

2 Comments and Responses to Comments on the Draft EIR

This section includes comments received during public circulation of the Draft Environmental Impact Report (EIR) prepared for the Tulare County Association of Governments (TCAG) 2026 Regional Transportation Plan/Sustainable Communities Strategy (Project).

The Draft EIR was circulated for a 45-day public review period that began on June 18, 2026, and ended on August 3, 2026. TCAG received seven comment letters on the Draft EIR. The commenters and the page number on which each commenter's letter appear are listed below.

2.1 Responses to Comments

Letter No. and Commenter	Page No.
1 Jamie Silva, Environmental Program Manager, Central Valley Flood Protection Board (CVFPB)	2-2
2 David Alvarez, Tribal Chairman, Traditional Choinumni Tribe	2-7
3 Lorena Medibles, California Department of Transportation (Caltrans)	2-10
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7 Jarred Olsen, City of Visalia, Planning and Community Preservation Department	2-88

The comment letters in their entirety and comment responses follow. The comment letters (defined broadly to include both letters and e-mails) are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in Comment Letter 1). Please note that text within individual letters that has not been numbered does not specifically raise environmental issues related to the Draft EIR nor relate directly to the adequacy of the information or analysis within the Draft EIR, and therefore no response is required, pursuant to State CEQA Guidelines Sections 15088 and 15132.

Where a comment resulted in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by strikeout font (~~strikeout font~~) where text was removed and by underlined font (underlined font) where text was added. These changes in text are also included in Section 3, *Revisions to the Draft EIR*.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Ste. 170
SACRAMENTO, CA 95821
(916) 574-0609



Letter 1

June 22, 2026

Steven Ingoldsby
Senior Regional Planner
Tulare County Association of Governments
210 North Church Street Suite B
Visalia, CA 93291
SIngoldsby@tularecag.ca.gov

Subject: Comments for the Draft Programmatic Environmental Impact Report, 2026 Regional Transportation Plan & Sustainable Communities Strategy, SCH# 2025050379, Tulare County

Dear Steven Ingoldsby,

The Central Valley Flood Protection Board (Board) appreciates the opportunity to comment on the Draft Programmatic Environmental Impact Report (Draft PEIR) for the proposed 2026 Regional Transportation Plan & Sustainable Communities Strategy (2026 RTP/SCS).

The 2026 RTP/SCS includes updates to the 2022 RTP/SCS for consistency with federal, State, and local planning requirements. The 2026 RTP/SCS covers the entirety of Tulare County, within which are Sand Creek, Cross Creek and designated floodway, Cottonwood Creek and designated floodway, Dry Creeks, Kaweah River (including North Fork, Middle Fork, and South Fork), Yokohl Creek, Outside Creek, Inside Creek, Elk Bayou, Tule River (Including North Fork and South Fork), Porter Slough, and St. John's River designated floodway are within the Board's permitting authority. Therefore, a Board permit may be required. Board permit information, including information on how to schedule a pre-application meeting with Board staff, is available on the [Permitting at the Central Valley Flood Protection Board website](#).

1.1

Please include the Central Valley Flood Protection Board permit regulatory setting under heading **4.10.2.b State Laws, Regulations, and Policies**.

1.2

California Code of Regulations, Title 23, Waters, Division 1 (Title 23) provides standards that govern the design and construction of projects that affect the flood control works and floodways. Board staff recommends that you review Title 23 Standards, including Sections 112 (Streams Regulated and Nonpermissible Work Periods), 116 (Borrow and Excavation Activities – Land and Channel), 123 (Pipelines, Conduits, and Utility Lines), 124 (Abandoned Pipelines and Conduits), 126 (Fences and Gates), 128 (Bridges), 131 (Vegetation), and 132 (Bicycle Trails). Any modification to the flood control works or floodways, and any deviation or variation from the standards will require approval from the Board.

1.3

Tulare County
June 22, 2026
Page 2

Responsibility of the Board

The Board is the State's regulatory agency responsible for enforcing appropriate standards for the construction, maintenance, and operation of the flood control system that protects life, property, and habitat in California's Central Valley. The Board operates under authorities as described in California Water Code (Water Code), which requires the Board to oversee future modifications or additions to facilities of the State Plan of Flood Control (SPFC).

Board Permit

Per Title 23, Section 6, approval by the Board is required for all proposed work or uses, including the alteration of levees within any area for which there is an Adopted Plan of Flood Control within the Board's jurisdiction. In addition, Board approval is required for all proposed encroachments within a floodway, on adjacent levees, and within any Regulated Stream identified in Title 23, Table 8.1. Specifically, Board jurisdiction includes the levee section, the waterward area between project levees, a minimum 10-foot-wide strip adjacent to the landward levee toe, the area within 30 feet from the top of bank(s) of Regulated Streams, and inside the Board's Designated Floodways. Activities outside of these limits which could adversely affect Federal-State flood control facilities, as determined by the Board, are also under the Board's jurisdiction. Permits may also be required for existing unpermitted encroachments or where it is necessary to establish the conditions normally imposed by permitting, including where responsibility for the encroachment has not been clearly established or ownership or uses have been changed.

1.3
(cont.)

