed at RPAC meetings in late 2017. While some of our proposed edits have been incorporated into the Draft, the Draft fails to include certain edits which are necessary to ensure that the RTP adequately describes and addresses the transportation needs of the region, including disadvantaged unincorporated communities as required by Government Code Section 65080(a). A copy of the October 2017 letter which sets forth and explains these proposed edits has been enclosed for reference.

**a. Policy Chapter Missing Key Statement Regarding Inclusion of Unincorporated and Disadvantaged Communities**

At the December 12, 2017 meeting with Kern COG staff, Rob Ball and Becky Napier, and Troy Hightower, staff agreed to include the following statement about DACs in the Draft 2018 RTP:

“Transportation planning policies discuss multiple plans including but not limited to transit plans, active transportation plans. The scope of goals, policies and actions within this document apply to all jurisdictions including unincorporated areas and disadvantaged communities.”

Upon review of the Draft, this statement is missing. At the RPAC meeting on January 3, 2018, the advisory council voted to adopt Chapter 2. At that time, the above referenced statement was included in Chapter 2. In no RPAC meeting since was there any mention that Chapter 2 was later revised post our December 12, 2018 meeting. Nor has there been any explanation to Leadership Counsel or RPAC as to why it was removed. Such a statement highlights the inclusion of all segments of Kern County in Planning with attention brought to unincorporated
and disadvantaged communities—areas often neglected in planning and investment. Leadership Counsel would like to discuss this exclusion with staff and how COG intends to ensure that disadvantaged communities’ needs are planned for in the final RTP.

8-2

b. Policy Recommendations Must Include a Clear and Robust Focus on Improvements in Disadvantaged Communities

Given the historical transportation related underinvestment in environmental justice communities, Kern COG has a special responsibility to adhere to the federally established environmental justice principle “to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations” and to affirmatively address the effects of past discrimination. Federal Transportation Administration (“FTA”) Circular 4703.1; See CalTrans Guidelines, 78. In addition, Government Code Section 65080 requires that the RTP “be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials.”

The Draft RTP lacks sufficient specific policies that will provide the clear guidance to local and state officials and effectively advance the interests of disadvantaged communities as required by Section 65080 and civil rights laws. We recommend the following revisions to address these flaws in the Draft RTP.

First, we recommend that the COG revise the following policies to prioritize disadvantaged communities in their implementation: 7, 8, 28.2, 29.1, 29.2, and 29.3.

Second, Policy Action No. 27 should provide additional specificity about the source of funding that will be used to implement the policy. The policy states: “As planning funds are available, continue the technical and planning assistance grant program to assist and allow local jurisdictions to receive funding for coordinated land use, air quality and transportation planning.” We recommend that Kern COG specify a commitment to use some Senate Bill 1 transportation funding for this purpose. For example, since SB 1 funds can be used for planning activities, Fresno COG has a planning grant program that uses SB 1 planning funding. An impressive feature of the Fresno COG’s program is that the scoring criteria is heavily weighted towards projects that benefit disadvantaged communities. Kern COG can implement something similar.

For Policy Action No. 33.5, COG should clarify this policy by adding another tool in the following way: “Utilize tools like CalEnviroScreen and Assembly Bill 1550 designations to apply for funding for communities and invest in existing communities that demonstrate the highest level of need.” Draft 2018 RTP 2-12. Since, the policy recommends the use of tools—plural—it is important to provide jurisdictions with more than one readily available resource that can identify communities in need.

Ultimately, the policies within Chapter 2 should focus on disadvantaged communities. Such focus will allow for much needed investment that has been lacking in these communities. This
focus and specificity will also aid jurisdictions in apply for competitive funding opportunities to meet the transportation related needs of disadvantaged communities.

8-3

i. Freight Related Improvements Should Not Be Prioritized Over the Needs of Overburdened Communities

Policy Action No. 21.1 reads: “Prioritize and program the freight related capital improvements for highways, regional roads, and interchanges for the RTP planning period, consistent with adopted goals and policies and the project eligibility requirements for each funding program.”

This policy should be clarified. It is not clear what types of actions this policy has priority over and how it intends to meet greenhouse gas reduction goals pursuant to SB 375. Residents of disadvantaged communities have articulated the negative environmental and public health impacts of such goods moving near their neighborhoods and their children’s schools. Such goods movement next to and across neighborhoods contributes to poor air quality, noise pollution and road deterioration that undermine public health and safety. Prioritization should focus on meeting the needs of disadvantaged communities, not serving business’ freight needs.

Furthermore, the goods movement related policies must be revised to incorporate protections for human health and environmental impacts, especially for overburdened communities. To reduce air quality and public health impacts, the policies should also include a clear and aggressive plan to pursue available funding for electrification and other pollution reducing approaches. In fact, MPOs are encouraged to support transportation electrification. 2017 RTP Guidelines for MPOs, 139. Furthermore, to ensure representation from potentially impacted communities and vulnerable populations, the stakeholder group identified in Policy Action No. 23 should include representatives from disadvantaged communities and air quality experts and advocates.

II. The Sustainable Communities Strategy Must be Developed from the Most Recent Feedback and Data and be Internally Consistent

Each MPO in California is required to update its RTP every four years. Gov. Code § 65080(d). In developing the RTP, the MPO “shall prepare a sustainable communities strategy” which “utilize[s] the most recent planning assumptions considering local general plans and other factors.” Gov. Code 65080(b)(2)(B).

The 2014 RTP Sustainable Communities Strategy (SCS) and the Draft 2018 RTP SCS are remarkably similar in its figures and narrative. Some of the figures in the 2018 Draft RTP are identical to figures included in the 2014 RTP. These figures include information concerning the public outreach results which influence the growth scenarios and the greenhouse emission targets which must be updated to reflect public outreach results from the current RTP planning period. 23 C.F.R. 450.316. Kern COG must revise the Draft RTP to ensure that it reflects the most recent assumptions, data, and public input available to the COG.

8-4

a. The 2018 RTP Must Reflect Current Data and Not Merely Copy Language from the 2014 RTP
The Draft states that, “In total over 6,000 people provided input into the RTP/SCS.” 4-16. The 2014 RTP states the same number of total people that provided input into that RTP update. There is a concern that this data was not updated for the 2018 Draft, and that this same data was used to inform the 2018 scenarios as opposed to COG reinitiating adequate outreach for the 2018 cycle to acquire the most updated public input. The latter is especially a concern since there were much less workshops in this current cycle then the 2014 cycle yet the number of people reached remained “[in] total over 6,000 . . .” 4-16. Furthermore, the document should break down what incorporated and unincorporated communities make up 6,000 people, how many were from each community, and what percentage was from urban and rural areas. If in fact the public outreach and feedback were acquired during the previous cycle that would mean that the development and the completion of the growth scenarios do not reflect the most recently available public input. Also, as a result of the mini grants Kern COG provided Leadership Council to helped facilitate workshops in South Kern communities like Arvin, Lamont and Greenfield, it is not clear how that input was used to inform the SCS’s policies and investment practices. The Draft should clarify when the public feedback was gathered for the SCS and how that input was used to shape the scenarios.

The Draft states that “The five recent studies on housing market demand indicate a growing interest for higher-density housing and mixed-use development in certain areas.” 4-33. The 2014 RTP states, “The five recent studies on housing market demand (see Appendix G – Forecast and Modeling Assumptions) indicate a growing interest for higher-density housing and mixed-use development in certain areas.” 2014 RTP 4-32. The paragraphs these quotes can be found in are extremely similar. If the studies were conducted in 2014 or prior, and were recent at that time, they are no longer recent in the 2018 Draft. The Draft language should clarify when studies were completed. Furthermore, in Chapter 5 of the RTP, a 2017 Community Survey was conducted on housing type preference. The results of the study show a preference for single family dwellings. RTP 5-104-105. The above statement indicating a growing interest in higher density housing is inconsistent with the 2017 results. The RTP must address this inconsistency.

8-5 b. Kern COG Must Correct Inconsistent Reduction Target Information

The Government Code states, “The regional transportation plan shall be an internally consistent document…” Gov. Code § 65080(b). Within Chapter 4, under heading “Comparison to Reduction Targets” it states, “Based on the analysis of strategies included in the SCS, CO2 emissions are anticipated to be 14.1% lower than 2005 levels by 2020 and 16.6% lower by 2035, exceeding the targets established by CARB in 2010 as illustrated by Table 4-6.” Page 4-51. This statement is inconsistent with the data shown in Table 4-6 entitled, “Results of Greenhouse Gas Emissions and Vehicle Trip Reductions” which list 2020 reductions as -12.5 and 2035 reductions as-12.7. The final RTP must address these inconsistencies.

8-6 III. COG Must Ensure that Freight Related Development Identified in the RTP Does Not Conflict with the Reduction of Greenhouse Gas Emissions and the Achievement of Environmental Justice Objectives

The Draft includes policies, programs and implementation measures that prioritize large investments to support the expansion of goods movement activities with almost no analysis of
these policies’ potential negative impacts on disadvantaged communities and without meaningful language to prioritize transportation and housing needs of disadvantaged communities and other vulnerable populations. “No person in the State of California shall . . . be unlawfully denied full and equal access to the benefits of . . . any program or activity that . . . receives any financial assistance from the state.” Government Code § 11135. Nor can Kern COG, “. . . discriminate [against any protective class] through public or private land use practices, decisions, and authorizations . . . that make housing opportunities unavailable.” Gov. Code § 12955 (l). Further, the RTP must “[identify] and [address], as appropriate, disproportionately high and adverse human health or environmental effect of its . . . policies . . . on minority populations.” CalTrans Guidelines, 78. By proposing massive expansions of goods movement infrastructure without analysis of the impacts of nearby communities of color and immigrant communities in the most polluted region in the country, the Draft RTP is at odds with these civil rights and environmental justice provisions.

The Draft includes freight related investments for the Shafter Rail Terminal, Wonderful Industrial Park, and the Delano UP Cold Connect intermodal facility. The RTP section discussing goods movement must include, “[identification] of opportunities or innovations that reduce GHG emissions and criteria air pollutant emissions associated with freight.” California Transportation Commission (CTC) 2017 RTP, 129. Within Chapter 4, the Draft lists the “Shafter Rail Terminal for Intermodal freight transfer activities” in Table 4-7 “Proposed Greenhouse Gas Emissions and Vehicle Trips Reductions Strategies.” 4-55. It is listed a non SB 375 goods movement. 4-55. Such an inclusion, without robust mitigation measure for the clear air quality impacts that will result, is contrary to the guidelines set by the CTC and to the mission of the sustainable community strategies to reduce greenhouse gas emissions.

Furthermore, Policy Action No. 24.1, which supports this action, prioritizes goods movement over the interests of disadvantaged communities. 2-7. While the language for the EJ related policy recommendations are less action oriented, the freight related policy recommendations appear clearer and focused on direct action. 2.7. The RTP must include and prioritize actions to address the transportation and housing needs of disadvantaged communities over and above the improvements that will most directly address the transportation needs of companies and business activities associated with adverse environmental health impacts for nearby populations. See Section Ibi. above.

While the RTP states its intent to increase “development and expansion of the Shafter Rail Terminal for intermodal freight transfer . . .” it conflicts with environmental justice objectives. 2-7. For example, there are residential neighborhoods in close proximity to the Shafter terminal, however there is no analysis within the document to mitigate impacts of such continued development especially when such an expansion would increase toxic air contaminants, greenhouse gas emissions, road deterioration, and noise for the area.

The RTP disregards the impacts of its proposed goods movement expansion investments on air quality, claiming without support that the Shafter Rail Terminal will improve air quality by improving efficiency. 5-17. Expansion of freight services does not equate to efficiencies of freight usage. “The activities associated with delivering, storing, and loading freight produces
Such expansion can increase usage of goods movement. Especially since there has been no commitment to increase electrification, air quality is more likely to diminish given such investments. The RTP must sufficiently analyze the impacts of these freight related investments.

IV. COG Should Revise the RTP to Ensure that the RTP Results in and Maximizes Benefits For Disadvantaged and Title VI Communities

Every RTP shall include a description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with Code of Federal Regulations Title 23, §450.306(d) which requires that the long-range planning process provide for the establishment and use of a performance-based approach to transportation decision-making to support national goals. 23 C.F.R. § 450.324(f)(3). Furthermore agencies, like Kern COG are mandated to “identify and address, as appropriate, disproportionately high and adverse human health or environmental effect of its programs, policies, and activities on minority populations.” § 1-101. (The basis for the Title VI Equity Analysis requirement, CalTrans Guidelines, 78). “Programs, policies, and activities must not ‘have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination...because of their race, color, or national origin.” § 2-1.

An ultimate objective of the RTP is to improve transportation for communities while reducing greenhouse gas emissions. In fact, Chapter 2, of the Draft states:

“Appendix D containing the integrated performance measures analysis indicates that this RTP is benefitting Environmental Justice and Title VI areas compared to the county as whole while performing well in most health equity, system level and smart mobility place type performance measures.” Draft 2018 RTP 2-15.

Appendix D also asserts that “... serving rural EJ/Title VI areas is less cost efficient than the county as a whole, [the figures] demonstrate that a priority has been placed on investment in rural EJ/Title VI areas.” Appendix D-17. However, tables D-9a-c demonstrate an underinvestment in EJ and Title VI rural communities. The statement and results must be reconciled.

However, these statements are not reflected in the actual tables located in Appendix D. While some of the EJ and Title VI communities do fair better for some of the indicators (i.e. Table D-7b, and D-7c), even more results show the EJ and Title VI communities fair better under a no build 2042 model. Specifically:

- Table D-4b EJ TAZ Average Travel Time, Urban and Countywide
- Table D-5b EJ TAZs Average Travel Time – Peak Transit Trips, Rural Areas and Countywide
- Table D-5c: Title VI TAZs Average Travel Time – Peak Transit Trips, Rural

1 https://www.arb.ca.gov/ch/handbook.pdf
• Table D-6b: EJ TAZs Average Travel Time to Major Job Centers-Highway, Urban, Rural, And Countywide
• Table D-6c: Title VI TAZs Average Travel Time to Major Job Centers-Highway, Urban, Rural, And Countywide
• Table D-7a: Average Travel Time to Major Job Centers -Transit--Countywide

These results make clear that, contrary to the statements referenced above and contained in Chapter 2 and Appendix D that EJ and Title VI communities benefit more from and are prioritized in the RTP than the county as a whole, disadvantaged communities actually fair worse under several performance metrics than the no build scenario.

The inconsistency between the statements in Draft Chapter 2 and Appendix D indicating that disadvantaged communities benefit more and are prioritized in the RTP and the data reflected in the RTP tables is at odds with Government Code Section 65080(b), which provides that, “The regional transportation plan shall be an internally consistent document…” Gov. Code § 65080(b). Furthermore, the tables call into question the RTP’s compliance with Title VI of the Civil Rights Act of 1964’s prohibition against discrimination, intentional or disparate impact, by Kern COG, as a recipient of federal funding, based on protected class status. The Title VI communities identified for the performance measure results are significantly impacted by the Draft 2018 RTP especially since this community has better results in no build scenarios. Kern COG must review and revise its plan to ensure that EJ communities fair better under each performance metric than the no build scenario and to maximize benefits for disadvantaged communities. This will promote compliance with both internal consistency and equity requirements.

a. Seniors and disabled who are not from minority or low income populations should not be included in the performance measure analysis for the Federal Environmental Justice definition.

Executive Order 12898, which applies to the development of RTPs, requires federal agencies and recipients of federal funding to analyze and address disproportionate adverse health and environmental effects of programs and policies on minority and low-income populations. The Draft RTP’s environmental justice performance measure analysis not only includes data on minority and low-income populations, but also data relating to impacts on seniors and the disabled population. We are concerned that the conflation of these data sets undermines the RTP’s analysis of its specific impacts on low-income and minority populations required under Executive Order 12898 and therefore prevents the RTP from adequately responding to those impacts. It similarly may prevent an accurate assessment of the project’s impacts on senior and disabled populations, which have unique needs and thereby undermine Kern COG compliance with civil rights requirements applicable to these populations.

We therefore recommend that Kern COG revise its performance analysis to include a separate analysis of impacts on low-income and minority populations, seniors, and disabled residents and tailor policy changes to address any population-specific impacts revealed by the analysis.
V. Kern COG Must Update and Follow their Public Involvement Procedures and Policies Section of the RTP to Produce Better Public Participation at Public Hearings

Kern COG has not conducted adequate public outreach to inform the development of the RTP. Leadership Counsel staff attended two of the three public hearings on the Draft 2018 RTP during the 55 day review period. At the Bakersfield hearing, staff announced that it received no public comments at the June 6, 2018 hearing in Ridgecrest. Only one comment was provided in Arvin, and it was by Leadership Counsel staff. There were approximately five commenters at the Bakersfield hearing.

