

ATTACHMENT 4

Draft Public Notice and Draft Adoption Resolution

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**NOTICE OF PUBLIC HEARING ON THE
DRAFT 2021 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM,
DRAFT 2018 REGIONAL TRANSPORTATION PLAN AMENDMENT 1,
AND DRAFT CONFORMITY ANALYSIS**

NOTICE IS HEREBY GIVEN that Kern Council of Governments (Kern COG) will hold a public hearing at 6:30 P.M. January 21, 2021 at Kern COG's office, 1401 19th Street, Suite 300, Bakersfield, CA 93301 regarding the Draft 2021 Federal Transportation Improvement Program (2021 FTIP), the Draft 2018 Regional Transportation Plan Amendment 1 (2018 RTP Amendment 1), and the corresponding Draft Conformity Analysis. The hearing is being held to receive public comments.

- The 2021 FTIP is a near-term listing of capital improvement and operational expenditures utilizing federal and state monies for transportation projects in Kern County during the next four years.
- The 2018 RTP is a long-term strategy to meet Kern County's transportation needs out to the year 2042. Amendment 1 contains a project update for the Metropolitan Bakersfield area.
- The corresponding Conformity Analysis contains the documentation to support a finding that the 2021 FTIP and 2018 RTP Amendment 1 meet the air quality conformity requirements for ozone and particulate matter.

The public participation efforts for the 2021 FTIP satisfies the program of projects (POP) requirements of the Federal Transit Administration (FTA) for applicable funds. If no comments are received on the proposed POP, the proposed transit program will be the final program.

Individuals with disabilities may call Kern COG at (661) 635-2900 with 3-working-day advance notice to request auxiliary aids necessary to participate in the public hearing. Translation services are available (with 3-working-day advance notice) to participate speaking any language with available professional translation services.

A 30-day public review and comment period will begin December 23, 2020 and conclude January 22, 2021. The draft documents are available for review at Kern COG's office and on Kern COG's website at www.kerncog.org.

Public comments are welcomed at the hearing, or may be submitted in writing by 5 P.M. January 22, 2021 to Ahron Hakimi at the address below. In accordance with Executive Order N-29-20 issued by Governor Newsom on March 17, 2020, the public meeting will be available remotely. The meeting link and accessibility instructions will be posted to the Kern COG website no less than 72 hours prior to the public meeting.

After considering the comments, the documents will be considered for adoption, by resolution, by Kern COG at a regularly scheduled meeting to be held on February 18, 2021. The documents will then be submitted to state and federal agencies for approval.

Ahron Hakimi, Executive Director
Kern Council of Governments
1401 19th Street, Suite 300
Bakersfield, CA 93301
(661) 635-2900

BEFORE THE KERN COUNCIL OF GOVERNMENTS
STATE OF CALIFORNIA, COUNTY OF KERN

RESOLUTION NO. 21-XX

In the Matter of:

2021 Federal Transportation Improvement Program, 2018 Regional Transportation Plan Amendment 1, and Corresponding Conformity Analysis

WHEREAS, the Kern Council of Governments (Kern COG) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their region; and

WHEREAS, a 2018 Regional Transportation Plan Amendment 1 (2018 RTP Amendment 1) has been prepared in full compliance with federal guidance; and

WHEREAS, a 2018 RTP Amendment 1 has been prepared in accordance with state guidelines adopted by the California Transportation Commission and;

WHEREAS, federal planning regulations require that Metropolitan Planning Organizations prepare and adopt a short range Federal Transportation Improvement Program (FTIP) for their region; and

WHEREAS, the 2021 Federal Transportation Improvement Program (2021 FTIP) has been prepared to comply with Federal and State requirements for local projects and through a cooperative process between the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the State Department of Transportation (Caltrans), principal elected officials of general purpose local governments and their staffs, and public owner operators of mass transportation services acting through Kern COG forum and general public involvement; and

WHEREAS, the 2021 FTIP program listing is consistent with: 1) the 2018 RTP Amendment 1; 2) the 2020 State Transportation Improvement Program; and 3) the corresponding Conformity Analysis; and

WHEREAS, the 2021 FTIP contains the MPO's certification of the transportation planning process assuring that all federal requirements have been fulfilled; and

WHEREAS, the 2021 FTIP and 2018 RTP Amendment 1 meet all applicable transportation planning requirements per 23 CFR Part 450; and

WHEREAS, Kern COG has integrated into its metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed under 49 U.S.C. Chapter 53 by providers of public transportation, required as part of a performance-based program; and

WHEREAS, projects submitted in the 2021 FTIP and 2018 RTP Amendment 1 must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, the MPO must demonstrate conformity per 40 CFR Part 93 for the RTP and FTIP; and

WHEREAS, the corresponding Conformity Analysis supports a finding that the 2021 FTIP and 2018 RTP Amendment 1 meet the air quality conformity requirements for ozone and particulate matter; and

WHEREAS, the 2021 FTIP and 2018 RTP Amendment 1 do not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, the 2021 FTIP and 2018 RTP Amendment 1 conform to the applicable SIPs; and

WHEREAS, the documents have been widely circulated and reviewed by Kern COG's advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of Kern County consistent with public participation process adopted by Kern COG; and

WHEREAS, a public hearing was conducted on January 21, 2021 to hear and consider comments on the 2021 FTIP, 2018 RTP Amendment 1, and corresponding Conformity Analysis;

NOW, THEREFORE, BE IT RESOLVED, that Kern COG adopts the 2021 FTIP, 2018 RTP Amendment 1, and corresponding Conformity Analysis.

BE IT FURTHER RESOLVED, that Kern COG finds that the 2021 FTIP and 2018 RTP Amendment 1 are in conformity with the requirements of the Federal Clean Air Act Amendments and applicable State Implementation Plans for air quality.

AUTHORIZED AND SIGNED THIS 18th DAY OF FEBRUARY 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

Bob Smith, Chairman
Kern Council of Governments

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the Kern Council of Governments duly adopted at a regular meeting thereof held on the 18th day of February 2021.

Ahron Hakimi, Executive Director
Kern Council of Governments

Date