Flood Impacts Analysis

Pursuant to Title 23, Section 15, the Board may deny a Board permit if proposed work could:

- Jeopardize directly or indirectly the physical integrity of levees or other works,
- Obstruct, divert, redirect, or raise the surface level of design floods or flows, or the lesser flows for which protection is provided,
- Cause significant adverse changes in water velocity or flow regimen,
- Impair the inspection of floodways or project works,
- Interfere with the maintenance of floodways or project works,
- Interfere with the ability to engage in flood fighting, patrolling, or other flood emergency activities,
- Increase the damaging effects of flood flows,
- Be injurious to, or interfere with, the successful execution, functioning, or operation of any adopted plan of flood control, or
- Adversely affect the State Plan of Flood Control, as defined in the California Water Code

1.4

The Board, as a Responsible Agency under the California Environmental Quality Act (CEQA), will review and consider the environmental effects of the proposed work identified in the Draft PEIR, and will reach its own conclusions on whether and how to approve the project involved (14 CCR 15096, subd. (a)). This includes direct impacts to facilities under construction, as well as indirect impacts from the proposed work to surrounding facilities. Accordingly, the comments herein are intended to assist in the development of a robust CEQA document capable of supporting the Board's permitting process.

Tulare County
June 22, 2026
Page 3

Closing

The potential risks to public safety, including increased flood risks, need to be considered when developing proposed projects that seek to modify flood control works or the hydrology of the water ways. Board staff is available to discuss any questions you have regarding the above comments. Please contact Jordan Robbins at (916) 524-3454, or via email at Jordan.Robbins@CVFlood.ca.gov if you have any questions.

1.5

Sincerely,

Jamie Silva

Jamie Silva
Environmental Program Manager

cc: Office of Land Use and Climate Innovation
State.Clearinghouse@lci.ca.gov

Steve Lamb
Steve.Lamb@cvflood.ca.gov

Letter 1

Commenter: Jamie Silva, Environmental Program Manager, Central Valley Flood Protection Board (CVFPB)

Date: June 22, 2026

Response 1.1

The commenter provides an overview of the purpose and contents of the 2026 RTP/SCS as well as its geographic scope. The commenter provides a list of all the regulated streams and designated floodways within the CVFPB's permitting authority and within the geographic scope of the Project. The commenter provides guidance on permitting if any of the listed streams or designated floodways are within the project area. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 1.2

The commenter requests that the CVFPB be included as an agency under Section 4.10, *Hydrology and Water Quality*, subheading 4.10.2.b, *State Laws, Regulations, and Policies* of the Draft EIR. The CVFPB administers regulations that may apply to transportation projects implemented under the proposed 2026 RTP/SCS where such projects affect flood control works or designated floodways; therefore, an addition has been made to Section 4.10.2.b of the Final PEIR.

To more accurately describe the applicable regulatory framework, a new subsection titled "Central Valley Flood Protection Board Rules and Standards" has been added to Section 4.10.2.b, Page 4.10-15 of Section 4.10, *Hydrology*:

"Central Valley Flood Protection Board Rules and Standards"

California Code of Regulations, Title 23, Waters, Division 1 provides Central Valley Flood Protection Board (CVFPB) Rules and Standards that govern the design and construction of projects affecting flood control works and floodways. Sections relevant to transportation projects implementing the 2026 RTP/SCS may include Section 112 (Streams Regulated and Nonpermissible Work Periods), Section 116 (Borrow and Excavation Activities – Land and Channel), Section 123 (Pipelines, Conduits, and Utility Lines), Section 124 (Abandoned Pipelines and Conduits), Section 126 (Fences and Gates), Section 128 (Bridges), Section 131 (Vegetation), and Section 132 (Bicycle Trails). Any modification to flood control works or floodways, or any variation from these standards, would require approval from the CVFPB.

In addition, in order to more accurately reflect the regulatory setting of the 2026 RTP/SCS, the following revision has been made to Page 1-9 of Section 1.6, *Introduction*:

"While no responsible or trustee agencies are responsible for approvals associated with the adoption of the 2026 RTP/SCS, implementation of projects identified in the 2026 RTP/SCS will require permits and approvals from lead, responsible, and trustee agencies, which may include the following:

- Central Valley Flood Protection Board

Response 1.3

The commenter describes the provisions of the California Code of Regulations, Title 23, Waters, Division 1 and recommends the review of Title 23 standards, including Sections 112, 116, 123, 124, 126, 128, 131 and 132. The commenter provides additional guidance on the CVFPB approval for work taking place within the flood control works or floodways deviating or varying from standards as well as California Water Code authorities for CVFPB responsibilities, including issuing permits. Section 4.10.2.b, *State Laws*,

Regulations, and Policies, has been revised to include a new subsection entitled "Central Valley Flood Protection Board Rules and Standards" on Page 4.10-15. The subsection summarizes the applicability of California Code of Regulations, Title 23, Waters, Division 1 to transportation projects implementing the 2026 RTP/SCS and identifies relevant sections that may apply to projects affecting flood control works or floodways. It is noted that the CVFPB is a responsible Agency under CEQA for any projects implementing the RTP/SCS within their jurisdiction when the projects go through their project level CEQA analysis. No further response is necessary.

Response 1.4

The commenter states that the CVFPB may deny a permit if the project could negatively affect flood control infrastructure, flood flows, flood operations, emergency response activities, or the State Plan of Flood Control. The commenter also states that the CVFPB will independently evaluate the environmental impacts identified in the Draft EIR regarding flood management facilities. These comments are relevant to the review and permitting of individual projects implementing the 2016 RTP/SCS; as a regional plan, the 2026 RTP/SCS itself would not require CVFPB permits. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. It is noted that the CVFPB is a responsible Agency under CEQA for any projects implementing the RTP/SCS within their jurisdiction when the projects go through their project level CEQA analysis. No further response is necessary.