Title 23 Code of Federal Regulations 450.326 states that, “The Metropolitan Planning Organization (MPO) shall develop and use a documented participation plan that defines a process for providing citizens . . . and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.” Kern COG’s plan is found in Appendix B of the Draft and acknowledges that “[a] vigorous public information process not only serves Kern COG by meeting federal requirements, but also allows for a fruitful exchange of ideas while developing programs or projects that may be controversial.” Appendix B-3. It also states that “Kern COG encourages public participation and acknowledges the value of this input.” Appendix B-7.

The Draft is subject to Level III Public Involvement Requirements and include Levels I and II requirements as well. Appendix B-10. Outreach methods for the RTP include display ads to “announce . . . a final review period. Appendix B-21. Additionally, Level I elaborates that:

“3. Display ads will be placed as deemed necessary and targeted specifically to affected communities to encourage involvement and address key decisionmaking points.”

“4. Non-traditional approaches, such postal and electronic mailings to non-profit organizations, churches and chambers of commerce will be used to encourage involvement of the underserved and transit dependent in project development and public workshops. Spanish-language advertising will be included in these non-traditional approaches.”

“8. A mailing list of individuals who have expressed interest shall be maintained.” Appendix B-8.

The Draft RTP does not indicate whether these steps were followed for the Arvin and Bakersfield public hearings. A revised draft RTP should include this information, including but not limited to dates of any ads and publications used and whether ads were translated into Spanish or any other locally-spoken languages and any steps taken to implement non-traditional approaches and efforts to target affected communities like underserved and transit dependent populations.
Level III outreach also requires that sign in sheets be made available and “will become part of Kern COGs official record. Make sure people write legibly, this information will become a part of the mailing list.” Appendix B 21. The Draft fails to meet this requirement in two ways. First, the draft should include who from previous RTP related workshops were contacted as a result of the workshop sign in sheets to inform them of the 55-day public review public hearings. The final draft should include how many contacts were made. Second, there was no sign in sheet provided at the Arvin public hearing.

In Section 7 of the public participation plan entitled, “Media Resources,” Kern COG lists various media outlets to distribute public notices. “Public Notices must be carefully placed depending on the project and affected communities.” Appendix B-16. Given that the RTP SCS is a document that impacts all of Kern County in its entirety, various mediums reaching a broad geography and diverse constituency should have been used to get the word out about 55-day public comment period. A revised draft should identify the media resources utilized to distribute public notices.

Furthermore, when the Department of Transportation reviews RTPs for Title VI compliance, part of their analysis includes, “What mechanisms are in place to ensure that issues and concerns raised by low-income and minority populations are appropriately considered in the decision-making process? Is there evidence that these concerns have been appropriately considered?” Implementing Title VI Requirements in Metropolitan and Statewide Planning. Not only must COG solicit adequate input from these populations to inform the plan, but also respond sufficiently to that input.

Based on the information provided in the Draft RTP and the information available to Leadership Counsel staff based on their participation in the RTP’s development, it appears that Kern COG has not conducted sufficient outreach to inform the public of the comment period and to garner attendance and participation at the three public hearings. Also, sufficient funds and resources should be dedicated to outreach to meet public participation goals as identified in the federally mandated public participation plan. Furthermore, once adequate input from various populations have been gathered—in particular minority and low income populations—the public input must be adequately responded to and addressed in the RTP. Ultimately, Kern COG should revise and adopt stronger public outreach methods for the Public Involvement Procedures and Policies section of the RTP.

8-10

a. Insufficient Interpretation Services were Provided at the Arvin Public Hearing

One of the “three federally established guiding EJ principles” is to “ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.” CalTrans Guidelines 78. The June 19, 2018 Arvin Public Hearing regarding the Draft was an agenda item within the Arvin City Council meeting. The interpreter was contracted through the Arvin City Council and not Kern COG staff. Leadership Counsel attended the hearing with two Spanish speaking Arvin residents who utilized headsets during the meeting for simultaneous interpretation from English to Spanish. While originally intending to make a comment, one resident later expressed that the simultaneous interpretation provided by the
interpreter was incomplete and did not believe they grasped the content well enough to make a comment.

If Kern COG wishes to count certain activities, such as the Arvin hearing, towards its public participation requirement, it must take responsibility to ensure that public participation is facilitated and promoted during those activities. The final draft of the RTP should articulate what methods Kern COG staff took to ensure that the hearing, for a predominately Spanish-speaking community like Arvin, had sufficient interpretation services and if technical terminology was to be used, how those terms were relayed to the interpreter in advance of the meeting to ensure comprehension by a potential non-English speaking audience. In fact, COG should collect and maintain a list of interpreters that have been used and received positive reviews by residents in the past for use at future public engagement activities.

VI. The EIR Must Sufficiently Analyze and Mitigate the RTP’s Significant Impacts on the Environment and Humans

8-11

a. The EIR Must Mitigate the Potentially Significant Impacts that May Result in Displacement of Lower Income Residents

“In accordance with Government Code Section 65080(b)(2)(B)(ii), increased housing densities in urban areas will help the region accommodate the projected housing needs at all income levels over the life of the proposed 2018 RTP.” RTP EIR 4.9-15-16. “Of the 199,810 new housing units expected for 2042, 18.4 percent would be multi-family housing.” RTP EIR 4.9-15. However, according to the EIR about 41% of the projected housing need is designated for low and very low income housing. RTP EIR 3.0-29. Since there is a direct correlation between high density housing and housing that is affordable to low income populations, such a low percentage of planned high density housing will not meet the projected housing needs for low income populations.

Moreover, the EIR states that even with mitigation measures “displacement of lower-income income residents could occur if new development envisioned by the 2018 RTP brings higher income residents into a previously lower-income neighborhood.” And those impacts will remain significant. RTP EIR 4.9-19. Since the impacts are significant, all feasible mitigation must be taken. CEQA Guidelines Section 15091(a). Feasible is defined as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” CEQA Guidelines Section 15364.

The impacts may be mitigated by Kern COG developing a plan to work with jurisdictions to coordinate growth and preserve lower income housing. Moreover, Kern COG should require jurisdictions to adopt antidisplacement measures as a condition to receiving funding. Since, the EIR claims that there is “... enough land to accommodate twice the current forecast growth” and that “... the Kern region continues to have little difficulty in providing adequate acreage for low-income housing” there should be no reason why displacement should occur. RTP EIR 4.9-16.
Furthermore, the impacts on Title VI and EJ communities should be evaluated and RTP should lay out a clear plan to retain and not displace low income Kern residents. Preservation of housing stock for lower income populations should be a priority and funding incentives to keep this goal should be implemented.

b. Air Quality EIR

Within the EIR’s Air Quality section there is a discussion of health impacts on residents who live in close proximity to freeways and other heavily travelled roadways. One of the identified mitigation measures states:

“MM AIR-3: Kern COG shall pursue the following activities in reducing the impact associated with health risk within 500 feet of freeways and high-traffic volume roadways:

1. Participate in on-going statewide deliberations on health risks near freeways and high-traffic volume roadways. This involvement includes inputting to the statewide process by providing available data and information such as the current and projected locations of sensitive receptors relative to transportation infrastructure;

2. Work with air agencies including CARB and the air districts in the Kern COG region to support their work in monitoring the progress on reducing exposure to emissions of PM10 and PM2.5 for sensitive receptors, including schools and residents within 500 feet of high-traffic volume roadways;

3. Work with stakeholders to identify planning and development practices that are effective in reducing health impacts to sensitive receptors; and

4. Share information on all of GHG emissions” 4.3-49.

To be considered adequate, mitigation measures must be specific, feasible actions that will actually improve adverse environmental conditions. Mitigation measures should be measurable to allow monitoring of their implementation. The implementing measures above mostly rely on supporting other agencies’ efforts and do not commit to implementing specific practices pursuant to a timeline that will mitigate impacts. Furthermore, the stakeholder convening mentioned in the third task should include representatives from disadvantaged communities and community based organizations. There should also be a timeline to achieve these goals and the practices should be adopted as a requirement, to the extent feasible, by Kern COG for funding applications. Kern COG can take further steps to protect disadvantaged communities by going beyond a 500 feet perimeter and avoiding expansions that would encroach on those communities.


RTP policies should be action oriented and have concise policy guidance to local and state officials. Gov. Code § 65080. The Greenhouse Gas section of the EIR lists Kern County and
Bakersfield’s General Plan and Taft’s Climate Action Plan policies towards GHG reductions. RTP EIR 4.6-28-35. For a county made up of eleven incorporated cities, there should be the inclusion of more GHG related policies from the different jurisdictions. Kern COG is a unifying agency that should promote jurisdictions in achieving GHG reductions. The EIR has Mitigation Measure GHG-2, which states:

“Kern COG shall, through its ongoing outreach and technical assistance programs, work with and encourage local governments to adopt policies and develop practices that lead to GHG emission reductions. These activities should include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans.” RTP EIR 4.6-42.

The GHG section should include Kern COG’s plan to get more of the jurisdictions to include GHG goals and implementation measures towards reduction of GHG emissions. This can be done by providing incentives beyond technical assistance and information sharing on development of climate action plans.

The EIR also states that,

“Although Kern COG develops the SCS in the 2018 RTP to meet the GHG targets for the region, Kern COG does not have any actual authority over whether or how land is developed in Kern County. Consequently, the 2018 RTP only has an indirect influence on land use developments in the County, and GHG emissions resulting from development and not within Kern COG’s organizational control.” RTP EIR 4.6-40.

Kern COG does have authority over land development in Kern County. Examples of such are road widening and road improvement projects that are specifically intended to facilitate new land uses and land use expansions. A specific example is the POM Wonderful Industrial Park. RTP Kern COG must analyze and mitigate these impacts.

8-14
d. The EIR Should Analyze Pedestrian and Bike Safety Impacts of Road Improvements Intended to Support Goods Movements and Industrial Parks

Given the RTP’s focus on freight related capital improvements for highways, regional roads, and interchanges for the planning period, the EIR should analyze how such investment impacts pedestrian and bike safety. See Section Ibi. above. Freight related capital improvements could increase truck and freight traffic near roads used by residents. In instances where those roads lack sidewalks, designated bike lanes, and other pedestrian and bike safety measures, it is important to analyze and mitigate potential impacts. Disadvantaged communities in particular often do not have such infrastructure in their communities. Thus, the EIR should include an analysis and mitigate impacts in the final draft.

* * * * * *
The 2018 Regional Transportation Plan should use the most recent data available and reflect a distinct update from the 2014 RTP. In the interest of transparency and functionality and satisfying the COG’s requirements to prepare a comprehensive multi-modal transportation plan, the final draft of the 2018 RTP must include the above referenced recommendations.

Thank you for your consideration of our comments. Please feel free to contact me at (661) 843-7677 or aglover@leadershipcounsel.org if you have any questions or would like to discuss our comments further.

Sincerely,

Adeyinka Glover, Esq.
Attorney
Leadership Counsel for Justice and Accountability

Gema Perez
President
Greenfield Walking Group

Cc: Rob Ball
    Becky Napier

Enclosure
Letter 8: Leadership Counsel for Justice and Accountability & Greenfield Walking Group

Mr. Adeyinka Glover, Esq
Leadership Counsel for Justice and Accountability & Greenfield Walking Group
764 P Street, Suite 012
Fresno, CA 93721

May 12, 2018

Responses 8-1 through 8-10

Comments 8-1 through 8-10 relate to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final 2018 RTP.

Response 8-11

Comments noted. Commenter states that all feasible mitigation measure should be considered for impacts to population displacement. The RTP evaluates impacts with respect to Environmental Justice issues (see Appendix D, Integrated Performance Measures Analysis).

Since the 2018 RTP is a long-term, regional Plan, it is possible that some individual transportation projects may result in the displacement of population due to the location of the specific project. As indicated on page 4.9-20, “because this document evaluates impacts at the programmatic level, all project circumstances are not foreseeable and therefore .... impacts are considered significant.” It is not feasible to predict and measure the extent and/or location of population displacements from individual or groups of future projects at this time and therefore it is not possible to design mitigation measures appropriate for such impacts (see also response 8-12 below). The PEIR therefore conservatively concludes that because circumstances are not foreseeable, impacts of the 2018 RTP as a whole are considered (rather than determined to be) significant because it is not possible to actually determine significance.

The PEIR does not evaluate socio-economic impacts unless they also lead to physical environmental impacts. Thus, if low-income communities were displaced such that populations had to relocate further from jobs and services leading to substantially increased VMT and air emissions, the PEIR would evaluate such an impact. In preparing the PEIR no evidence of such physical impacts was identified.

Response 8-12

Comments noted. Commenter states that mitigation measure MM-AIR-3 should include a timeline and better representation from disadvantaged communities.
Without knowing the schedules of the various agencies as well as the specific designs of individual projects it is not possible to provide a specific timeline for how Measure MM AIR-3 will be implemented.

The RTP/SCS process is a four-year planning, policymaking and analytic process that begins afresh every four years. Kern COG works with a variety of stakeholders on a variety of issues as part of that process. Anyone can participate in the policymaking process on whatever issues are of interest or concern to them. (The Leadership Counsel for Justice and Accountability has participated extensively over the years to ensure that disadvantaged stakeholder interests are represented in the RTP/SCS policymaking process each cycle.) Environmental issues impacting disadvantaged communities related to transportation projects and the RTP/SCS in particular are discussed and addressed by the Environmental and Social Equity roundtable.

CEQA requires that mitigation measures be appropriate to the level of detail specified by the project. At this time, project specific details are not available for most of the projects within the 2018 RTP. The RTP is a regional scale document, and the mitigation measures in the EIR are appropriate for this type of document. Under CEQA, individual lead agencies are responsible for determining whether an impact is significant, and if significant, what mitigation is appropriate to reduce the impact. For any given project, if impacts remain significant (as determined by the individual lead agency), then the individual lead agency is responsible for deciding whether to approve the project or not. If an individual agency chooses to approve a project with significant impacts they must adopt a Statement of Overriding Considerations. Kern COG has no authority over a jurisdiction’s process of determining significance, choosing appropriate mitigation and approving projects. Though the analyses for future individual transportation projects under the 2018 RTP may tier off the 2018 RTP EIR, mitigation measures will be developed to be project specific and within a schedule appropriate to each individual future transportation project.

Though the analyses for future individual transportation (and development) projects under the 2018 RTP/SCS may tier off the 2018 RTP PEIR, mitigation measures will be developed to be project specific and within a schedule appropriate to each individual future transportation (and development) project.

Response 8-13

The 2018 RTP includes numerous policies designed to reduce GHGs and meet SB 375 and CARB targets. As the commenter notes the PEIR includes mitigation that Kern COG shall work with local governments to adopt policies and practices to reduce GHG emissions. Because each jurisdiction is different, and regional GHG targets are being met, including additional specific action policies in the 2018 RTP is not appropriate at this time.
The commenter asserts that Kern COG has authority over land development in Kern County and that Kern COG should analyze and mitigate the impacts of development projects. As noted by commenter, Kern COG has explained that it does not have actual land use authority over how land is developed in Kern County. However, by developing the SCS to meet the GHG targets for the region, the 2018 RTP has an indirect influence on land use developments in the County. Kern COG also works with member agencies to prioritize transportation projects in compliance with Kern COGs adopted policies and procedures as well as the state RTP Guidelines. These policies and procedures prioritize projects/actions that, among other things, improve air quality, reduce GHG emissions and protect vulnerable populations. This is the limited extent of Kern COG’s authority. While Kern COG has the authority to prioritize projects (in accordance with adopted policies and procedures), such authority does not include the ability to require project-level mitigation measures.

Under CEQA, individual lead agencies are responsible for determining whether an impact is significant, and if significant, what mitigation is appropriate to reduce the impact. For any given project, if impacts remain significant (as determined by the individual lead agency), then the individual lead agency is responsible for deciding whether to approve the project or not. If an individual agency chooses to approve a project with significant impacts they must adopt a Statement of Overriding Considerations. Kern COG has no authority over a jurisdiction’s process of determining significance, choosing appropriate mitigation and approving projects.

Response 8-14

As stated in the Project Description, the RTP includes funding for bike lanes and other pedestrian improvements. The RTP PEIR is a programmatic document that does not analyze localized impacts of individual projects. Individual projects are analyzed by local agencies as design details that relate to safety become available prior to the decision as to whether approve each project.

Dear Mr. Hakimi:

Thank you for the opportunity to comment on the Draft 2018 Regional Transportation Plan. The Kern Transportation Foundation offers the following comments.

Improvements to the transportation systems provide significant economic benefits and can contribute economic improvements to the region. Our transportation investment should focus on improving transportation routes that will enhance the growing logistics industry. Investments should concentrate on the following routes.