Response 1.5

The commenter concludes the letter by stating that potential risks to public safety for projects that modify flood control works or the hydrology of the waterways. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. It is noted that the CVFPB is a responsible Agency under CEQA for any projects implementing the RTP/SCS within their jurisdiction when the projects go through their project level CEQA analysis and those project proponents will be responsible for contacting and working with the CVFPB. No further response is necessary.

From: Steven L Ingoldsby <singoldsby@tularecag.ca.gov>
Sent: Tuesday, June 23, 2026 12:42 PM
To: Eric VonBerg; aherson@meyersnave.com
Cc: Theodore Smalley; Benjamin A Kimball; Kasia A Poleszczuk; msohagi@meyersnave.com; marasteh@meyersnave.com; Jeffrey L Kuhn
Subject: [EXT] Confidential and a-c privileged - FW: 2026 RTP/SCS Draft EIR

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Eric/Al,

Below are comments from the Traditional Choinumni Tribe.

Please let me know if you have any questions.

Steven Ingoldsby
Senior Regional Planner
Tulare County Association of Governments
singoldsby@tularecag.ca.gov
559-623-0450

From: David Alvarez <dave@davealvarez.com>
Sent: Tuesday, June 23, 2026 10:14 AM
To: Steven L Ingoldsby <singoldsby@tularecag.ca.gov>
Subject: RE: 2026 RTP/SCS Draft EIR

You don't often get email from dave@davealvarez.com. [Learn why this is important](#)

This Message Is From an External Sender

This message came from outside your organization.

Steven Ingoldsby,

RE: 2026 RTP/SCS Draft EIR

The project site locations in Tulare County are out of our historical land base. Therefore we are unable to make any comments on the said project sites. If you have questions, please don't hesitate to call or email.

With that being said, we are always concerned when cultural resources are unearthed during any ground disturbance activities, all work must halt in the area of the find and a qualified, professional archaeologist should be called out to

2.1

assess the findings and make the appropriate mitigation recommendations. @font-face {font-family:"MS Mincho"; panose-1:2 2 6 9 4 2 5 8 3 4; mso-font-charset:128; mso-generic-font-family:modern; mso-font-pitch:fixed; mso-font-signature:-536870145 1791491579 134217746 0 131231 0;}@font-face {font-family:"Cambria Math"; panose-1:2 4 5 3 5 4 6 3 2 4; mso-font-charset:0; mso-generic-font-family:roman; mso-font-pitch:variable; mso-font-signature:-536870145 1107305727 0 0 415 0;}@font-face {font-family:Cambria; panose-1:2 4 5 3 5 4 6 3 2 4; mso-font-charset:0; mso-generic-font-family:roman; mso-font-pitch:variable; mso-font-signature:-536870145 1073743103 0 0 415 0;}@font-face {font-family:"@MS Mincho"; panose-1:2 2 6 9 4 2 5 8 3 4; mso-font-charset:128; mso-generic-font-family:modern; mso-font-pitch:fixed; mso-font-signature:-536870145 1791491579 134217746 0 131231 0;}p.MsoNormal, li.MsoNormal, div.MsoNormal {mso-style-unhide:no; mso-style-qformat:yes; mso-style-parent:""; margin:0in; mso-pagination:widow-orphan; font-size:12.0pt; font-family:"Cambria",serif; mso-ascii-font-family:Cambria; mso-ascii-theme-font:minor-latin; mso-fareast-font-family:"MS Mincho"; mso-fareast-theme-font:minor-fareast; mso-hansi-font-family:Cambria; mso-hansi-theme-font:minor-latin; mso-bidi-font-family:"Times New Roman"; mso-bidi-theme-font:minor-bidi;}MsoChpDefault {mso-style-type:export-only; mso-default-props:yes; font-family:"Cambria",serif; mso-ascii-font-family:Cambria; mso-ascii-theme-font:minor-latin; mso-fareast-font-family:"MS Mincho"; mso-fareast-theme-font:minor-fareast; mso-hansi-font-family:Cambria; mso-hansi-theme-font:minor-latin; mso-bidi-font-family:"Times New Roman"; mso-bidi-theme-font:minor-bidi; mso-font-kerning:0pt; mso-ligatures:none;}div.WordSection1 {page:WordSection1;}

Regards,

David Alvarez, Tribal Chairman
Traditional Choinumni Tribe
2415 E. Houston Ave.
Fresno, CA. 93720
c: 559.217.0396
e: dave@davealvarez.com

Letter 2

Commenter: David Alvarez, Tribal Chairman, Traditional Choinumni Tribe

Date: June 23, 2026

Response 2.1

The commenter notes that the project site locations are outside of the Traditional Choinumni Tribe territory, and therefore no substantive comments on the project sites can be made. The commenter expresses a general concern for the potential unearthing of cultural resources during ground disturbance and recommends consultation with a qualified, professional archaeologist.

The potential unearthing of cultural resources and mitigation measures are addressed by Impact CR-2 (page 4.5-17) in Section 4.5, *Cultural Resources*, and tribal cultural resources and mitigation measures are addressed by Impact TCR-1 (page 4.16-11) in Section 4.16, *Tribal Cultural Resources, TCR-1 Tribal Cultural Resources Impact Minimization*. Specifically, Mitigation Measures CR-2b and TCR-1 set forth procedures for involving qualified archeologists and tribal representatives if there are unanticipated discoveries of archeological resources or tribal cultural resources. This comment does not raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

California Department of Transportation

DISTRICT 6 OFFICE
1352 West Olive Avenue
Fresno, CA 93728-2818
TTY 711
www.dot.ca.gov

Letter 3



July 27, 2026

Draft 2026 RTP/SCS
Draft 2026 Program EIR
Draft 2027 FTIP
Draft Conformity Analysis for 2027 FTIP & 2026 RTP
COMMENT LETTER

SENT VIA EMAIL

Mr. Theodore Smalley
Executive Director
Tulare Council of Governments
210 N. Church Street, Suite B
Tulare, CA 93291

Dear Mr. Smalley:

We appreciate the opportunity to review the Tulare County Association of Governments (TCAG) Draft 2026 Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS), Draft 2026 Regional Transportation Plan/Sustainable Community Strategy Program Environmental Impact Report (EIR), Draft 2027 Federal Transportation Improvement Program (FTIP), and Draft Conformity Analysis for the 2027 FTIP and the 2026 RTP. District 6 and Caltrans HQ have reviewed the Draft documents and jointly offer the following comments.