Route 99 – support the completion of the widening to six lanes.
Route 14 – complete the widening to four lanes.
Route 46 – complete the widening west of I-5 to four lanes.
Route 46 – between I-5 and Route 99.
Route 58 – truck lanes from General Beale Road to Route 202.
Future Route 58 – Westside Parkway to I-5.
7th Standard Road – Santa Fe Way to I-5.
Lerdo Highway – Shafter to I-5.

The state has set significant greenhouse gas goals that the Regional Transportation Plan must address. The goal identified in the 2018 Regional Transportation Plan sets a 12% goal. The goal in the 2015 Regional Transportation Plan was 15%. This change has not explained.

The California Air Resources Board has announced that the state has met the 2020 greenhouse gas target. However, there is another target that must be met for the year 2030. To address the 2030 greenhouse gas targets, alternative fuels can make a significant contribution. The state developed a freight efficiency action plan with a goal of deploying 100,000 zero emission freight vehicles and required support infrastructure. The Kern region as the crossroads of the State of California needs to be a leader in the installation of alternative fuel infrastructure. The 2018 Regional Transportation Plan needs to strongly support the deployment of alternative fuel infrastructure.

Sincerely,

[Signature]

Ronald E. Brummett
Chair

An independent resource supporting excellence in transportation
Post Office Box 417, Bakersfield, California 93301
Letter 9: Kern Transportation Foundation

Mr. Ronald Brummett
Kern Transportation Foundation
PO Box 417
Bakersfield, CA 93301

July 12, 2018

Responses 9-1 and 9-2

Comments 9-1 and 9-2 relate to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final RTP.
July 12, 2018

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

Dear Mr. Hakimi:

Thank you for the opportunity to review the Kern Council of Governments (KCOG) Draft 2018-2042 Regional Transportation Plan (RTP). Caltrans, at District 6 and various divisions within our Department have reviewed the Draft RTP and collectively offers the following comments.

TRANSPORTATION PLANNING-DISTRICT 6

KCOG has demonstrated a strong commitment to support their 20-year planning horizon with focus on the region’s transportation options, sustainable growth, economy, improving air quality, promoting the conservation of natural resources and undeveloped land, building healthier communities, and a safer quality of life for community members.

KCOG addresses the four main required elements: Policy Element, Sustainable Communities Strategy (SCS), Action Element and Financial Element which conforms to the RTP Guidelines adopted by the California Transportation Commission (CTC) pursuant to Government Code 65080(d). This plan assesses all forms of transportation available in the County of Kern as well as travel and goods movement needs through 2042. The plan strives to reduce air emissions by better coordinating transportation expenditures with forecasted development patterns.

We commend KCOG for their efforts in adopting their proposed scenarios and outcomes for their SCS. Maintaining local transportation infrastructure is of great importance. With the decline in gas taxes and inflation. We commend KCOG for promoting fully funding alternative transportation modes, while emphasizing transportation demand and system management approaches for new highway capacity.

KCOG has encouraged public participation at every stage of the planning process. KCOG has an on-going partnership with federal, state, local partners, and stakeholders to consult and cooperate with the public to assist in understanding issues, options, and solutions. Community engagement and outreach are fundamental to the development of the 2018 RTP/SCS. KCOG has an exemplary outreach plan as was recognized in the 2017 State RTP Guidelines.

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Making Conservation a California way of life
The RTP is consistent in demonstrating programming and operations in the development of Intelligent Transportation Systems, identifying methods for measuring its transportation performance and listing constrained and unconstrained projects. Through the Financial element, funding of revenue sources is outlined for the regions planned transportation investments. Ongoing operations and maintenance through resources from MAP-21, FAST Act, CMAQ, Transportation Alternatives (TA) and the new Senate Bill 1 (SB1) (The Road Repair and Accountability Act of 2017) have provided additional funding for transportation projects.

KCOG is commended for their efforts in applying for SB1 - Caltrans Sustainable Transportation Planning Grants and being successful in receiving an award for the Active Transportation Connectivity Planning and Bike Sharing Sustainable Community.

KCOG in partnership with their member agencies are commended for their extensive efforts to comply with state climate change goals. We commend KCOG for highlighting new strategies, enhanced strategies, and existing/continuing strategies which will benefit disadvantaged communities in Kern County.

10-1 The RTP should include some discussion, of the proposed realignment of State Route (SR) 178 east of SR184. While the freeway agreement charting the realignment through the mountains to Lake Isabella is from the 1960s and the project is listed on Page 5-11 in the Unconstrained List of major highway improvements, the realignment has entered recent conversations related to the current operations of SR 178 and the development of surrounding land. Acknowledgement of how the proposed realignment continues to impact regional growth would be appreciated.

10-2 OFFICE OF TRAFFIC OPERATIONS-DISTRICT 6

Chapter 2, Transportation Planning Policies, under policy Table 2-1, Action 21.1, safety should be prioritized over freight.

Chapter 2, Transportation Planning Policies, under policy Table 2-1, Implement the Goals and Policies, Safety/Security Action Element as identified in Chapter 5, Page 5-2 is “missing” from the table in Chapter 2.

Chapter 8, “D6-Caltrans” is missing among tools for monitoring regional progress in advancing the 2018 RTP.

It is highly recommended that KCOG coordinates with D6-Caltrans Planning for any long-term or short-term projects that are listed in Table 5.1 and 5.2 that involve State facilities. Some of the Constrained Capital Improvements Program projects on Table 5.1, such as (SR) 178, Vineland to Miramonte; new interchange, widen existing freeway, needs stakeholder’s coordination. It is recommended, using the California Department of Transportation Highway Design Manual, California Manual of Uniform Traffic Control Devices, AASHTO Road Design Guide and TRB Access Management, to be mentioned on Chapter 2 under policies. In addition, it is recommended to add new Standards for pavement strips and markers which helps self-driving vehicles into the policies.

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OFFICE OF REGIONAL PLANNING – HEADQUARTERS

The Office of Regional Planning, Regional Coordination Branch has reviewed the KCOG’s Draft 2018 Regional Transportation Plan (RTP) and Environmental Impact Document (EIR). We offer the following comments:

KCOG is commended for:
- Developing a 2018 RTP that is very clear, interesting to read, well supported with a documented public involvement process;
- Preparing an extensive integrated Performance Measures Analysis;
- Developing a great Executive Summary and highlighting the benefits of the 2018 RTP;
- Identifying the existing freight and goods movement system, highlighting the importance in the region as well as pinpointing needs and issues;
- Completing a robust public participation plan with many nodes of access for input throughout the development of the plan

RTP Checklist Comments

Consultation/Cooperation

#12. The checklist should identify at least one-page number that contains the website address of the RTP for easy electronic viewing.

Financial

#2. Page number 6-7 should be referenced as the statement location ensuring that the first four years of the fund estimate is consistent with the 4-year STIP fund estimate.

#7. Please further clarify where the RTP contains a statement regarding consistency between the projects in the RTP and the ITIP (2016 STIP Guidelines Section 33).

#8. Please further clarify where the RTP contains a statement regarding consistency between the projects in the RTP and the RTIP (2016 STIP Guidelines Section 19).

#9. Page 5-44 does not address the specific financial strategies required to ensure the identified TCMs from SIP can be implemented. Please ensure strategies are developed in the Final Adopted document.

Environmental

#3. Please ensure SIP conformity is discussed and the proper pages are identified.
NATIVE AMERICAN BRANCH – HEADQUARTERS

Chapter 1, Introduction, Page 1-2, third paragraph: Public participation and the Public Participation Plan are federal requirements of the transportation planning process. KCOG should consider wording that indicates it met this requirement in adopting a PPP in 2015 and is not merely encouraging participation.

Chapter 1, Public Outreach, Page 1-5, fourth paragraph, seventh bullet: Caltrans recommends a chapter on Tribal consultation and coordination. This chapter could address in more detail the outcome of the draft government-to-government agreement between KCOG and the Tejon Indian Tribe. This chapter could also address coordination and public outreach to the other numerous tribal communities that exist in Kern County.

Chapter 2, Transportation Planning Policies, Integrated Performance Measures and Environmental Justice/Title VI Analysis, Page 2-15: KCOG should consider addressing Disadvantaged Communities within this section of Chapter 2. CalEnviroScreen is somewhat of a more detailed equivalent to the federal government’s EJScreen. Chapter 2 could address all the social equity components of Environmental Justice, Title VI, and Disadvantaged Communities.

Chapter 4, Sustainable Communities Strategy, What is Communities Strategy?, Page 4-1, first paragraph: The first paragraph of Chapter 4 states that the SCS is a required component of the of the 2018 RTP. The sentence, “The SCS strives to reduce emissions from passenger vehicle and light duty truck travel by better coordinating transportation expenditures with forecasted development patterns and if feasible help meet California Air Resources Board (CARB) greenhouse gas emissions targets for the region.” Using the wording “if feasible” puts doubt on the intent of meeting the requirement of adopting a SCS as part of the Kern County RTP. KCOG should consider revising the wording that leaves no doubt about its commitment to meet the requirement. The eighth bullet, also leaves doubt by stating that greenhouse gas (GHG) emissions reductions will be achieved “…if there is a feasible way to do so.” Revision can address conflicting statements related to the need to meet requirements.

Chapter 4, Senate Bill 375 Requirements, Page 4-10: The concern related to Chapter 4 Sustainable Communities Strategy, What is Communities Strategy?, comes up again in this section.

Chapter 4, Greenhouse Gas Emissions Inventory, Projections, Targets, Page 4-10: The year 2022 for the third cycle RTP/SCS could be added here.

Chapter 4, Forecast Development Pattern, Page 4-23: KCOG should consider looking at Caltrans Smart Mobility Framework (SMF) completed in 2010 to discuss place types and the location efficiencies of place types. The importance of defining place types helps define transportation projects to best serve place types.

Chapter 4, Bicycles and Pedestrians, Page 4-44: KCOG should consider the discussion of providing Class IV facilities in the Kern County region and in particular within the City of

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Bakersfield. This discussion can address the provision of a network that combines Class I and Class IV for capturing and encouraging the “Interested but Concerned” category of bicycle ridership that make up about 60% of the population. Caltrans also recommend a review of Caltrans’ Towards An Active California (2017).

Chapter 4, Table 4-5, Page 4-48: The three columns of this table should be labeled since it is not clear what each of the columns represent.

Chapter 4, Bicycle and Pedestrian Measures, Page 4-48: Should include a “bullet” that address what specifically, has been invested in Disadvantaged Communities for the purpose of addressing social equity.

Highway/Road Facilities and Complete Streets, Page 4-49: A bullet could be added to state when the KCOG Regional ATP will be updated.

Table 4-7: Proposed Greenhouse Gas Emissions and Vehicle Trips Reduction Strategies, Page 4-54 – 4-55: should add the Kern County Regional Active Transportation Plan to the Notes column. The Pricing Strategy to “Change in transit fares” should read “Reduce fares for seniors/ADA/students” to the Notes column.

Chapter 5, Strategic Investments, Page 5-3: Caltrans recommends each of these maps be placed on a single page to give the reader the ability to get more details of the constrained projects.

Chapter 5, Strategic Investments, Page 5-14: Caltrans recommends coordination and consultation with the Tejon Indian Tribe for discussion on the tribe’s economic development plans near SR 166 between SR 99 and I-5.

Chapter 5, Strategic Investments, Existing Transit Services, Page 5-24: Kern COG should consider looking at the feasibility study Fresno COG is currently undertaking to consolidate local and regional transit services within Fresno County. Kern COG should consider a similar feasibility study.

Chapter 5, Strategic Investments, Recent Transit Planning Activities, Page 5-31: Kern COG should consider addressing recent transportation efforts by the Tule River Indian Tribe and Tejon Indian Tribe. Both tribes provide services to tribal communities in Kern County.

Chapter 5, Strategic Investments, GET Long Range Plan, Page 5-32, last paragraph: Kern COG should provide an estimated date for implementation of Bus Rapid Transit.

Chapter 5, Strategic Investments, Active Transportation Action Element, Page 5-38: Kern COG should consider conducting a Segregated – Class IV Bicycle Network Feasibility Study for the Bakersfield Metropolitan Area.

“Provide a safe, sustainable, integrated and efficient transportation system
to enhance California’s economy and livability”
Chapter 5, Strategic Investments, Proposed Active Transportation Actions, Long Term 2021-2042, Page 5-40: KCOG should consider stating when the ATP Plan and how often future ATP Plans will be updated in the long term.

Chapter 5, Strategic Investments, Needs and Issues, Page 5-44: Kern COG should consider adding to this section the percentage of diabetes in the Kern County population and comparison to California averages.

Chapter 5 Strategic Investments, Congestion Management Agency Role, Page 5-61, second Paragraph: Offers information about the establishment of traffic counts and regional traffic modeling. KCOG should offer a discussion about providing bike and pedestrian counts program in the Active Transportation Program section of the RTP/SCS. If no program exists, KCOG should consider establishing a program to serve the member agencies. The need for data is critical in developing ATP applications and pursing other types of funding sources.

Chapter 5, Strategic Investments, Existing Transit Services, Page 5-67 - 5-68, 5-73 — 5-76: These and other maps in the document should be placed in landscape orientation and enlarged.

Chapter 5, Strategic Investments, Existing Tools and Concepts, Complete Streets in Circulation Elements, Page 5-101: This section of the Kern COG RTP/SCS may highlight as a model the City of Ridgecrest ATP Program within the Kern County Regional Active Transportation Plan. The City of Ridgecrest proposed a network of between 11 and 12 miles of combined Class I and Class IV facilities for this small rural town. The Class I and Class IV network facilities will offer a low level of traffic stress that will encourage and increase bicycle ridership in the City of Ridgecrest. It is work that should be commended and showcased.

General Comments:

Executive Summary, Page ES-2, fifth paragraph: last sentence should be revised with a comma after the word “region” and “re-invest should be “reinvest”.

Chapter 1, Introduction, Page 1-5, last bullet we recommend the inclusion of a link to the website.

Chapter 1, Introduction, Page 1-7; the map is difficult to use. Please consider enlarging or zoom in further on the target region. Also, many of the map legends colors appear to be too similar throughout the document (could be a printing issue if not please consider revising colors).

Chapter 2, Transportation Planning Policies, Page 2-15, last paragraph: Delete the “3” in integrated.

Chapter 3, Planning Assumptions, Page 3-3, second to last paragraph: “over-all should be “overall”.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability"
Chapter 3, Planning Assumptions, Page 3-13, under section “Land Use Nexus”: Include examples when mentioning infill incentives/policies in either the first or third paragraph.

Chapter 4, Sustainable Communities Strategy, Page 4-18, Figure 4-1: “Pistacios” should be “Pistachios”.

Chapter 4, Sustainable Communities Strategy, Page 4-26, Figure 4-8: Legend too small, pop-up “Refer To” window blocking parts of the map.

Chapter 4, Sustainable Communities Strategy, Page 4-50, under Pricing Measures, change sixth bullet to “black”.

Chapter 4, Sustainable Communities Strategy, Page 4-52, under State-Level Strategies, we recommend mentioning state-funded EV charging stations.

Chapter 5, Strategic Investments, Page 5-25, Table 5-3, second Column: Delete the space in front of “Eastern Sierra”.

Chapter 6, Revenue Sources, Page 6-5, Title should be bolded.

Chapter 7, Future Links, Page 7-5, Table 7-2, Title in “yellow” missing end parentheses.

Chapter 9, Glossary & Acronyms, Page 9-14 “EJ” should be bolded.

We recommend making the included maps more readable and well identified with labels.

Chapter 4, Sustainable Communities Strategy, Section Bicycles and Pedestrians; first sentence misspelling “establish” needs to be changed to “establish”.

Thank you for considering our comments for inclusion in the Final KCOG 2018 Regional Transportation Plan. KCOG is commended for their continued partnership with Caltrans and for their public and stakeholder involvement by demonstrating their strategy in emission-reduction targets, analyzing projected growth, housing needs, and improving transportation in their region. If you have any questions, please contact Sandra Scherr of my staff at (559) 445-6035.

Sincerely,

MICHAEL NAVARRO, Chief
Transportation Planning North & South

c: Michael Navarro, Shane Gunn, Pedro Ramirez, Kevin Lum, David Garza, Albert Lee, Marta Frausto, Alec Kimmel - Caltrans-D6, & Erin Thompson, Caleb Brock – HQ’s

“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”
Letter 10: CA Department of Transportation

Michael Navarro, Chief
Transportation Planning North and South
CA Department of Transportation, District 6
1352 West Olive Avenue
PO Box 12616
Fresno, CA 93778-2616

July 12, 2018

Responses 10-1 through 10-5

Comments 10-1 through 10-5 relate to the RTP and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final EIR.
Public Hearing Comments

DRAFT 2018 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY; DRAFT ENVIRONMENTAL IMPACT REPORT; DRAFT 2019 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM; AND CORRESPONDING DRAFT AIR QUALITY CONFORMITY ANALYSIS

CITY OF RIDGECREST
City Council Meeting

June 6, 2018, 6:00 P.M.

No Comments Received.

CITY OF ARVIN
City Council Meeting

June 19, 2018, 6:00 P.M.

11-1 Adeyinka Glover, Attorney, Leadership Counsel for Justice & Accountability - The commenter thanked Kern COG staff for their help and for meeting with the Leadership Counsel. They requested documentation on how the hearings were publicized and other meetings were advertised and if they were in Spanish. They also requested more public hearings to provide the public more opportunities to comment on the Plan.

KERN COUNCIL OF GOVERNMENTS
Transportation Planning Policy Committee/COG Board

June 21, 2018, 6:30 P.M.

11-2 Heidi Lanza from the High-Speed Rail Authority (HSR) thanked the committee for the opportunity to provide a comment on draft Regional Transportation Plan Sustainable Community Strategy. Ms. Lanza discussed the HSR station area plan and advised that it was approved by the City of Bakersfield in May 2018. Ms. Lanza discussed the benefits from the arrival of the HSR. She stated that in June of 2018, the Authority released its 2018 business plan. The plan proposed to build infrastructure to provide mobility, economic and environmental benefits to Californians and to initiate HSR service as soon as possible. Ms. Lanza stated the the HSR Authority encourages Kern COG to work with the City of Bakersfield to encourage high-density development, a mixed land use, grid street patterns and compact pedestrian-oriented design, context-sensitive building design and limits on space dedicated to parking for new development. Ms. Lanza stated that in conclusion, they hoped that Kern COG and its partners are successful in securing funding to carry out the HSR station area plan as well as other regional and transportation projects.

11-3 Lorelei Oviatt, the Kern County Director of Planning and Natural Resources and a representative on the Regional Planning Advisory Committee (RPAC) provided a comment. Ms. Oviatt stated that she had provided a written comment and wished to highlight what she had provided to staff. Ms. Oviatt advised that they had worked diligently and hard on the Sustainable Communities Strategy (SCS) for a county that is bigger than Rhode Island. Half of the population lives in the unincorporated area and many of the cities have transportation and jobs balance to get people from where their jobs are, to where they live. Ms. Oviatt advised that this is a very different SCS and we cannot create what we need for our future, by just looking at the kinds of suggestions that are brought from Northern and Southern California. Ms. Oviatt stated that she believed that the RPAC and the other
committees have worked hard with the city partners to make sure that this SCS complies with what the legislature wants while acknowledging that many of our industries need to be in rural areas and our cities are where people live. We cannot put chemical blending in an urban area and expect it to be safe. Ms. Oviatt went on to say that we have a very unique job/housing balance that is challenging. She provided some information that is from the Kern County General Plan 2040. They are in year two of a three-year project to comprehensively update the General Plan. They spent a year and each month addressed a particular topic. One of the things they looked at was the current rural transit ideas that many people have. Many fares do not cover the routes. Ms. Oviatt expressed that we need to look at shared mobility, be forward thinking so that our cities can thrive. Ms. Oviatt submitted the document, Promising Practices for Increasing Access to Transportation in Rural Communities. It contains a rural access toolkit and includes new ways of shared mobility. Ms. Oviatt went on to say, while she appreciates comments that are made about modeling, it is only a snapshot of a scenario. She expressed that the public comments useful are the ones that discuss what we are implementing, what are the policies, how are we moving forward.

11-4

Dennis Fox stated that he had three issues that he wanted to address. Mr. Fox stated that we wanted to address circulation of traffic and doing it correctly. He stated that citizens get fined on their vehicle registration for having poor air and the money goes to the air district. He would like to see the funds go towards coordinated traffic lights. He also addressed the need for sound walls. He stated that these could be funded by fines, such as by weigh trucks. He suggested using trains instead of trucks to move commodities.

11-5

Adeyinka Glover from the Leader Council for Justice and Accountability thanked the committee for the opportunity to comment. Ms. Glover stated that as an organization that works with rural and also low-income communities, they recognize that under-investment happens in those communities. They believe that more policy recommendation within chapter two should prioritize those communities. Ms. Glover commented on the scenarios from the 2014 RTP that were used in the 2018 draft. Ms. Glover stated that they do not believe that outreach was thoroughly done to garner a good public attendance from various segments of the communities at the Arvin public review period. She advised that these are not Leadership Council’s complete comments and that they had submitted a comment letter on June 1st, they also made comments in Arvin and will be submitting a comment letter by July 12th. She concluded by stating that they appreciate that Kern COG staff has met with their organization to address the needs of the committees.

11-6

Troy Hightower, an Independent Transportation Consultant made a comment. Mr. Hightower stated that he had been very involved with the RPAC meetings and the committee activities. Mr. Hightower discussed concerns related to performance measures and projected GHG reductions. Mr. Hightower referred to table two, which is a list of policies and strategies and indicated that they were considerably different from the draft document than what was presented or reviewed by the committee. Mr. Hightower commented on the Environmental Justice analysis and what he perceived as potential problems. He added that in addition, the map that is in the draft is a single color map of an area that represents both the EJ and the Title VI areas. The document does state and as the committee has mentioned, the source for these maps is the EJ screen tool but in his opinion there is no correlation that can be determined between the source map and the map in the draft document. Mr. Hightower stated that the analysis breaks it down even further to urban, rural areas countywide. He pointed out that there is not a map demonstrating the metro/urban areas analyzed and these are the rural areas.

11-7

Mr. Hightower stated in the EIR, under “Alternatives Analyzed”, they are not consistent with what is in the plan. He gave the example that the EIR compares analyses from an existing scenario and 2042, no project area. He stated that he was not familiar with an existing scenario alternative, however later in the EIR, there are some additional alternatives mentioned as no project, old plan a countywide infill and a slow growth alternative. These are all alternatives that were not presented to the RPAC or in the public meetings. He stated that whatever the indicators or growth patterns these other scenarios may have, the public and the RPAC did not have the benefit to analyze those and help provide more input into the actual plan. Mr. Hightower stated that his interest is in having the SCS to be the best that it can be, his hope is that the SCS can be improved.

Ms. Oviatt made an additional comment. Ms. Oviatt stated that the previous speaker may be an expert on transportation, but that she is a CEQA expert and the relationship between alternatives in an EIR and alternatives in the SCS are not the same and they cannot be the same. She stated as a member of the RPAC, she would find it a violation of CEQA processing to have staff bring forward any discussion of alternatives in a environmental impact report to let us determine what should be in there. She advised that those are standards under the California Environmental Quality Act and those are different from the alternatives that you put into an SCS. She stated since there were presentations that seemed to imply that staff is somehow not bringing forward information, she wanted to put that into the record. She stated that she was sure that the staff will look at all of the comments and bring forward some resolution for the Board.
2.0 Comment Letters and Responses

Letter 11: Public Hearing Comments

Responses 11-1 through 11-5 and 11-7

Comments 11-1 through 11-5 and 11-7 relate to the 2018 RTP only and are addressed in Attachment A to the RPAC staff report dated August 1, 2018 and in Appendix I of the Final RTP (these comments generally repeat comments provided in letters 1, 2, 3, 7 and 8).

Response 11-6

See Responses to Letter 7.
Raquel Pacheco  
Kern Council of Governments  
1401 19th Street, Suite 300  
Bakersfield, CA 93301


District CEQA Reference No: 20180550

Dear Ms. Pacheco:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Program Environmental Impact Report (DPEIR) for the project referenced above. The 2018 RTP/SCS is a long-range comprehensive plan for the region’s multi-modal transportation system including projects, policies, and strategies to create a blueprint for the region’s growth through 2042 (Plan). The geographical extent of the proposed 2018 RTP/SCS includes the area within the limits of Kern County, CA. The District offers the following comments:

1. Future Individual Development Projects

*New future development may require further environmental review and mitigation. The District makes the following recommendations regarding future development:*

A. The DPEIR identifies significant and unavoidable air quality impacts for the Plan, and future individual development projects within the scope of the Plan would also have a significant and unavoidable impact on air quality. The District recommends the DPEIR be revised to include a discussion of the feasibility of implementing a mitigation measure comparable to an emission reduction agreement to mitigate impacts from future individual projects within the Plan.
For example, an emission reduction agreement can be an agreement in which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. Thus, project specific impacts on air quality can be mitigated. After the project is mitigated, the District can certify to the lead agency that the mitigation is completed, providing the lead agency with an enforceable mitigation measure demonstrating that project specific emissions have been mitigated to less than significant.

Incidentally, an emission reduction agreement can be established at the Program level, in which case an agreement would be entered into with the District to address the mitigation of emissions increases for individual projects.

B. Future individual development projects may be subject to District Rule 9510, Indirect Source Review (ISR). District Rule 9510 is intended to mitigate a project’s impact on air quality through project design elements or by payment of applicable off-site fees. The Plan description does not provide enough information to determine if future individual development projects will be subject to District Rule 9510. Therefore, the Plan should include a requirement for project proponents to assess the applicability of District Rule 9510 to their individual development project. District staff is available to provide assistance with determining if future individual development projects will be subject to Rule 9510, and can be reached at (559) 230-6000 or email ISR@valleyair.org.

When a project is subject to Rule 9510, an AIA application is required to be submitted prior to the project seeking final discretionary approval. The District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of project approval.

Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm. The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

C. Health Risk Screening/Assessment – A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC’s) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC’s are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) (https://www.arb.ca.gov/toxics/healthval/healthval.htm) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends that future development projects be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.
i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA’s updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed. The prioritization calculator can be found at: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITY%20RMR%202016.XLS.

ii) The District recommends a refined HRA for future projects that result in a prioritization score of 10 or greater. It is recommended that the project proponent contact the District to review the proposed modeling protocol. Future projects would be considered to have a significant health risk if the HRA demonstrates that the project-related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

D. Ambient Air Quality Analysis – An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for future projects if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance is available online at the District’s website www.valleyair.org/ceqa.

E. Future individual development projects within the Plan may also be subject to other District rules and regulations:

i) Certain equipment operating at the individual development sites may require District permits. Prior to the start of construction, the project proponent should
contact the District's Small Business Assistance Office at (559) 230-5888 to
determine if an Authority to Construct (ATC) is required.

ii) Individual development projects may also be subject to the following District
rules: Regulation VIII, (Fugitive PM10 Prohibitions); Rule 4102 (Nuisance),
Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and
Emulsified Asphalt, Paving and Maintenance Operations). In the event an
existing building will be renovated, partially demolished or removed, the
project may be subject to District Rule 4002 (National Emission Standards for
Hazardous Air Pollutants).

iii) The above list of rules is neither exhaustive nor exclusive. To identify other
District rules or regulations that apply to future individual development projects
within the Plan or to obtain information about District permit requirements, the
applicant is strongly encouraged to contact the District’s Small Business
Assistance Office at (559) 230-5888. Current District rules can be found online
at: www.valleyair.org/rules/1ruleslist.htm.

F. Referral documents (e.g. project proposals and related documents submitted to
the District for review) for new development projects should include a project
summary detailing, at a minimum, the land use designation, project size, and
proximity to sensitive receptors and existing emission sources.

2. Short-Term Emissions Methodology

In reference to the inability to quantify Plan construction emissions at this time, Section
4.3.3.2 of the DPEIR states:

"Despite this variability in emissions, compliance with Regulation VIII and
implementation of appropriate mitigation measures to control respirable PM10
emissions are considered by the SJVAPCD to be sufficient to render a project's
construction-related PM10 impacts less-than-significant."

On the contrary, while compliance with Regulation VIII may help reduce a project's
impacts on air quality, it does not necessarily reduce impacts to a less-than-significant
level. The suggested changes are indicated as such:

"Despite this variability in emissions, compliance with Regulation VIII and
implementation of appropriate mitigation measures to control respirable PM10
emissions are considered by the SJVAPCD to be sufficient to render reduce a
project's construction-related PM10 impacts, less-than-significant."

Furthermore, feasible mitigation of construction exhaust emissions includes use of
construction equipment powered by engines which meet current Environmental
Protection Agency (EPA) emissions standards. The District recommends
incorporating, as a condition of future project approvals, a requirement that off-road
construction equipment used on site achieve fleet average emissions equal to or cleaner than the latest EPA diesel engine emissions standards for the applicable horsepower range (e.g. EPA's Tier Certification Level) at the time of project construction. Mitigation measures reducing construction exhaust emissions must be fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines §15126.4, subd.(a)(2)).

If you have any questions or require further information, please call Cherie Clark at (559) 230-5940.

Sincerely,

Arnaud Marjollet  
Director of Permit Services

[Signature]

Brian Clements  
Program Manager

AM: cc
2.0 Comment Letters and Responses

12. San Joaquin Valley Air Pollution Control District

Arnaud Marjollet
Director of Permit Services
Brian Clements
Program Manager
San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Avenue
Fresno, CA 93726

Please note that this comment was submitted after the close of the Draft PEIR public review period and responses are therefore not required. (*State CEQA Guidelines Section 15088(a).* ) Nevertheless, Kern COG provides the following responses.

**Response 12-1**

The comment suggests an additional mitigation measure, emission reduction agreements, for air quality construction impacts. Mitigation Measure MM-AIR-1 on page 4.3-38 and in the PEIR summary has been revised to reflect this comment.

**MM-AIR-1(a):** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of heavy off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project and apply the following:

- Prepare a plan for approval by the SJVAPCD demonstrating feasible mitigation of construction exhaust emissions. Construction equipment powered by engines shall meet or exceed current EPA emissions standards for diesel engines. The plan shall demonstrate that off-road construction equipment used on-site shall achieve emissions equal to or cleaner than the latest EPA diesel engine emissions standards for the applicable horsepower range (e.g. EPA’s Tier Certification Level) at the time of project construction. that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. A Construction Mitigation Calculator (MS Excel) may be
downloaded from the Sacramento Metropolitan Air Quality Management District (SMAQMD) web site to perform the fleet average evaluation (http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation). Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary offsite mitigation projects, provide funds for air district off-site mitigation projects, and/or other options as they become available. The air district should be contacted to discuss alternative measures.

- Ensure that all construction equipment is properly tuned and maintained.
- Minimize idling time to 5 minutes – saves fuel and reduces emissions.
- Provide an operational water truck on-site at all times. Apply water to control dust as needed to prevent dust impacts off-site.
- Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- As appropriate, require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site. Minimize land disturbance.

- Where project emissions exceed SJVAPCD thresholds, when feasible project sponsors can and should enter into an emissions reduction agreement with the SJVAPCD. An emission reduction agreement can be an agreement in which the project sponsor provides pound for pound mitigation of emissions increases through a process that develops, funds, and implements emissions reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort.

- Project sponsors of major development projects, as defined by the SJVAPCD, can and should assess applicability of District Rule 9510 Indirect Source Review (ISR) to their
individual development projects to reasonably mitigate air quality impacts associated with the project. District staff can be consulted for a determination.

In addition, the comment suggests that an emission reduction agreement can be established at the program level; however, construction emissions from individual transportation and land use projects have not been quantified, and Kern COG does not have the authority to require emissions reduction agreements for individual transportation and land use projects.

Response 12-2

The comment relates to District Rule 9510 Indirect Source Review (ISR). The top of page 4.3-27 before the heading “Eastern Kern Air Pollution Control District” has been revised to include the reference to District Rule 9510.

**Rule 9510 Indirect Source Review**

The Indirect Source Review (ISR) rule, which went into effect March 1, 2006, requires developers of larger residential, commercial and industrial projects to reduce smog-forming and particulate emissions generated by their projects.

Response 12-3

The comment includes information regarding the SJVAPCD’s recommendations on TAC analysis. This comment largely repeats and expands upon the SJVAPCD’s existing “Guidance for Assessing and Mitigating Air Quality Impacts” document. This information has been incorporated into the PEIR on page 4.3-28 under the heading “Guidance for Assessing and Mitigating Air Quality Impacts.”

**Health Risk Screening/Assessment**

A Health Risk Screening/Assessment identifies potential TAC’s impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC’s are air pollutants identified by OEHHA/CARB ([https://www.arb.ca.gov/toxics/healthval/healthval.htm](https://www.arb.ca.gov/toxics/healthval/healthval.htm)) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends that future development projects be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operation and multi-year construction TAC emissions.
2.0 Comment Letters and Responses

i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify project which may have a significant health impact. A prioritization, using CAPCOA’s updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed. The prioritization calculator can be found at http://www.valleyair.org/transportation/ceqa_idx.htm

ii) The District recommends a refined HRA for future projects that result in a prioritization score of 10 or greater. It is recommended that the project proponent contact the District to review the proposed modeling protocol. Future projects would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District’s significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

Ambient Air Analysis

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for future projects if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance can be found on the District’s website.