3.1

OFFICE OF MULTIMODAL TRANSPORTATION PLANNING-DISTRICT 6

REGIONAL PLANNING

TCAG's long-range revenue framework reflects a strong, proactive commitment to maintaining and expanding transportation investments that support regional mobility, safety, and sustainability. Caltrans appreciates TCAG's thoughtful integration of Measure R, state programs, and federal funding sources into a forward-looking financial strategy. To further strengthen this already solid foundation, Caltrans recommends complementing these projections with a brief contingency funding tier and a discussion that highlights how the plan could adjust under different revenue conditions. Including examples of alternative strategies—such as positioning projects for competitive grant opportunities or exploring future revenue tools—would reinforce TCAG's continued leadership in resilient financial planning. These refinements would demonstrate the MPO's readiness to deliver transportation improvements across a

3.2

range of funding scenarios while maintaining transparency, consistency, and a shared commitment to regional progress.

Please address the minor edits listed. In **2 TCAG 2026 RTP SCS Policy Element Final**, page P-16, correct Buisness to Business. Also, on page P-21, correct Portects to Protects and Minimze to Minimize. In the **5 TCAG 2026 RTP SCS Financial Element Final** document, correct typos on page F-3 from Finacial to Financial. On page F-4, correct trasortation to transportation. On page F-8, correct spearate to separate and inlcudes to includes. In the **4 TCAG 2026 RTP SCS Action Element Final2**, on page A-16 correct deployment to deployment.

3.2
cont.

SYSTEM AND INVESTMENT PLANNING

It is proposed that the TCAG incorporate the Tulare County Sustainable Goods Movement Study into the Action Element under the Goods Movement section on page A-36 in their Tulare RTP/SCS Plan 2049. The [Tulare County Sustainable Goods Movement Study](#) established a framework to advance freight mobility and support economic opportunities. It is also recommended to add the [2023 California Freight Mobility Plan](#) to the Tulare RTP/SCS Plan 2049, within the Goods Movement section on page A-36. The [2022 California Statewide Truck Parking Study](#) is an important resource for studying existing and future truck parking facilities. Citing state freight resources strengthens alignment with Caltrans' freight planning and investment direction.

The phrase *Trade Corridor Enhancement Program* (TCEP) should be added before the first occurrence of TCEP in the second paragraph, second column, on page A-27 of the Tulare RTP/SCS Plan 2049 narrative. Expanding the acronym will help readers who may not be familiar with TCEP understand its significance within the Tulare RTP/SCS Plan 2049 narrative. Providing the full name ensures clarity for all audiences, particularly those who are unfamiliar with transportation planning terminology or the specific program referenced.

3.3

From the investment planning lens, TCAG is recognized as planning for future managed lanes along SR 99 consistent with the SR 99 Comprehensive Multimodal Corridor Plan (CMCP). We concur with the statements made in the Action and Financial Elements related to managed lanes and look forward to implementation in partnership with TCAG.

TRANSIT PROGRAM

The TCAG Regional Transportation Plan-Action Element demonstrates commitment to improving mobility through investments in public transportation and multimodal transportation options. Tulare County's transit providers, which include Tulare County Regional Transit Agency (TCRTA), Visalia Transit and Porterville Transit, continue to expand service through fixed-route, paratransit, and on-demand microtransit,

3.4

improving access to employment, education, healthcare, and other essential destinations. TCAG also supports regional mobility through its T-Pass Program, which provides unlimited travel across the region and a transit pass program for the College of the Sequoias. Planned projects, including the Cross Valley Express (CVX) and future Bus Rapid Transit (BRT) service, will further strengthen transit connectivity and support future access to the California High-Speed Rail system.

Caltrans District 6 will continue to support these efforts by partnering with TCAG and local transit agencies to improve transit access and reliability through state highway projects. Coordinated planning for projects along State Routes (SR) 99, 63, 65, 198, and 190 provides opportunities to incorporate transit-supportive infrastructure, such as improved bus stop access, pedestrian and bicycle connections, transit signal priority where appropriate, and roadway improvements that enhance transit operations and improve safety for all users.

It is recommended that TCAG continue applying for state and federal funding opportunities, including the Sustainable Communities Planning Grant Program, which can provide funding for studying and addressing transit needs in the County of Tulare. Continued collaboration between Caltrans, TCAG, and local transit providers will help advance transit planning, improve regional mobility, and ensure transportation investments create a more connected and sustainable transportation network for Tulare County residents.