Other Rules

Individual projects may also be subject to other District rules. Project sponsors are encouraged to contact the District for additional guidance.

Response 12-4

The comment relates to the methodology discussion on page 4.3-32 of the PEIR.

Despite this variability in emissions, compliance with Regulation VIII and implementation of appropriate mitigation measures to control respirable PM10 emissions are considered by the SJVAPCD to be sufficient to render a project’s construction-related PM10 impacts less than significant. Mitigation Measure MM-AIR-1(a) includes requirements related to construction fleet average, this mitigation measure has been revised to reflect the District’s recommendation.
The comment also recommends a revision to Mitigation Measure MM-AIR-1, which has been made.
3.0 MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act. It is the intent of this program to: (1) verify satisfaction of the required mitigation measures of the PEIR; (2) provide a methodology to document implementation of the required mitigation measures; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) utilize existing review processes wherever feasible.

This MMRP describes the procedures that will be used to implement the mitigation measures adopted in connection with the approval of the project and the methods of monitoring such actions. It takes the form of a table identifying the responsible entity and timing for monitoring each mitigation measure.

The PEIR identifies programmatic mitigation measures to be implemented by Kern COG and identifies mitigation measures that Kern COG will encourage implementing and local agencies to implement as appropriate as part of project specific environmental review for those projects taking advantage of California Environmental Quality Act (CEQA) streamlining.

Kern COG has no authority to impose mitigation measures on individual projects for which it is not the lead agency. Mitigation measures in this the PEIR that include the language, “Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to …” are intended to be used by projects seeking to use this PEIR for CEQA streamlining (e.g., under SB 375, SB 743, and SB 226) and tiering. For projects seeking to use CEQA streamlining and/or tier from the 2018 RTP PEIR, mitigation measures included in this PEIR (or equivalent) should be required by the lead agency as appropriate and applicable.

Many lead agencies have existing regulations, policies, and/or standard conditions of approval that address potential impacts. Nothing in the PEIR is intended to supersede existing regulations and policies of individual jurisdictions. Since Kern COG has no authority to impose mitigation measures, mitigation measures to be implemented by local jurisdictions are subject to a city or county’s independent discretion as to whether measures are applicable to projects in their respective jurisdictions. Lead agencies may use, amend, or not use measures identified in this PEIR as appropriate to address project-specific conditions. The determination of significance and identification of appropriate mitigation is solely the responsibility of the lead agency.
### Table 3.0-1
Mitigation Monitoring and Reporting Program Matrix

<table>
<thead>
<tr>
<th>Impact – Aesthetics</th>
<th>Mitigation Measure</th>
<th>Mitigation Monitoring Timing</th>
<th>Responsible Monitoring Entity</th>
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<tbody>
<tr>
<td>AES-1:</td>
<td>Impacts to aesthetic resources shall be minimized through cooperation, information sharing regarding the locations of designated scenic vistas, and regional program development as part of Kern COG’s ongoing regional planning efforts.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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</tbody>
</table>
| AES-2:              | Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to identify and protect panoramic views and significant landscape features or landforms and implement project-specific mitigation as applicable. If it is determined that a project would significantly obstruct scenic views, implementing and local agencies should consider alternative designs that seek to avoid and/or minimize obstruction of scenic views to ensure compliance with Caltrans regulations for scenic vistas and the goals and policies with county and city general plans as applicable and feasible. Project-specific design measures may include reduction in height of improvements or width of improvements to reduce obstruction of views, or relocation of improvements to reduce obstruction of views. Additional measures may include the following, or other comparable measures identified by the Lead Agency:  
• Use a palette of colors, textures, building materials that are graffiti-resistant, and/or plant materials that complement the surrounding landscape and development.  
• Use contour grading to better match surrounding terrain. Contour edges of major cut-and-fill to provide a more natural looking finished profile.  
• Use alternating facades to “break up” large facades and provide visual interest.  
• Design new corridor landscaping to respect existing natural and man-made features and to complement the dominant landscaping of the surrounding areas.  
• Replace and renew landscaping along corridors with road widenings, interchange projects, and related improvements.  
• Retain or replace trees bordering highways, so that clear-cutting is not evident.  
• Provide new corridor landscaping that respects and provides appropriate transition to existing natural and man-made features and is complementary to the dominant landscaping or native habitats of surrounding areas.  
• Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions in design of projects to minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Avoid, if possible, large cuts and fills when the visual environment (natural or urban) would be obstructed. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process. |
Mitigation Measure | Mitigation Monitoring Timing | Responsible Monitoring Entity
--- | --- | ---
Substantially disrupted. Site or design of projects should minimize their intrusion into important viewsheds and use contour grading to better match surrounding terrain. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

AES-3: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to protect panoramic views and views of significant landscape features or landforms and implement project-specific mitigation as applicable. Kern COG will facilitate and encourage implementing and local agencies to consider taking the following (or equivalent) actions:
- Require that the scale and massing of new development in higher-density areas provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods that have lower development intensities and building heights; ensure building heights stepped back from sensitive adjoining uses to maintain appropriate transitions in scale and to protect scenic views;
- Avoid siting electric towers, solar power facilities, wind power facilities, communication transmission facilities and/or above ground lines along scenic roadways and routes, to the maximum feasible extent;
- Prohibit projects and activities that would obscure, detract from, or negatively affect the quality of views from designated scenic roadways or scenic highways; and comply with other local general plan policies and local control related to the protection of panoramic or scenic views or views of significant landscape features or landforms.

AES-4: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to design projects to be visually compatible with surrounding areas that possess high aesthetic value. Implementing and local agencies should design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development. The design of projects should minimize intrusion into important viewsheds and use contour grading to better match surrounding terrain. To the extent feasible, landscaping should be designed to add significant natural elements and visual interest to soften hard edges. Projects should, to the extent feasible, avoid large cuts and fills when the visual environment (natural or urban) would be substantially disrupted.

AES-5: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to establish development standards for visually sensitive areas. Prior to approval of individual projects, Kern COG will encourage and facilitate implementing and local agencies to apply such development standards to maintain compatibility with surrounding natural areas, including site coverage, building height and massing, building materials and color, landscaping, site grading, etc.
### Mitigation Measure

| AES-6: | Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to ensure that sites should be kept in a blight/nuisance-free condition. Any existing blight or nuisance should be abated within 60 to 90 days of approval, unless an earlier date is specified elsewhere. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
| AES-7: | Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to design measures to reduce glare, light, and shadow. As part of planning, design, and engineering for projects, implementing and local agencies should ensure that projects proposed near light-sensitive uses avoid substantial spillover lighting. Design measures could include the following:  
• Use lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.  
• Restrict the operation of outdoor lighting for construction and operation activities to the hours of 7:00 a.m. to 10:00 p.m.  
• Use high pressure sodium and/or cut-off fixtures instead of typical mercury-vapor fixtures for outdoor lighting.  
• Use unidirectional lighting to avoid light trespass onto adjacent properties.  
• Design exterior lighting to confine illumination to the project site, and/or to areas which do not include light-sensitive uses.  
• Provide structural and/or vegetative screening from light-sensitive uses.  
• Shield and direct all new street and pedestrian lighting away from light-sensitive off-site uses.  
• Use non-reflective glass or glass treated with a non-reflective coating for all exterior windows and glass used on building surfaces.  
• Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |

### Impact - Agricultural Resources

<p>| AG-1: | Kern COG shall facilitate minimizing future impacts to Important Farmland resources through cooperation, information sharing, and regional program development as part of Kern COG’s ongoing regional planning efforts, such as web-based planning tools for local government and other GIS tools and data services. Lead Agencies, such as county and city planning departments, shall be consulted during this update process. | Ongoing over the life of the plan | Kern COG |
| AG-2: | Kern COG shall work with member agencies and the region’s farmland interests to develop regional best practices information for buffering farmland from urban encroachment, resolving conflicts that prevent farming on hillsides and other designated areas, and closing loopholes that allow conversion of non-farm uses without a grading permit. | Ongoing over the life of the plan | Kern COG |</p>
<table>
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<tr>
<th>Mitigation Measure</th>
<th>Mitigation Monitoring Timing</th>
<th>Responsible Monitoring Entity</th>
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<tr>
<td>AG-3: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to establish preservation ratios to minimize loss of prime, unique, and statewide importance farmland, such as the preservation of 1 acre of unprotected agricultural land being permanently conserved for each acre of agricultural land developed on major projects affecting more than 100 acres of agricultural land, or as consistent with local agencies best practice.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>AG-4: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to encourage urban development, in place of development in rural and sensitive areas. Local jurisdictions should seek funding to prepare specific plans and related environmental documents to facilitate mixed-use development, and to allow these areas to serve as receiver sites for transfer of development rights away from environmentally sensitive lands and rural areas outside established spheres of influence and urban service district boundaries.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>AG-5: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to identify and minimize impacts to agricultural resources through project design. Prior to the design approval of RTP transportation projects, the implementing agency should assess the project area for agricultural resources and constraints. For federally funded projects, implementing and local agencies are required to follow the rules and regulations of Farmland Protection Policy Act including determining the impact by completing the Farmland Conversion Impact Rating form (AD-1006). For non-federally funded projects, implementing and local agencies should assess projects for the presence of important farmlands (prime farmland, unique farmland, farmland of statewide importance), and if present, perform a Land Assessment and Site Evaluation (LESA). If significant agricultural resources are identified within the limits of a project, implementing and local agencies should consider alternative designs that seek to avoid and/or minimize impacts to the agricultural resources. Design measures could include, but are not limited to, reducing the footprint of a roadway or development or relocating/realigning a project to avoid important and significant farmlands. If a project cannot be designed without complete avoidance of important or significant farmlands, implementing and local agencies should compensate for unavoidable conversion impacts in accordance with the Farmland Protection Policy Act and local and regional standards, which may include enrolling off-site agricultural lands under a Williamson Act contract or other conservation or agricultural easement, mitigation banks, or paying mitigation fees.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>AG-6: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to establish preservation ratios to minimize loss of forest land, and timberland, such as 1 acre of unprotected forest land and timberland to be permanently conserved for each acre of open space developed as a result of individual projects affecting more than 100 acres of forest land and timberland.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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### Mitigation Monitoring and Reporting Program

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<tr>
<td><strong>AG-7:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to implement design features in transportation projects to minimize impacts. Implementing agencies should consider corridor realignment, buffer zones and setbacks, and berms and fencing where feasible, to avoid forest lands and timberlands and to reduce conflicts between transportation uses and forest and timberlands.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td><strong>AG-8:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to consider tree plantings at a minimum 1:1 ratio to mitigate impacts to forest lands.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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### Impact – Air Quality

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<th>Impact – Air Quality</th>
<th>Mitigation Monitoring Timing</th>
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<tr>
<td><strong>AIR-1:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project and apply the following:</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>- Prepare a plan for approval by the SJVAPCD demonstrating feasible mitigation of construction exhaust emissions. Construction equipment powered by engines shall meet or exceed current EPA emissions standards for diesel engines. The plan shall demonstrate that off-road construction equipment used on-site shall achieve emissions equal to or cleaner than the latest EPA diesel engine emissions standards for the applicable horsepower range (e.g. EPA’s Tier Certification Level) at the time of project construction. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary off-site mitigation projects, provide funds for air district off-site mitigation projects, and/or other options as they become available. The air district should be contacted to discuss alternative measures.</td>
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<td>- Ensure that all construction equipment is properly tuned and maintained.</td>
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<td>- Minimize idling time to 5 minutes – saves fuel and reduces emissions.</td>
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<td>- Provide an operational water truck on-site at all times. Apply water to control dust as needed to prevent dust impacts off-site.</td>
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<td>- Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.</td>
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<td>- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.</td>
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### 3.0 Mitigation Monitoring and Reporting Program

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<tr>
<td>• As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain California Air Resources Board (ARB) Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>• Where project emissions exceed SJVAPCD thresholds, when feasible project sponsors can and should enter into an emissions reduction agreement with the SJVAPCD. An emission reduction agreement can be an agreement in which the project sponsor provides pound for pound mitigation of emissions increases through a process that develops, funds, and implements emissions reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort.</td>
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<td>• Project sponsors of major development projects, as defined by the SJVAPCD, can and should assess applicability of District Rule 9510 Indirect Source Review (ISR) to their individual development projects to reasonably mitigate air quality impacts associated with the project. District staff can be consulted for a determination.</td>
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**AIR-2:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to implement measures adopted by ARB designed to attain federal air quality standards for PM2.5. ARB’s strategy includes the following elements:

- Set technology forcing new engine standards;
- Reduce emissions from the in-use fleet;
- Require clean fuels, and reduce petroleum dependency;
- Work with USEPA to reduce emissions from federal and state sources; and
- Pursue long-term advanced technology measures.

Proposed new transportation-related SIP measures include:

**On-road Sources**
- Improvements and Enhancements to California’s Smog Check Program
- Expanded Passenger Vehicle Retirement
- Modifications to Reformulated Gasoline Program
- Cleaner In-Use Heavy-Duty Trucks
- Ship Auxiliary Engine Cold Ironing and Other Clean Technology
- Cleaner Ship Main Engines and Fuel
- Port Truck Modernization
- Accelerated Introduction of Cleaner Line-Haul Locomotives
- Clean Up Existing Commercial Harbor Craft

**Off-road Sources**
- Cleaner Construction and Other Equipment
### Mitigation Monitoring and Reporting Program

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<tr>
<td>Cleaner In-Use Off-Road Equipment</td>
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<tr>
<td>Agricultural Equipment Fleet Modernization</td>
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<td>New Emission Standards for Recreational Boats</td>
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<tr>
<td>Off-Road Recreational Vehicle Expanded Emission Standards</td>
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#### AIR-3:
Kern COG shall pursue the following activities in reducing the impact associated with health risk within 500 feet of freeways and high-traffic volume roadways:

- Participate in ongoing statewide deliberations on health risks near freeways and high-traffic volume roadways. This involvement includes inputting to the statewide process by providing available data and information such as the current and projected locations of sensitive receptors relative to transportation infrastructure;
- Work with air agencies including CARB and the air districts in the Kern COG region to support their work in monitoring the progress on reducing exposure to emissions of PM10 and PM2.5 for sensitive receptors, including schools and residents within 500 feet of high-traffic volume roadways;
- Work with stakeholders to identify planning and development practices that are effective in reducing health impacts to sensitive receptors; and
- Share information on all of the above efforts with stakeholders, member cities, counties and the public.

Ongoing over the life of the plan
Kern COG

#### AIR-4:
Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to comply with the CARB recommendations to achieve an acceptable interior air quality level for sensitive receptors, project sponsors can and should identify appropriate measures, to be incorporated into project building design for residential, school and other sensitive uses located within 500 feet (or other appropriate distance as may be identified by CARB) of freeways, heavily travelled arterials, railways and other sources of Diesel particulate Matter and other known carcinogens. The measures should include one or more of the following methods as appropriate:

a. The project sponsor should retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to stationary air quality polluters prior to issuance of a demolition, grading, or building permit. The HRA should be submitted to the Lead Agency for review and approval. The sponsor should implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required.

b. The project sponsor should implement the following features that have been found to reduce the air quality risk to sensitive receptors and should be included in the project construction plans. These should be submitted to the appropriate agency for review and approval prior to the

Ongoing over the life of the plan
Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process
### 3.0 Mitigation Monitoring and Reporting Program

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<td>issuance of a demolition, grading, or building permit and ongoing.</td>
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<tr>
<td>i. Do not locate sensitive receptors near distribution center’s entry and exit points.</td>
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<td>ii. Do not locate sensitive receptors in the same building as a perchlorolethene dry cleaning facility.</td>
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<td>iii. Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).</td>
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<td>iv. Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system should include the following features: Installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85 percent supply filters should be used.</td>
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<td>v. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.</td>
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<td>vi. Maintain positive pressure within the building.</td>
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<td>vii. Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.</td>
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<td>viii. Achieve a performance standard of at least 4 air exchanges per hour of recirculation</td>
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<tr>
<td>ix. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.</td>
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<tr>
<td>c. Project sponsor should maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual should include the operating instructions and maintenance and replacement schedule. This manual should be included in the CC&amp;R’s for residential projects and distributed to the building maintenance staff. In addition, the sponsor should prepare a separate Homeowners Manual. The manual should contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It should also include a disclosure to the buyers of the air quality analysis findings.</td>
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<tr>
<td>d. To the maximum extent practicable the Lead Agency can and should ensure that private (individual and common) exterior open space, including playgrounds, patios, and decks, should either be shielded from stationary sources of air pollution by buildings or otherwise buffered to further reduce air pollution exposure for project occupants.</td>
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**AIR-5:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies, as applicable and feasible, to investigate (using for example procedures and guidelines for PM hotspot analysis consistent with USEPA (2010) PM guidance) the relationship between 1) any increases in PM10 and PM2.5 within 500 feet of freeways in their jurisdiction, and 2) existing sensitive receptors in that area that do not have adequate air filtration to reduce such impacts to a less than significant level. To the extent that existing sensitive Ongoing over the life of the plan Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process.
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<tr>
<td>Receptors are identified that do not have adequate air filtration, local jurisdictions may establish a program by which project sponsors can mitigate significant increases in PM10 and PM2.5 (e.g., by providing a retrofit program for older higher emitting vehicles, anti-idling requirements or policies, controlling fugitive dust, routing traffic away from populated zones, replacing older buses with cleaner buses, and paying in to a fund established to retrofit sensitive receptors with HEPA filters when sensitive receptors are located within 500 feet of freeways and high-traffic volume roadways that generate substantial diesel particulate emissions).</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>AIR-6: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies, as applicable and feasible, to plant appropriate vegetation to reduce PM10/PM2.5 when constructing a sensitive receptor within 500 feet of freeways and high-traffic volume roadways generating substantial diesel particulate emissions.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>AIR-7: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies for major transportation projects (especially those that generate substantial diesel particulate emissions) in the region, if health risks are shown to increase significantly at sensitive receptors within 500 feet of a transportation facility, to consider applicable mitigation. Examples include planting appropriate vegetation and retrofitting existing sensitive uses with air filtration to reduce potential health risk impacts to a less than significant level.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>Impact – Biological Resources</td>
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<tr>
<td>BIO-1: Kern COG shall facilitate reducing future impacts to species identified as candidate, sensitive, or special status species and associated habitats through cooperation, information sharing, and program development. Kern COG shall consult with the resource agencies, such as the USFWS, NMFS, USACE, USFWS, BLM, and CDFW, as well as local jurisdictions including cities and counties, to incorporate designated critical habitat, federally protected wetlands, the protection of sensitive natural communities and riparian habitats, designated open space or protected wildlife habitat, local policies and tree preservation ordinances, applicable HCPs and NCCPs, or other related planning documents into Kern COG’s ongoing regional planning efforts. Planning efforts shall be consistent with the approach outlined in the California Wildlife Action Plan.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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<tr>
<td>BIO-2: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to document Special-Status Plant Populations as follows: Retain a qualified botanist to document the presence or absence of special-status plants before project implementation. Implement the following steps to document special-status plants:</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>• Review Existing Information. The botanist shall review the most current existing information to develop a list of special-status plants that have a potential to occur in the specific project area. Sources of information consulted shall include CDFW’s CNDDB, previously prepared environmental documents, city and county general plans, HCPs and NCCPs, and the CNPS</td>
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3.0 Mitigation Monitoring and Reporting Program

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<tr>
<td><strong>Coordinate with Agencies.</strong> The botanist shall coordinate with the appropriate agencies (CDFW, USFWS, Caltrans) to discuss botanical resource issues and determine the appropriate level of surveys necessary to document special-status plants.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>Conduct Field Studies.</strong> The botanist shall evaluate existing habitat conditions for each project and determine what level of botanical surveys may be required. The type of survey shall depend on species richness, habitat type and quality, and the probability of special-status species occurring in a particular habitat type. Depending on these factors and the proposed construction activity, one or a combination of the following levels of survey may be required:</td>
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<td><strong>Habitat Assessment.</strong> A habitat assessment will be conducted to determine whether suitable habitat is present. This type of assessment can be conducted at any time of year and is used to assess and characterize habitat conditions and determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys shall be required.</td>
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<td><strong>Species-Focused Surveys.</strong> Species-focused surveys (or target species surveys) shall be conducted if suitable habitat is present for special-status plants. The surveys shall focus on special-status plants that could grow in the region, and would be conducted during a period when the target species are evident and identifiable.</td>
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<td><strong>Floristic Protocol-Level Surveys.</strong> Floristic surveys that follow the CNPS Botanical Survey Guidelines shall be conducted in areas that are relatively undisturbed and/or have a moderate to high potential to support special-status plants. The CNPS Botanical Survey Guidelines require that all species be identified to the level necessary to determine whether they qualify as special-status plants, or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be conducted when special-status plants that could occur in the area are evident and identifiable. To account for different special-status plant identification periods, one or more series of field surveys may be required in spring and summer months. Special-status plant populations identified during the field surveys shall be mapped and documented as part of CEQA and NEPA process, as applicable.</td>
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**BIO-3:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid or minimize impacts on Special-Status Plant Populations by redesigning the Project, protecting special-status plant populations, and developing a transplantation plan (if necessary and approved by resource agencies).

If special-status plants are identified in their project area, the proponents of specific projects included in the proposed RTP shall implement the following measures, as appropriate, to avoid and minimize impacts on special-status plants:

- Redesign or modify their project to avoid direct and indirect impacts on special status plants, if feasible.
- Protect special-status plants near their project site by installing environmentally sensitive area...
### Mitigation Monitoring and Reporting Program

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<td>Fencing (orange construction barrier fencing) around special-status plant populations. The environmentally sensitive area fencing shall be installed at least 20 feet from the edge of the population. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area. • Coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, the botanist shall develop and implement a transplantation plan through coordination with the appropriate agencies. The special-status plant transplantation plan shall involve identifying a suitable transplant site; moving the plant material and seed bank to the transplant site; collecting seed material and propagating it in a nursery; and monitoring the transplant sites to document recruitment and survival rates.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>BIO-4: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to document special-status wildlife species and their habitats as follows: Retain a qualified wildlife biologist to document the presence or absence of suitable habitat for special-status wildlife in the project study area. The following steps shall be implemented to document special-status wildlife and their habitats for each project: • <strong>Review Existing Information.</strong> The wildlife biologist shall review existing information to develop a list of special-status wildlife species that could occur in the project area. The following information shall be reviewed as part of this process: the USFWS special-status species list for the project region, CDFW’s CNDDB, previously prepared environmental documents, city and county general plans, HCPs and NCCPs (if applicable), and USFWS issued biological opinions for previous projects. • <strong>Coordinate with State and Federal Agencies.</strong> The wildlife biologist shall coordinate with the appropriate agencies (CDFW, USFWS, and Caltrans) to discuss wildlife resource issues in the project region and determine the appropriate level of surveys necessary to document special-status wildlife and their habitats. • <strong>Conduct Field Studies.</strong> The wildlife biologist shall evaluate existing habitat conditions and determine what level of biological surveys may be required. The type of survey required shall depend on species richness, habitat type and quality, and the probability of special-status species occurring in a particular habitat type. Depending on the existing conditions in the project area and the proposed construction activity, one or a combination of the following levels of survey may be required: • <strong>Habitat Assessment.</strong> A habitat assessment determines whether suitable habitat is present. This type of assessment can be conducted at any time of year and is used to assess and characterize...</td>
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**Impact Sciences, Inc.**

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**2018 Kern COG RTP Final PEIR**

**August 2018**
### 3.0 Mitigation Monitoring and Reporting Program

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<td>habitat conditions and to determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys shall be required.</td>
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<tr>
<td><strong>Species-Focused Surveys.</strong> Species-focused surveys (or target species surveys) shall be conducted if suitable habitat is present for special-status wildlife and if it is necessary to determine the presence or absence of the species in the project area. The surveys shall focus on special-status wildlife species that have the potential to occur in the region. The surveys shall be conducted during a period when the target species are present and/or active.</td>
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<tr>
<td><strong>Protocol-Level Wildlife Surveys.</strong> The project proponent shall comply with protocols and guidelines issued by responsible agencies for certain special-status species. USFWS and CDFW have issued survey protocols and guidelines for several special-status wildlife species that could occur in the project region, including (but not limited to) the California red-legged frog, blunt-nosed leopard lizard, desert tortoise and San Joaquin kit fox. The protocols and guidelines may require that surveys be conducted during a particular time of year and/or time of day when the species is present and active. Many survey protocols require that only a USFWS permitted or CDFW-approved biologist perform the surveys. The project proponent shall coordinate with the appropriate state or federal agency biologist before the initiation of protocol-level surveys to ensure that the survey results would be valid. Because some species can be difficult to detect or observe, multiple field techniques may be used during a survey period and additional surveys may be required in subsequent seasons or years as outlined in the protocol or guidelines for each species. Special-status wildlife or suitable habitat identified during the field surveys shall be mapped and documented as part of the CEQA and NEPA documentation, as applicable.</td>
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**BIO-5:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid and minimize impacts on Special-Status Wildlife Species by redesigning the project, protecting special-status wildlife habitat, and developing a mitigation monitoring plan (if necessary)

This mitigation measure focuses on avoiding and minimizing all direct and indirect effects on special-status wildlife. Implement the following measures to avoid and minimize impacts on special-status wildlife and their habitats:

- Redesign or modify the project to avoid direct and indirect impacts on special-status wildlife or their habitats, if feasible.
- Protect special-status wildlife and their habitat near the project site by installing environmentally sensitive area fencing around habitat features, such as seasonal wetlands, burrows, and nest trees. The environmentally sensitive area fencing or staking shall be installed at a distance from the edge of the resource determined through coordination with state and federal agency biologists (USFWS and CDFW). The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain

| | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |

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**Note:** Ongoing over the life of the plan is intended to convey the long-term monitoring requirements necessary to ensure the protection of special-status wildlife identified in the project area.
### 3.0 Mitigation Monitoring and Reporting Program

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| clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.  
• Restrict construction-related activities to the non-breeding season for special-status wildlife species that could occur in the project area. Timing restrictions may vary depending on the species and could occur during any time of the year. Coordinate with the appropriate resource agencies to determine whether a monitoring plan for special-status wildlife is necessary as part of all highway projects. If a monitoring plan is required, it shall be developed and implemented in coordination with appropriate agencies and shall include  
  o a description of each of the protected wildlife species and any suitable habitat for special-status species that could occur at the project site;  
  o the locations of known occurrences of special-status wildlife species within 1.0 mile of the project site;  
  o the location and size of no-disturbance zones in and adjacent to environmentally sensitive areas for wildlife;  
  o directions on the handling and relocating of special-status wildlife species found on the project site that are in immediate danger of being destroyed; and  
  o notification and reporting requirements for special-status species that are identified on the project site. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
| BIO-6: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to identify and document riparian habitat as follows:  
• Retain a qualified biologist to document the location, type, extent, and habitat functions and values for riparian communities that occur in the site-specific project area and could be affected by their project. This information should be mapped and documented as part of CEQA and NEPA documentation, as applicable.  
• Consult with the USFWS and NMFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act.  
• Consult with the USFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act and any additional species afforded protection by an adopted Forest Land Management Plan or Resource Management Plan.  
• Consult with the CDFW where such state-designated sensitive or riparian habitats provide potential or occupied habitat for state-listed rare, threatened, and endangered species afforded protection pursuant to the California Endangered Species Act, or Fully-Protected Species afforded protection pursuant to the State Fish and Game Code. | | |
### 3.0 Mitigation Monitoring and Reporting Program

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| • Consult with the CDFW pursuant to the provisions of Section 1600 of the State Fish and Game Code as they relate to Lakes and Streambeds.  
• Consult with the USFWS, USFS, CDFW, and counties and cities in the Kern COG region, where state-designated sensitive or riparian habitats are occupied by birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season.  
• Consult with the CDFW for state-designated sensitive or riparian habitats where fur-bearing mammals, afforded protection pursuant to the provisions of the State Fish and Game Code for fur-beaming mammals, are actively using the areas in conjunction with breeding activities. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process                                                                                                                                                                                                                                                                                                                                                             |

**BIO-7:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid and minimize disturbance of riparian communities as follows:

If riparian communities are present in the project area, avoid or minimize impacts on riparian communities by implementing the following measures:

- Redesign or modify the project to avoid direct and indirect impacts on riparian communities, if feasible.
- Protect riparian communities near the project site by installing environmentally sensitive area fencing at least 20 feet from the edge of the riparian vegetation. Depending on site-specific conditions, this buffer may be narrower or wider than 20 feet. The location of the fencing should be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications should contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.
- Minimize the potential for long-term loss of riparian vegetation by trimming vegetation rather than removing the entire shrub. Shrub vegetation should be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration of the species. Cutting should be limited to a minimum area necessary within the construction zone. This type of removal should be allowed only for shrub species (all trees should be avoided) in areas that do not provide habitat for sensitive species (e.g., willow flycatcher). To protect migratory birds, no woody riparian vegetation should not be removed beginning March 15 through September 15, as required under the Migratory Bird Treaty Act.
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| **BIO-8:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to compensate for the Loss of Riparian Community as follows:  
If riparian vegetation is removed as part of their project, compensate for the loss of riparian vegetation to ensure no net loss of habitat functions and values. Compensation ratios should be based on site-specific information and determined through coordination with state and federal agencies (including CDFW, USFWS, USACE, and National Marine Fisheries Service [NMFS]). Compensation should be provided at a minimum 1:1 ratio (1 acre restored or created for every 1 acre removed) and may be a combination of on-site restoration/creation, off-site restoration, or mitigation credits. Develop a restoration and monitoring plan that describes how riparian habitat should be enhanced or recreated and monitored over a minimum period of time, as determined by the appropriate state and federal agencies. Implement the restoration and monitoring plan. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
| **BIO-9:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to identify and Delineate Waters of the United States (including jurisdictional and isolated wetlands)  
Wetlands should be identified using both the USACE and USFWS/CDFW definitions of wetlands. USACE jurisdictional wetlands should be delineated using the methods outlined in the USACE 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), September 2008l. The jurisdictional boundary for other waters of the United States should be identified based on:  
• The shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area (33 CFR 328.3[e]).  
This information should be mapped and documented as part of the CEQA and NEPA documentation, as applicable, and in wetland delineation reports. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
| **BIO-10:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid and minimize disturbance of waters of the United States, including wetland communities. Avoid and minimize impacts on wetlands and other waters of the United States (creeks, steams, and rivers) by implementing the following measures:  
• Redesign or modify the project to avoid direct and indirect impacts on wetland habitats.  
• Protect wetland habitats that occur near the project site by installing environmentally sensitive area fencing at least 20 feet from the edge of the wetland. Depending on site-specific conditions and permit requirements, this buffer may be wider than 20 feet (e.g., 250 feet for seasonal wetlands that are considered special-status shrimp habitat). The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
### Mitigation Measure

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<td>Construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>• Avoid installation activities in saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as use of padding or vehicles with balloon tires, shall be used.</td>
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<td>• Where determined necessary by resource specialists, use geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, or geotextile fabric) in saturated conditions to minimize damage to the substrate and vegetation.</td>
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<td>• Stabilize exposed slopes and stream banks immediately on completion of installation activities. Other waters of the United States shall be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system.</td>
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<td>• In highly erodible stream systems, stabilize banks using a non-vegetative material that will bind the soil initially and break down within a few years. If the project engineers determine that more aggressive erosion control treatments are needed, use geotextile mats, excelsior blankets, or other soil stabilization products.</td>
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<td>• During construction, remove trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark of drainages in a manner that minimizes disturbance of the drainage bed and bank.</td>
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#### BIO-11:
Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to compensate for the loss of wetland habitat as follows:

If wetlands are filled or disturbed as part of the highway project, compensate for the loss of wetland habitat to ensure no net loss of habitat functions and values. Compensation ratios shall be based on site-specific information and determined through coordination with state and federal agencies (including CDFW, USFWS, and USACE). The compensation shall be at a minimum 1:1 ratio (1 acre restored or created for every 1 acre filled) and may be a combination of on-site restoration/creation, off-site restoration, or mitigation credits. A restoration and monitoring plan shall be developed and implemented if on-site or off-site restoration or creation is chosen. The plan shall describe how wetlands shall be created and monitored over a minimum of five years (or as required by the regulatory agencies).