LOCAL DEVELOPMENT REVIEW

Overall, the documents are comprehensive, well-organized, and generally consistent with state and federal regional transportation planning requirements. Regional Planning offers the following comments for consideration:

1. **State Highway System Coordination** – Continue coordinating transportation investments affecting the State Highway System with Caltrans District 6 throughout project development and implementation to ensure consistency with long-range corridor planning efforts, statewide transportation priorities, and future programming opportunities.
2. **Regional Collaboration** – Continue coordination with neighboring MPOs, local agencies, tribal governments, transit operators, and state and federal partners to support integrated regional transportation planning and implementation of projects with interregional significance.
3. **Long-Range Planning Consistency** – As projects advance from planning into programming and implementation, continue ensuring consistency between the RTP/SCS, the FTIP, local land use planning efforts, and applicable statewide transportation planning goals.

3.4
cont.

3.5

CLIMATE CHANGE PROGRAM

Climate adaptation is a central theme in the 2026 TCAG RTP/SCS, with explicit integration into project selection, funding, and design.

Priority is given to projects that address climate risks such as flooding, wildfire, drought, and extreme heat. This includes both hard infrastructure (e.g., flood protection, heat-resistant pavement) and soft strategies (e.g., nature-based solutions, emergency preparedness).

The plan calls for climate vulnerability assessments to be incorporated into all major transportation projects, ensuring that future investments are resilient to changing climate conditions.

Emergency preparedness and redundancy (e.g., alternative routes, evacuation planning) are emphasized, especially for wildfire and flood-prone areas. Water management and conservation are addressed as adaptation measures, including stormwater management, groundwater recharge, and drought-tolerant landscaping.

Mitigation measures in the EIR reinforce adaptation, requiring fire-safe design, water conservation, and post-fire risk management for all new projects. The alternatives analysis confirms that more compact, transit-oriented growth patterns and enhanced transit service provide the greatest climate adaptation benefits by reducing exposure to climate hazards and supporting resilient infrastructure.

Commend the explicit integration of climate adaptation into project selection and funding and encourage continued prioritization of projects that address climate risks.

Recommendations:

- 1.) Support the use of nature-based solutions and recommend expanding pilot projects for green infrastructure and ecosystem-based adaptation.
- 2.) Encourage ongoing coordination with emergency management agencies to ensure that evacuation routes and emergency preparedness measures are updated as climate risks evolve.
- 3.) Suggest monitoring and reporting on the effectiveness of adaptation measures as part of the RTP/SCS implementation process, to ensure continuous improvement.
- 4.) Continue to highlight the importance of water conservation and drought resilience and recommend that all new landscaping and construction projects use drought-tolerant and native species, as well as reclaimed water where feasible.

3.6

PUBLIC ENGAGEMENT

TCAG's strategy for public engagement, which encompasses outreach to city councils, the County Board of Supervisors, community events, advisory committees, and online platforms, represents an effective and comprehensive approach.

TCAG has made significant progress in public engagement efforts by partnering with local organizations. For example, TCAG collaborated with the Tulare Kings Hispanic Chamber of Commerce to host community forums and distribute informational materials in Ivanhoe, Terra Bella, Orosi, Lindsay, and Alpaugh.

TCAG has implemented a robust public engagement strategy that includes targeted outreach to city councils, the County Board of Supervisors, community events, advisory committees, and online platforms. During these activities, TCAG shares detailed updates on RTP progress, solicits feedback on transportation priorities, and informs the public of upcoming outreach events. TCAG provides timely information through platforms like Facebook and X (formerly Twitter), in addition to regularly updating the agency website.

3.7

TCAG's comprehensive engagement approach emphasizes transparency and inclusivity throughout the region. By delivering presentations at city council meetings and the Tule River Tribal Council, TCAG has actively seeks input from all relevant groups and stakeholders.

TCAG facilitated community workshops and partnered with local organizations to engage underserved populations, actively promoting inclusivity among diverse communities.

Additional outreach initiatives were directed toward the County Board of Supervisors, advisory committees, community events, and online platforms, ensuring that public engagement was both efficient and widely accessible.

OFFICE OF REGIONAL AND COMMUNITY PLANNING-HEADQUARTERS (HQ)

GENERAL

RTP and SCS Numeration. Please verify the RTP Checklist for accuracy of all referenced sections, as many cited sections were found to be incorrect; where information appears elsewhere, please cite the correct location. Additionally, future RTP/SCS submissions should be provided as a single consolidated document, as the multi-file format makes cross-referencing difficult.

3.8

4-i. Development pattern and housing allocation consistency (Gov. Code § 65584.04(I)(1)). The discussion of SCS on pages SCS-3 /SCS-4 land use pattern and RHNA is mentioned, but the plan lacks an explicit consistency statement linking the forecasted development pattern to the allocation of housing units. If this RTP is between RHNA cycles, the plan should include a discussion of past consistency with the RTP and how the 2026 RTP aligns with past or future RHNA. Please add a direct consistency finding citing § 65584.04(a)(1).

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cont.

7-b. System Performance Report — comparison to prior reports (23 CFR 450.324(f)). The performance framework and target attainment are documented in the [TPM webpage](#), but the report does not clearly compare progress toward targets against performance reported in the previous RTP. Please add a prior performance data or narrative comparison to prior performance for public to understand.

3.9

CONSULTATION/COOPERATION

4. Federal land management agency involvement (23 CFR 450.316(d)). Given the federal lands within the region (e.g., BLM/Forest Service lands) listed, RTP does not clearly document consultation with federal land management agencies during planned development. Please add this documentation. If cited elsewhere, please correct the citation. (Draft EIR, ES-8)

3.10

6. State Wildlife Action Plan comparison (23 CFR 450.324(g)(1)– (2)). The draft does not include a comparison with the California State Wildlife Action Plan or available inventories of natural and historic resources. Please add this comparison or note where it appears in the EIR or SCS. RTP Checklist cites SCS 9-15.