#### BIO-12:
Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to incorporate Design Measures to Allow Animal Movement as follows:

Prior to design approval of individual projects that contain movement habitat, the implementing agency shall incorporate economically viable design measures, as applicable and necessary, to allow wildlife or fish to move through the transportation corridor, both during construction activities and Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
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<td>post construction. Such measures may include appropriately spaced breaks in a center barrier, or other measures that are designed to allow wildlife to move through the transportation corridor. If the project cannot be designed with these design measures due to traffic safety, etc., the implementing agency can and should consider mitigation measures to minimize impacts on biological resources, including coordinating with the appropriate regulatory agency (i.e., USFWS, NMFS, CDFW) to obtain regulatory permits and implement alternative project-specific mitigation prior to any construction activities. Such measures include, but are not limited to, the following:</td>
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<td>• Consult with the USFWS, USFS, CDFW, and local agencies, where impacts to birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season may occur.</td>
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<td>• Consult with local jurisdictions and other local organizations when impacts may occur to open space areas that have been designated as important for wildlife movement.</td>
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<td>• Prohibit construction activities within 500 feet of occupied breeding areas for wildlife afforded protection pursuant to Title 14 § 460 of the California Code of Regulations protecting fur-bearing mammals, during the breeding season.</td>
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<td>• Conduct a survey to identify active raptor and other migratory nongame bird nests by a qualified biologist at least two weeks before the start of construction at project sites from February 1 through August 31.</td>
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<td>• Prohibit construction activities with 250 feet of occupied nest of birds afforded protection pursuant to the Migratory Bird Treaty Act, during the breeding season.</td>
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<td>• Ensure that suitable nesting sites for migratory nongame native bird species protected under the Migratory Bird Treaty Act and/or trees with unoccupied raptor nests should only be removed prior to February 1, or following the nesting season.</td>
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<td>• Pursue mitigation banking to preserve habitat linkages and corridors (opportunities to purchase, maintain, and/or restore offsite habitat).</td>
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<td>• Install wildlife fencing where appropriate to minimize the probability of wildlife injury due to direct interaction between wildlife and roads or construction.</td>
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<td>• where avoidance is determined to be infeasible, design sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) and in accordance with the respective counties and cities general plans to establish plans to mitigate for the loss of fish and wildlife movement corridors and/or wildlife nursery sites. The consideration of conservation measures may include the following measures where applicable:</td>
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<td>o Wildlife movement buffer zones</td>
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<td>o Corridor realignment</td>
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<td>o Appropriately spaced breaks in center barriers</td>
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<td>o Stream rerouting</td>
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<td>o Culverts</td>
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<td>o Creation of artificial movement corridors such as freeway under- or overpasses</td>
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<td>o Other comparable measures</td>
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Where the Lead Agency has identified that a RTP project, or other regionally significant project, has the potential to impact other open space or nursery site areas, seek comparable coverage for these areas in consultation with the USFWS, CDFW, NMFS, or other local jurisdictions.

**BIO-13:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to review Local City and County Policies, Ordinances, and Conservation Plans. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation. Where lead agencies have determined a significant impact would occur, lead agencies can and should consider mitigation measures to minimize impacts. Such measures include, but are not limited to, the following:

- Design projects to avoid conflicts with local policies and ordinances protecting biological resources.

Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the applicable policy or ordinance shall be developed, such as to support issuance of a tree removal permit. The consideration of conservation measures may include:

- Avoidance strategies
- Contribution of in-lieu fees
- Planting of replacement trees at a minimum ratio of 2:1
- Re-landscaping areas with native vegetation post-construction
- Other comparable measures.
### Mitigation Measure

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<th>BIO-14: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to review Local City and County Policies, Ordinances, and Conservation Plans. Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation. Where lead agencies have determined a significant impact would occur, lead agencies can and should consider mitigation measures to minimize impacts. Such measures include, but are not limited to, the following:</th>
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<td>• Consult with the appropriate federal, state, and/or local agency responsible for the administration of HCPs or NCCPs.</td>
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<td>• Wherever practicable and feasible, the project shall be designed to avoid through project design lands preserved under the conditions of an HCP or NCCP.</td>
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<td>Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the HCP and/or NCCP, which would include but not be limited to applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act, shall be developed to support issuance of an Incidental take permit or any other permissions required for development within the HCP/NCCP boundaries.</td>
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### Impact – Cultural Resources

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<th>CR-1: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to require historical resource studies and to identify and implement project-specific mitigation.</th>
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<td>As part of planning, design, and engineering for projects, implementing and local agencies should ensure that historic resources are treated in accordance with applicable federal, state, and local laws and regulations. When a project has been identified as potentially affecting a historical resource, a historical resources inventory should be conducted by a qualified architectural historian. The study should comply with State CEQA Guidelines section 15064.5(b), and, if federal funding or permits are required, with section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 USC Sec. 470 et seq.). As applicable, the study should consist of the following elements:</td>
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<td>• a records search at the Southern San Joaquin Valley Information Center (California State University, Bakersfield);</td>
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<td>• contact with local historical societies, museums, or other interested parties as appropriate to help determine locations of known significant historical resources;</td>
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<td>• necessary background, archival and historic research;</td>
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<td>• a survey of built environment/architectural resources that are 50 years old or older that may be directly or indirectly impacted by project activities; and</td>
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<td>• recordation and evaluation of built environment/architectural resources that are 50 years old or</td>
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<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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### Mitigation Measure

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| older that may be directly or indirectly impacted by project activities; • buildings should be evaluated under CRHR and/or NRHP Criteria as appropriate and recorded on California Department of Parks and Recreation 523 forms. These elements should be compiled into a Historical Survey Report that should be submitted to the Southern San Joaquin Valley Information Center (California State University, Bakersfield) and should also be used for SHPO consultation if the project is subject to NHPA section 106.  
If architectural resources are deemed as potentially eligible for the California Register of Historic Resources or the National Register of Historic Places, implementing and local agencies should consider avoidance through project redesign as feasible and appropriate. If avoidance is not feasible, implementing or local agencies should ensure that historical resources are formally documented through the use of large-format photography, measured drawings, written architectural descriptions, and historical narratives. The documentation should be entered into the Library of Congress and archived in the California Historical Resources Information System. In the event of building relocation, implementing and local agencies should ensure that any alterations to significant buildings or structures conform to the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |

CR-2: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to require consultation, surveys, and monitoring for archaeological resources.  
During environmental review of projects, implementing and local agencies should:  
• Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project area.  
• Conduct a records search at the Southern San Joaquin Valley Information Center (California State University, Bakersfield) to determine whether the project area has been previously surveyed and whether resources were identified.  
In the event the records indicate that no previous survey has been conducted, the Southern San Joaquin Valley Information Center (California State University, Bakersfield) will make a recommendation on whether a survey is warranted based on the archaeological sensitivity of the project area. If recommended, a qualified archaeologist should be retained to conduct archaeological surveys. The significance of any resources that are determined to be in the project area should be assessed according to the applicable local, state, and federal significance criteria. Implementing and local agencies should devise treatment measures to ameliorate “substantial adverse changes” to significant archaeological resources, in consultation with qualified archaeologists and other concerned parties. Such treatment measures may include avoidance through project redesign, data recovery excavation, and public interpretation of the resource.  
Implementing and local agencies and the contractors performing the improvements should adhere to...
3.0 Mitigation Monitoring and Reporting Program

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<td>the following requirements:</td>
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<td>• If a project is located in an area rich with cultural materials, implementing and local agencies should retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.</td>
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<td>• If, during the course of construction cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work should be halted immediately within 50 meters (165 feet) of the discovery, implementing and local agencies should be notified, and a qualified archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology should be retained to determine the significance of the discovery.</td>
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<td>• Implementing and local agencies should consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology for any unanticipated discoveries and should carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent should be required to implement any mitigation necessary for the protection of cultural resources.</td>
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| CR-3: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to identify, survey, and evaluate paleontological resources to avoid potential impacts. During environmental review implementing and local agencies should retain a qualified paleontologist to identify, survey, and evaluate paleontological resources where potential impacts are considered high. All construction activities should avoid known paleontological resources, if feasible, especially if the resources in a particular lithologic unit formation have been determined to be unique or likely to contain paleontological resources. If avoidance is not feasible, paleontological resources should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where they could be curated and displayed for public education purposes. | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |

| CR-4: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to implement Stop-Work and Consultation Procedures Mandated by Public Resources Code 5097. In the event of discovery or recognition of any human remains during construction or excavation activities implementing and local agencies should cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the following steps are taken: • The Kern County Coroner has been informed and has determined that no investigation of the cause of death is required. • If the remains are of Native American origin, either of the following steps will be taken: | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
### Mitigation Monitoring and Reporting Program

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<td>- The coroner should contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner should make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</td>
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<td>- Implementing or local agencies or authorized representatives should retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</td>
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<td>− The Native American Heritage Commission is unable to identify a descendent.</td>
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<td>− The descendant identified fails to make a recommendation.</td>
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<td>− The implementing agency or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</td>
<td>Kern COG</td>
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### Impact – Greenhouse Gas Emissions

**GHG-1:** Kern COG shall update future Regional Transportation Plans (including Sustainable Community Strategies) to incorporate policies and measures that build upon successful GHG reduction strategies from the 2018 RTP and lead to further reduced GHG emissions. Such policies and measures may be derived from the General Plans, local jurisdictions’ Climate Action Plans (CAPs), and other adopted policies and plans of its member agencies that include GHG mitigation and adaptation measures or other sources.

Ongoing over the life of the plan

Kern COG

**GHG-2:** Kern COG shall, through its ongoing outreach and technical assistance programs, work with and encourage local governments to adopt policies and develop practices that lead to GHG emission reductions. These activities should include, but are not limited to, providing technical assistance and information sharing on developing local Climate Action Plans.

Ongoing over the life of the plan

Kern COG

**GHG-3:** Kern COG shall continue the Regional Energy Action Planning, as funding allows, and assist member agencies in adopting regional energy action plans and community climate action plans to advance regional climate strategies. These plans should assess the cost effectiveness of local jurisdictions’ GHG reduction measures and prioritize strategies that have greatest overall benefit to the economy.

Ongoing over the life of the plan

Kern COG

**GHG-4:** Consistent with the CMP, Kern COG shall encourage and work with local governments to develop multimodal performance standards to determine how much traffic, during peak hours, is acceptable on state freeways, highways, and major streets within Kern County. Local jurisdictions should incorporate multimodal level of service standards in their circulation plans consistent with AB 1358 California Complete Streets Act of 2008 and as appropriate for each community facility type, place type, and corridor type, as recommended in the latest Highway Capacity Manual update. In addition, Kern COG

Ongoing over the life of the plan

Kern COG
## 3.0 Mitigation Monitoring and Reporting Program

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<td>will work with local agencies to identify frequency and routing of transit service, in order to assist in coordinating transit service provided by separate operators throughout Kern County.</td>
<td>Ongoing over the life of the plan as funding allows.</td>
<td>Kern COG</td>
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<td>GHG-5: Kern COG will continue to promote GHG and criteria pollutant emission reductions through the VMT Reduction Progress Tracking &amp; Assistance Program by providing local jurisdictions with regular progress reports on changes in observed VMT, and providing planning assistance and resources to make progress toward reduction goals. Other resources being provided to local planners include the San Joaquin Valley Planners Toolkit.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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| GHG-6: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to build on the work done for the Kern County GHG inventory. Implementing agencies and local agencies should also adopt and implement Climate Action Plans (CAPs, also known as Plans for the Reduction of Greenhouse Gas Emissions as described in CEQA Guidelines Section 15183.5 Tiering and Streamlining the Analysis of Greenhouse Gas Emissions) that do the following:  
  a) Quantify GHG emissions, both existing and projected over a specified period, resulting from activities within each agency’s jurisdiction;  
  b) Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;  
  c) Identify and analyze the GHG emissions resulting for specific actions or categories of actions anticipated within their respective jurisdictions;  
  d) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;  
  e) Establish a mechanism to monitor the plan's progress toward achieving that level and to require amendment if the plan is not achieving specified levels; and  
  f) Be adopted in a public process following environmental review.  
  CAPs should, when appropriate, incorporate planning and land use measures from the California Attorney General's latest list of example policies to address climate change at both the plan and project level. Specifically, at the plan level, land use plans can and should, when appropriate and feasible, incorporate planning and land use measures from the California Attorney General’s latest list of example policies to address climate change (http://ag.ca.gov/globalwarming/pdf/GP_policies.pdf), including, but not limited to policies from that web page such as:  
  • Smart growth, jobs/housing balance, transit-oriented development, and infill development through land use designations, incentives and fees, zoning, and public private partnerships  
  • Create transit, bicycle, and pedestrian connections through planning, funding, development requirements, incentives and regional cooperation, and create disincentives for auto use  
  • Energy and water-efficient buildings and landscaping through ordinances, development fees, incentives, project timing, prioritization, and other implementing tools | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
In addition, implementing and local agencies should incorporate, as appropriate, policies to encourage implementation of the Attorney General’s list of project-specific mitigation measures available at the following web site: http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf, including, but not limited to measures from the web page, such as:

- Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation
- Build or fund a major transit stop within or near development
- Provide public transit incentives such as free or low-cost monthly transit passes to employees, or free ride areas to residents and customers
- Incorporate bicycle lanes, routes and facilities into street systems, new subdivisions, and large developments
- Require amenities for non-motorized transportation, such as secure and convenient bicycle parking

They should also incorporate, when appropriate, planning and land use measures from additional resources listed by the California Attorney General at the following webpage: http://ag.ca.gov/globalwarming/ceqa/resources.php.

In addition, CAPs should also incorporate analysis of climate change adaptation, in recognition of the likely and potential effects of climate change in the future regardless of the level of mitigation and in conjunction with Executive Order S-13-08, which seeks to enhance the state’s management of climate impacts including sea level rise, increased temperatures, shifting precipitation, and extreme weather events by facilitating the development of state’s first climate adaptation strategy.

### Impact – Land Use and Planning

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<td><strong>LU-1:</strong> Kern COG shall work with its member cities and counties to ensure that transportation projects and growth are consistent with the RTP and general plans.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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<td><strong>LU-2:</strong> Kern COG shall provide technical assistance and regional leadership to implement the RTP goals and strategies, integrate growth and land use planning with the existing and planned transportation network, and in determining consistency with the SCS.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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<tr>
<td><strong>LU-3:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to reflect RTP policies and strategies in their general plan updates. Kern COG will work to build consensus on how to address inconsistencies between general plans and RTP policies.</td>
<td>Ongoing over the life of the plan</td>
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### Impact - Noise

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<td><strong>NOISE-1:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to assess and mitigate to the extent feasible short- and long-term noise impacts in accordance with applicable regulations and to implement site-specific noise reduction measures, including the following as applicable:</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility</td>
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| • Equipment and trucks used for project construction can and should use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).  
  • Tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction can and should be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves should be used, if such jackets are commercially available and this could achieve a reduction of 5 dB(A). Quieter procedures should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.  
  • Stationary noise sources can and should be located as far from adjacent sensitive receptors as possible and they should be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the Lead Agency (or other appropriate government agency) to provide equivalent noise reduction.  
  • A procedure and phone numbers for notifying the Lead Agency staff and local Police Department; (during regular construction hours and off-hours).  
  • A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign should also include a listing of both the Lead Agency and construction contractor’s telephone numbers (during regular construction hours and off-hours).  
  • The designation of an on-site construction complaint and enforcement manager for the project.  
  • Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity.  
  • A preconstruction meeting can and should be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.  
  • Use of portable barriers in the vicinity of sensitive receptors during construction.  
  • Projects that require pile driving or other construction noise above 90 dB(A) in proximity to sensitive receptors, should reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90 dB(A), a set of site-specific noise attenuation measures should be completed under the supervision of a qualified acoustical consultant.  
  • Implement noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings (for instance by the use of sound blankets), and implement if such measures are feasible and would noticeably reduce noise impacts.  
  • Monitor the effectiveness of noise attenuation measures by taking noise measurements.  
  • Maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail... | under IGR process | 
### Mitigation Measure

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<td>lines, transit centers, park-and-ride lots, and other new noise-generating facilities. • Construct sound reducing barriers between noise sources and noise-sensitive land uses.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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**NOISE-2:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to assess and mitigate to the extent feasible short- and long-term noise impacts in accordance with applicable regulations and to implement sitespecific noise reduction measures, including the following as applicable: Such measures include, but are not limited to, the following:

- Stationary noise sources can and should be located as far from adjacent sensitive receptors as possible and they should be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the Lead Agency (or other appropriate government agency) to provide equivalent noise reduction.
- Implement, to the extent feasible and practicable, speed limits and limits on hours of operation of rail and transit systems, where such limits may reduce noise impacts.
- Use techniques such as grade separation, buffer zones, landscaped berms, dense plantings, sound walls, reduced-noise paving materials, and traffic calming measures.
- Maximize the distance of new route alignments from sensitive receptors.
- Locate transit-related passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations away from sensitive receptors to the maximum extent feasible.
- Use land use measures such as zoning, site design, and buffers to ensure that future development is noise compatible with adjacent transportation facilities and land uses.

### Impact Population, Housing, and Employment

**POP-1:** Kern COG, will work with its member agencies to implement growth strategies to create an urban form designed to focus development in TPAs in accordance with the policies, strategies and investments contained in the 2018 RTP, enhancing mobility and reducing land consumption, providing urban infrastructure to support growth and ensuring a jobs-housing balance that supports decreases in greenhouse gas emissions.

Ongoing over the life of the plan
Kern COG

**POP-2:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. An iterative design and impact analysis would help where impacts to homes or businesses are involved. Potential impacts should be minimized to the extent feasible. If possible, existing rights-of-way should be used.

Ongoing over the life of the plan
Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

**POP-3:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to mitigate impacts to affordable housing as feasible through construction of affordable units (deed restricted to remain affordable for an appropriate period of time) or payment of any fee established to address loss of affordable housing.

Ongoing over the life of the plan
Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process
## 3.0 Mitigation Monitoring and Reporting Program

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### Impact – Fire Services

**FIRE-1:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid siting new development in wildfire zones.

- **Timing:** Ongoing over the life of the plan
- **Entity:** Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

**FIRE-2:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to ensure that in the event that new development occurs in wildfire zones, the projects comply with safety measures as specified by CAL FIRE.

- **Timing:** Ongoing over the life of the plan
- **Entity:** Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

### Impact – Recreation

**REC-1:** Kern COG, through its Environmental Review Program/Intergovernmental Review process shall encourage member jurisdictions to explore multiple use spaces and redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core.

- **Timing:** Ongoing over the life of the plan
- **Entity:** Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

**REC-2:** Kern COG, through its Environmental Review Program/Intergovernmental Review process shall encourage member jurisdictions to work as partners to address regional outdoor recreation needs and to acquire the necessary funding for the implementation of their plans and programs. This should be done, in part, by consulting with agencies and organizations that have active open space work plans.

- **Timing:** Ongoing over the life of the plan
- **Entity:** Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process

**REC-3:** Kern COG shall facilitate reducing future impacts as a result of increased use of existing neighborhood and regional parks or other facilities from population growth through cooperation with member agencies, information sharing, and program development in order to ensure consistency with planning for expansion of new neighborhood parks within or in nearby accessible locations to TPAs in funding opportunities and programs administered by Kern COG.

- **Timing:** Ongoing over the life of the plan
- **Entity:** Kern COG

### Impact - Transportation

**TR-1:** Consistent with the CMP, Kern COG shall encourage and work with local governments to develop multimodal performance standards to determine how much traffic, during peak hours, is acceptable on state freeways, highways, and major streets within Kern County. Local jurisdictions should incorporate multimodal level of service standards in their circulation plans consistent with AB 1358 California Complete Streets Act of 2008 and as appropriate for each community facility type, place type and corridor type as recommended in the latest Highway Capacity Manual update. In addition, Kern COG will work with local agencies to identify frequency and routing of transit service, in order to assist in

- **Timing:** Ongoing over the life of the plan
- **Entity:** Kern COG
### Mitigation Monitoring and Reporting Program

#### Mitigation Measure

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<td>coordinating transit service provided by separate operators throughout Kern County.</td>
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<td>TR-2: Kern COG shall pursue funding for Tier 2 RTP projects and programs, beyond the currently financially and institutionally feasible measures included in the 2018 RTP, which may improve LOS results on roadway segments projected to be at LOS worse than E, consistent with the CMP complete streets and multimodal LOS policies.</td>
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<td>TR-3: In addition to the current Tier 1 and Tier 2 RTP projects, Kern COG shall continue to explore potential measures to reduce vehicular travel. Such measures as land-use strategies, car-sharing programs, additional car- and vanpool programs, additional bicycle programs, and implementation of a universal transit booking and fare collection smart phone application should be considered.</td>
<td>Ongoing over the life of the plan</td>
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<td>TR-4: Kern COG will continue to encourage and facilitate transportation projects that maximize efficiency of the transportation system, and include VMT reduction.</td>
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<td>TR-5: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to evaluate VMT as part of project specific review and identify and implement measures that reduce VMT including mixed use, alternative transportation facilities (bike racks, transit stops, and pedestrian amenities) as appropriate for each local agency.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>TR-6: Kern COG should inform jurisdictions with projected LOS E and F roadway segments under the Plan of the potential need to develop a Deficiency Plan under the Kern CMP before 2040 through the RTP process. Kern COG shall work with these agencies to identify and implement changes that would increase use of alternative transportation and other means to reduce congestion consistent with the CMP.</td>
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#### Impact – Utilities

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<td>EN-1: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to implement energy saving policies and projects that 1) reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, and maintenance; 2) consider siting, orientation, and design to minimize energy consumption, including transportation energy; 3) consider options for reducing peak energy demand; 4) consider recycling efforts to reduce energy demand; and 5) incorporate renewable and alternative energy to the maximum extent feasible.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>EN-2: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to streamline permitting and provide public information to facilitate accelerated construction of geothermal, solar and wind power generation facilities and transmission line improvements.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>EN-3: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as</td>
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<td>Mitigation Measure</td>
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<tr>
<td>and encourage utilities to increase capacity of existing transmission lines to meet forecast demand that supports sustainable growth, where feasible and appropriate in coordination with local planning agencies.</td>
<td>life of the plan</td>
<td>appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>EN-4:</strong> Kern COG shall continue to consider energy uncertainty impacts prior to the development of the next RTP/SCS. Topics that shall be considered include:</td>
<td>Ongoing over the life of the plan</td>
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<tr>
<td>• How the price and availability of transportation fuels affects revenues and demand;</td>
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<td>• How increases in fuel efficiency could affect revenues and emissions;</td>
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<td>• How the cost of commuting and personal travel affects mode choice and growth patterns;</td>
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<td>• How the cost of goods movement affects international trade and employment; or</td>
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<tr>
<td>• How the escalation of fuel prices affects the cost of infrastructure construction, maintenance and operation.</td>
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<td><strong>SW-1:</strong> Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage diversion of solid waste such as recycling and composting programs.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>SW-2:</strong> Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage local jurisdictions to require project sponsors to integrate green building measures consistent with CALGreen (California Building Code Title 24) into project design which could include the following:</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<td>• Reuse and minimization of construction and demolition (C&amp;D) debris and diversion of C&amp;D waste from landfills to recycling facilities.</td>
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<td>• The inclusion of a waste management plan that promotes maximum C&amp;D diversion.</td>
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<td>• Source reduction through (1) use of materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed materials, and (5) use of structural materials in a dual role as finish material (e.g. stained concrete flooring, unfinished ceilings, etc.).</td>
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<td>• Reuse of existing structure and shell in renovation projects.</td>
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<td>• Design for deconstruction without compromising safety.</td>
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<td>• Design for flexibility through the use of moveable walls, raised floors, modular furniture, moveable task lighting, and other reusable building components.</td>
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<td>• Development of indoor recycling program and space.</td>
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<tr>
<td><strong>SW-3:</strong> Kern COG through its Environmental Review Program/Intergovernmental Review process will facilitate</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as</td>
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### Mitigation Measure

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<tr>
<td>and encourage local jurisdictions and waste management agencies to discourage the siting of new landfills unless all other waste reduction and prevention actions have been fully explored. If landfill siting or expansion is necessary, landfills should be sited with an adequate landfill-owned, undeveloped land buffer to minimize the potential adverse impacts of the landfill in neighboring communities.</td>
<td>life of the plan</td>
<td>appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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#### Impact – Water Resources

**W-1:** Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to undergo individual project review and comply with NPDES requirements and all applicable storm water regulations. Such measures include, but are not limited to:

- Complete, and have approved, a Stormwater Pollution Prevention Plan (SWPPP) prior to initiation of construction.
- Implement Best Management Practices to reduce the peak stormwater runoff from the project site to the maximum extent practicable.
- Comply with the Caltrans storm water discharge permit as applicable and implement Best Management Practices can and should be identified and implemented to manage site erosion, wash water runoff, and spill control.
- Complete, and have approved, a Standard Urban Stormwater Management Plan, prior to occupancy of residential or commercial structures.
- Ensure adequate capacity of the surrounding stormwater system to support stormwater runoff from new or rehabilitated structures or buildings.
- Prior to construction within the vicinity of a watercourse, the project sponsor can and should obtain all required permit approvals and certifications for construction within the vicinity of a watercourse:
  - U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.
  - Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.
  - California Department of Fish and Wildlife (CDFW): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFW.
  - Where feasible, restore or expand riparian areas such that there is no net loss of impervious surface as a result of the project.

Ongoing over the life of the plan Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process.
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<td>New facilities should install structural water quality control features such as</td>
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<td>drainage channels, detention basins, oil and grease traps, filter systems, and</td>
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<td>vegetated buffers to prevent pollution of adjacent water resources by polluted</td>
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<td>runoff where required by applicable urban storm water runoff discharge permits.</td>
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<td>Structural storm water runoff treatment should be provided according to the</td>
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<td>applicable urban storm water runoff permit where facilities will be operated by a</td>
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<td>permitted municipality or county. Where Caltrans is the operator, the statewide</td>
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<td>permit applies.</td>
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<td>Comply with applicable municipal separate storm sewer system discharge permits as</td>
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<td>well as Caltrans’ storm water discharge permit including long-term sediment control</td>
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<td>and drainage of roadway runoff.</td>
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<td>Incorporate as appropriate treatment and control features such as detention basins,</td>
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<td>infiltration strips, and porous paving, other features to control surface runoff</td>
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<td>and facilitate groundwater recharge into the design of new transportation projects</td>
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<td>early on in the process to ensure that adequate acreage and elevation contours are</td>
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<td>provided during the right-of-way acquisition process.</td>
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<td>Design projects to maintain volume of runoff, where any downstream receiving water</td>
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<td>body has not been designed and maintained to accommodate the increase in flow</td>
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<td>velocity, rate, and volume without impacting the water’s beneficial uses. Pre-</td>
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<tr>
<td>project flow velocities, rates, and volumes must not be exceeded. This applies not</td>
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<td>only to increases in storm water runoff from the project site, but also to</td>
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<td>hydrologic changes induced by flood plain encroachment. Projects should not cause</td>
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<td>or contribute to conditions that degrade the physical integrity or ecological</td>
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<td>function of any downstream receiving waters.</td>
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<td>Provide culverts and facilities that do not increase the flow velocity, rate, or</td>
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<td>volume and/or acquiring sufficient storm drain easements that accommodate an</td>
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<td>appropriately vegetated earthen drainage channel.</td>
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<td>Upgrade stormwater drainage facilities to accommodate any increased runoff</td>
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<td>volumes. These upgrades may include the construction of detention basins or</td>
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<td>structures that will delay peak flows and reduce flow velocities, including</td>
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<tr>
<td>expansion and restoration of wetlands and riparian buffer areas. System designs</td>
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<td>should be completed to eliminate increases in peak flow rates from current levels.</td>
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<td>Encourage Low Impact Development (LID) and incorporation of natural spaces that</td>
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<tr>
<td>reduce, treat, infiltrate and manage stormwater runoff flows in all new</td>
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<td>developments, where practical and feasible.</td>
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For sites that are less than one acre, project drawings submitted for a building    |                             |                              |
permit (or other construction-related permit) shall contain a final site plan to be  |                             |                              |
reviewed and approved by the appropriate local agency. The final site plan shall    |                             |                              |
incorporate appropriate site design measures to manage stormwater runoff and        |                             |                              |
minimize impacts to water quality after the construction of the project.
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<tr>
<td><strong>W-2:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to ensure that projects requiring continual dewatering facilities implement monitoring systems and long-term administrative procedures to prevent degrading of surface water and minimize, to the greatest extent possible, adverse impacts on groundwater for the life of the project. Construction designs should comply with appropriate building codes and standard practices including the Uniform Building Code.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
</tr>
<tr>
<td><strong>W-3:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. New impervious surfaces should be minimized to the greatest extent possible, including the use of in-lieu fees and off-site mitigation.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>W-4:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to avoid development in groundwater recharge areas. Where feasible, transportation facilities should not be sited in groundwater recharge areas, to prevent conversion of those areas to impervious surface.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>W-5:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to reduce hardscape to the extent feasible to facilitate groundwater recharge as appropriate.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>W-6:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to conduct or require project-specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with applicable federal, state, and local agency flood-control regulations. These studies should identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows such that the project is consistent with federal, state, and local regulations and laws related to development in the floodplain.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td><strong>W-7:</strong> Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to, the extent feasible and appropriate, to prevent development in flood hazard areas that do not have appropriate protection.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>W-8: Kern COG will facilitate minimizing future impacts to water supply through cooperation, information sharing, and program development as part of the Kern COG’s ongoing regional planning efforts, in coordination with regional water agencies, and other stakeholders.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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<tr>
<td>W-9: Kern COG, in coordination with regional water agencies and other stakeholders, shall encourage regional coordination throughout California to develop and support sustainable policies in accommodating growth.</td>
<td>Ongoing over the life of the plan</td>
<td>Kern COG</td>
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<tr>
<td>W-10: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage regional water agencies to consider, to the extent feasible, potential climate change hydrology and attendant impacts on available water supplies and reliability in the process of creating or modifying systems to manage water resources for both year-round use and ecosystem health. As the methodology and base data for such decisions is still developing, agencies should use the best currently available science in decision-making.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>W-11: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to reduce exterior uses of water in public areas, and promote reductions in private homes and businesses by shifting to drought-tolerant native landscape plantings, using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives. Kern COG will also encourage local jurisdictions to work with local water retailers to promote the availability of drought resistant landscaping options and provide information on where these can be purchased. Use of reclaimed water especially in median landscaping and hillside landscaping should be implemented where feasible.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>W-12: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to coordinate with the local water provider to ensure that existing and/or planned water supply and water conveyance facilities are capable of meeting water demand/pressure requirements. In accordance with state law, a Water Supply Assessment should be required for projects that meet the size requirements specified in the regulations. In coordination with the local water provider, each project sponsor should identify specific on- and off-site improvements needed to ensure that impacts related to water supply and conveyance demand/pressure requirements are addressed prior to issuance of a certificate of occupancy. Water supply and conveyance demand/pressure clearance from the local water provider will be required at the time that a water connection permit application is submitted.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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| W 13: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to implement water conservation measures in new development that should include but not be limited to the following:  
• High efficiency toilets  
• Restroom faucets with automatic shut-off | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
### 3.0 Mitigation Monitoring and Reporting Program

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<td>W-14: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to consult with the local water provider to identify feasible and reasonable measures to reduce water consumption, including, but not limited to, systems to use reclaimed water for landscaping, drip irrigation, re-circulating hot water systems, water conserving landscape techniques (such as mulching, installation of drip irrigation systems, landscape design to group plants of similar water demand, soil moisture sensors, automatic irrigation systems, clustered landscaped areas to maximize the efficiency of the irrigation system), water conserving kitchen and bathroom fixtures and appliances, thermostatically controlled mixing valves for baths and showers, and insulated hot water lines.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>W-15: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to comply with local drought measures as appropriate including prohibiting hose watering of driveways and associated walkways; requiring decorative fountains to use recycled water, and repairing water leaks in a timely manner.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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</table>
| W-16: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to adopt and implement a comprehensive strategy to increase water conservation and the use of recycled water that includes similar measures to the following:  
  - **Water Consumption Reduction Target:** Regional water agencies should work together to set a target for to reduce per capita water consumption by 2020.  
  - **Water Conservation Plan:** Regional water agencies should establish a water conservation plan that may include such policies and actions as:  
    - Tiered rate structures for water use;  
    - Restrictions on time of use for landscape watering, and other demand management strategies;  
    - Performance standards for irrigation equipment and water fixtures;  
    - Requirements that increased demand from new construction are offset with reductions so that there is no net increase in water use.  
  - **Recycled Water Use:** Local jurisdictions and regional water agencies should establish programs and policies to increase the use of recycled water, including:  
    - Create an inventory of non-potable water uses within the jurisdiction that could be served with recycled water; | Ongoing over the life of the plan | Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process |
3.0 Mitigation Monitoring and Reporting Program

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<td>• Produce and promote the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation; Produce and promote the use of treated, recycled water for potable uses where greenhouse gas emissions from producing such water are lower than from other potable sources.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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<tr>
<td>Water Conservation Outreach: Local jurisdictions and regional water agencies should implement a public education and outreach campaign to promote water conservation, and highlights specific water-wasting activities to discourage, such as the watering of non-vegetated surfaces and using water to clean sidewalks and driveways.</td>
<td>Ongoing over the life of the plan</td>
<td>Implementing and local agencies as appropriate as part of CEQA streamlined project-specific environmental review. Kern COG to review as part of responsibility under IGR process</td>
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W-17: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to establish building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s) and menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.

W-18: Kern COG, through its Environmental Review Program/Intergovernmental Review process will facilitate and encourage implementing and local agencies to establish criteria and standards to permit the safe and effective use of gray water (on-site water recycling), and review and appropriately revise, without compromising health and safety, other building code requirements that might prevent the use of such systems.