3.11

OFFICE OF AIR QUALITY TRANSPORTATION CONFORMITY-HEADQUARTERS (HQ)

AIR QUALITY CONFORMITY

The Air Quality Conformity Branch was able to review the TCAG Draft 2026 RTP, Draft 2027 FTIP, and Draft Conformity Analysis. Please see our comment list below.

- §93.110 (e,f) Chapters 4 and 5 can be referenced for this requirement as well.
- §93.122 (a)(1) Recommend including open-to-traffic dates in Appendix B
- §93.118 (d) Recommend adding reference to Appendix B

3.12

DIVISION OF AERONAUTICS-HEADQUARTERS (HQ)

The Division commends Tulare County for its efforts to update the Aviation Elements of their draft RTP. The Division notes that the RTP discussed the airports in the county and acknowledged their roles in air cargo, agriculture, the economy, and emergency

3.13

services. The RTP also covered topics such as airports serving as clean fuel hubs, zoning, permitting, airport land use, access, and environmental justice.

It is important to note that the Tulare County Comprehensive Airport Land Use Plan was last amended in December 2012. According to the California Airport Land Use Planning Handbook, an Airport Land Use Compatibility Plan (ALUCP) should undergo a comprehensive review and update at least every five years. However, while we strongly encourage routine updates, local jurisdictions have the discretion to determine the appropriate timing for updates.

3.13
cont.

The Division provides an Airport Land Use Compatibility training program which is available, upon request, to Tulare County staff as well as officials regarding airport land use planning. This program is designed to familiarize participants with the airport land use compatibility process, criteria, and to address any specific questions or concerns that officials or planning staff may have.

Housing Development & Preventing Encroachment in Airports

In planning for additional housing development, special care must be included to prevent encroachment on airports, sustain healthy communities with a focus on equity when citing future development, and preserve the viability of the aviation system as an economic engine for the region.

3.14

Funding Resources for ALUCP Updates:

Airports seeking updated plans may apply for California Airport Improvement Program grants, provided they are eligible. Managing the finances required for airport maintenance can pose significant challenges. While grants are subject to availability, there are resources that can assist the County in securing financial aid through the California Aid to Airports Program (CAAP), with a particular focus on the Airport Improvement Program, Acquisition and Development Program, or Local Airport Loan Program. These avenues may offer valuable support in addressing financial needs related to airport upkeep. Airports seeking updated plans may apply for California Airport Improvement Program grants, provided they are eligible.

3.15

Additional Resources:

California Airport Land Use Planning Handbook: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-ally.pdf>

California Department of Transportation State Dollars for Your Airport:

<https://dot.ca.gov/programs/transportation-planning/division-of-transportation-planning/-/media/dot-media/programs/aeronautics/documents/1016-state-dollars-for-your-airport-october-2019-ally.pdf>

Caltrans Local Airport Loan Program: [Airport Loans | Caltrans](#)

DIVISION OF FREIGHT-HEADQUARTERS (HQ)

The plan consistently highlights its commitment to a performance-based planning and programming approach, as outlined in federal requirements. This framework is referenced throughout the document, including in the Executive Summary (ES-4), the Policy Element, the Sustainable Communities Strategy (SCS-4), and the Action Element (pages A-2 and A-47/48). The plan expresses an intent to use performance measures to compare scenarios, monitor progress, and inform investment decisions. To further strengthen this commitment, the plan would benefit from clearer demonstration of how performance-based planning is applied. While it articulates broad goals, it does not yet define specific, measurable objectives directly aligned with those goals. The performance indicators referenced in the SCS—such as vehicle hours of delay, access to destinations, transit mode share, and per capita Vehicle Miles Traveled—could be more effective if explicitly connected to the plan's goals and objectives.

3.16

Additionally, incorporating the federally required performance measures and targets directly into the plan or its appendices—rather than relying solely on an external link—would enhance accessibility and transparency. Establishing clearer connections between performance indicators, plan goals, and selected projects would help stakeholders better understand how data shapes funding decisions.

Page A-26 notes that “projects are selected and prioritized based on state, regional, and local needs and the availability of funding.” Clarifying how this approach aligns with federal performance-based planning principles—which emphasize prioritizing projects based on their contribution toward achieving established performance targets—would strengthen the document's alignment with federal expectations.

3.17

The Executive Summary appropriately recognizes the vital role freight and agricultural goods movement play in Tulare County's economy. It underscores the importance of SR 99 for moving farm products, supporting supply chains, and maintaining reliable freight corridors. The Action Element also provides valuable narrative context regarding goods movement, referencing truck traffic patterns, heavy agricultural loads, and freight policy 3.4.

3.18

Expanding on this foundation with specific, measurable objectives and freight-related performance indicators—such as truck travel reliability, average freight delay, or pavement impact reduction—would enhance the freight strategy. Identifying targeted freight improvement projects would further demonstrate the County's commitment to supporting the efficient movement of agricultural goods.

The Draft 2026 RTP/SCS includes five main documents and three appendices, totaling more than 50 individual PDF files. Consolidating key components—such as the fiscally constrained project list, federal performance measures and targets, and core strategies—into the main plan would improve usability and help readers more easily navigate the document and understand how its elements connect.

In summary, the plan provides a strong foundation and repeatedly affirms its intention to utilize performance-based planning. Strengthening the document with clearly defined objectives, transparent linkages between goals and performance indicators, and accessible federal performance measures would enhance clarity and credibility. Given Tulare County's significant role in California's agricultural economy, expanding the freight strategy with measurable objectives and well-defined improvement projects would further support efficient goods movement and align the plan more closely with regional needs.

TCAG demonstrates considerable effort and thoroughly addresses numerous federal and state requirements.

We appreciate your attention to our feedback and look forward to its inclusion in the Final TCAG documents. The RTP is a great opportunity to document the planning process and provide the public with a clear overview of anticipated growth and development. TCAG is encouraged to reference the 2024 RTP guidelines and include complete streets information to strengthen its strategies and address challenges.

Please provide an updated RTP Checklist and a copy of the final RTP, including appendices, the environmental document, and a digital version of all materials.

If you have any questions, please call or email Rachel Padilla, Associate Transportation Planner, at rachel.padilla@dot.ca.gov or at (559) 353-4245.

Sincerely,

Lorena Mendibles

Lorena Medibles, Branch Chief
Regional Planning

Copy via email:
Caltrans D6 – Phillip Vallejo, Braden Duran
Caltrans HQ – Brenda Caruso, Camilo Juarez

Letter 3

Commenter: Lorena Medibles, California Department of Transportation (Caltrans)

Date: June 27, 2026

Response 3.1

The commenter expresses appreciation for the opportunity to review the Draft 2026 RTP/SCS, Draft Program EIR, Draft 2027 Federal Transportation Improvement Program (FTIP), and Draft Conformity Analysis. The commenter notes that both Caltrans District 6 and Caltrans Headquarters reviewed the draft documents and provided comments. This introductory statement does not raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 3.2

The commenter recommends consideration of additional discussion regarding contingency funding scenarios and potential alternative funding strategies to further strengthen the financial planning framework. The commenter also identifies several minor typographical and formatting corrections within the Policy, Financial, and Action Elements of the RTP/SCS. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. The recommendations related to funding contingencies are advisory and this comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 3.3

The commenter recommends incorporating additional freight planning resources into the 2026 RTP/SCS, including the Tulare County Sustainable Goods Movement Study, the 2023 California Freight Mobility Plan, and the 2022 California Statewide Truck Parking Study, to strengthen the Goods Movement section and improve consistency with state freight planning efforts. The commenter also recommends defining the acronym "Trade Corridor Enhancement Program (TCEP)" upon its first use to improve document clarity. In addition, the commenter expresses support for TCAG's planning efforts related to future managed lanes along SR 99 and concurs with the corresponding discussions included in the Action and Financial Elements of the RTP/SCS. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. The suggested document revisions and clarifications have been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.4

The commenter notes opportunities to incorporate transit-supportive infrastructure into future state highway projects and recommends that TCAG continue pursuing State and federal funding opportunities to support transit planning and implementation. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 3.5

The commenter states that the Draft 2026 RTP/SCS and related planning documents are comprehensive and generally consistent with State and federal transportation planning requirements. The commenter recommends continued coordination with Caltrans District 6, neighboring agencies, tribal governments, transit operators, and other partners to support regional transportation planning and project

implementation. The commenter also encourages continued consistency among the RTP/SCS, FTIP, local land use plans, and statewide transportation goals as projects advance. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are advisory in nature and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 3.6

The commenter expresses support for the integration of climate adaptation strategies throughout the 2026 RTP/SCS, including project selection, funding, design, emergency preparedness, water conservation, and climate resilience measures. The commenter notes that mitigation measures in the EIR reinforce adaptation, and that the alternatives analysis confirms that compact transit-oriented growth and enhanced transit service provide the greatest climate adaption benefits. The commenter comments on climate risks such as flooding, wildfire, drought, and extreme heat, and recommends continued prioritization of adaptation projects, expanded use of nature-based solutions, ongoing coordination with emergency management agencies, monitoring of adaptation effectiveness, and promotion of water conservation and drought-resilient landscaping practices.

This comment primarily pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are generally supportive of the RTP/SCS climate adaptation framework and provide recommendations for future implementation. The comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendations have been noted for consideration during implementation of the RTP/SCS. No further response is necessary.

Response 3.7

The commenter summarizes TCAG's 2026 RTP/SCS public engagement strategy, and notes TCAG's efforts to engage traditionally underserved communities and promote transparency and inclusivity throughout the RTP/SCS development process. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are supportive of TCAG's public engagement program and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in Draft EIR. No further response is necessary.

Response 3.8

The commenter recommends revisions to improve document organization and consistency, including verification of RTP Checklist references and consolidation of future RTP/SCS submissions into a single document to facilitate review. The commenter also recommends clarifying the relationship between the SCS development pattern and Regional Housing Needs Allocation (RHNA) requirements by including an explicit consistency statement and discussion of applicable housing allocation requirements. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments relate to 2026 RTP/SCS organization and regulatory consistency. These comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendations have been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.9

The commenter recommends enhancing the System Performance Report by including a comparison of current performance measures and target attainment with those reported in the previous RTP. The commenter notes that performance information is available through the Transportation Performance Management framework but recommends providing additional narrative or data to help the public understand progress over time. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. This comment relates to 2026 RTP/SCS clarity and presentation of

performance information and does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. The recommendation has been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.10

The commenter recommends documenting consultation with federal land management agencies during development of the RTP/SCS. The commenter also requests that the appropriate citation be provided if this information on federal land management is included elsewhere in the document. The DEIR identifies National Park and National Forest lands in Figure 4.2-1 *Farmland, Forest Land and RTP Project Locations in Tulare County* and identifies the *Federal Forest Legacy Program* on page 4.2-2 of the DEIR. Under Impact AG-2 on page 4.2-15, the DEIR identifies forest lands in eastern Tulare County as being under federal control. It also discusses how County and city policies focus development in areas that do not include forest land or timberland and that federal protections of these lands are in place. The comment does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendation has also been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.11

The commenter recommends including a comparison of the RTP/SCS with the California State Wildlife Action Plan and available inventories of natural and historic resources, or identifying where this information is already addressed in the RTP/SCS or EIR. In response to this comment, the *California State Wildlife Action Plan* has been added to 4.4.2 Regulatory Setting, b. State Laws, Regulations, and Policies.

To more accurately describe the applicable regulatory framework, a new subsection titled " California State Wildlife Action Plan" has been added to Section 4.4.2, b, Page 4.4-21 of Section 4.4, *Biological Resources*:

The California State Wildlife Action Plan

The California State Wildlife Action Plan is a statewide, non-regulatory conservation strategy developed by the CDFW to identify and conserve Species of Greatest Conservation Need and their habitats before they become threatened or endangered. The California State Wildlife Action Plan evaluates the condition of California's fish, wildlife, and plant resources, identifies key threats to biodiversity, and recommends conservation actions to protect and restore habitats throughout the state. The plan serves as a guide for collaborative conservation efforts and is updated every ten years to maintain eligibility for federal State Wildlife Grant funding.

The recommendation has also been noted for consideration in the final RTP/SCS documents. The EIR also considers available inventories of natural and historic resources in its resource-specific analyses. Section 4.4, *Biological Resources*, and Appendix C identify special-status species and other sensitive biological resources with known or potential occurrence in the TCAG region using available sources, including the California Natural Diversity Database. Sections 4.5, *Cultural Resources*, and 4.7, *Geology Soils and Mineral Resources*, provide program-level discussions of historic, archaeological, and paleontological resources. The RTP/SCS encompasses a countywide area, extends through 2049, and does not provide specific project level detail for all future projects. Site-specific records searches and resource inventories would be conducted during subsequent project-level environmental review when sufficient project information is available. No further response is necessary.

Response 3.12

The commenter provides recommendations regarding the Air Quality Conformity Analysis, including references to additional chapters that may address applicable conformity requirements, inclusion of open-to-traffic dates in Appendix B, and the addition of references to Appendix B to support conformity documentation. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following

response is provided. The comment does not raise an issue regarding the adequacy of the environmental analysis in the EIR. No further response is necessary.

Response 3.13

The commenter notes that the Tulare County Comprehensive Airport Land Use Plan was last amended in 2012 and encourages periodic review and updates consistent with airport land use planning guidance. The commenter also references Caltrans training programs related to Airport Land Use Compatibility. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are informational and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 3.14

The commenter recommends that future housing development planning consider airport land use compatibility to prevent encroachment on airport operations, support equitable and healthy communities, and preserve the long-term viability of the regional aviation system. The comment does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. Nevertheless, Impact N-5 of the Draft EIR on pages 4.12-25 through 4.12-27 does analyze the potential for exposure of future development to airport noise and recommends Mitigation Measure N-5 to reduce these impacts. The recommendation has been noted for consideration during future planning and project implementation efforts. No further response is necessary.

Response 3.15

The commenter provides information regarding funding resources and technical guidance available to support airport planning and maintenance activities, including potential grant and loan programs for eligible airports seeking to update Airport Land Use Compatibility Plans. The commenter also references several airport planning resources available through Caltrans. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are informational and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 3.16

The commenter recommends strengthening the RTP/SCS by more clearly linking performance measures and indicators to plan goals and objectives, incorporating federally required performance measures and targets directly into the document, and demonstrating how performance data informs project selection and funding decisions. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments relate to the presentation and organization of performance management information in the 2026 RTP/SCS, and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendations have been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.17

The commenter suggests providing additional discussion regarding how projects contribute to achieving established performance targets and support the plan's goals and objectives. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. This comment does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendation has been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.18

The commenter recommends enhancing the freight planning framework by incorporating specific, measurable freight performance objectives and indicators, identifying targeted freight improvement projects, and improving document usability by consolidating key planning components into the main RTP/SCS document. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendations have been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.19

The commenter recommends consolidating key RTP/SCS components, such as the fiscally constrained project list, federal performance measures and targets, and core strategies, into the main plan document to improve usability and facilitate document navigation. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. The comment relates to document organization and usability and does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendation has been noted for consideration in the final RTP/SCS documents. No further response is necessary.

Response 3.20

The commenter concludes the letter by acknowledging TCAG's efforts to develop a comprehensive RTP/SCS. Overall, the commenter recommends strengthening the document by more clearly linking goals, objectives, and performance measures; expanding discussion of freight planning through measurable objectives and improvement projects; incorporating complete streets information; and referencing applicable RTP guidance. The comment requests an updated RTP Checklist and a copy of the final RTP/SCS. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. The comment relates to document content and does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendation has been noted for consideration in the final RTP/SCS documents. No further response is necessary.



July 29, 2026

Steven Ingoldsby
Tulare County Association of Governments
210 North Church Street, Suite B
Visalia, CA 93291

**Project: Draft Program Environmental Impact Report for 2026 Regional
Transportation Plan and Sustainable Communities Strategy**

District CEQA Reference No: 20260739

Dear Mr. Ingoldsby:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Program Environmental Impact Report (DPEIR) from the Tulare County Association of Governments (TCAG) for the 2026 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) Project. Per the DPEIR, the project consists of updating TCAG's transportation plan for the region's transportation system to ensure the plan adequately addresses future transportation needs (Project). The Project is located within Tulare County including incorporated cities (Visalia, Tulare, Porterville, Dinuba, Lindsay, Exeter, Woodlake, Farmersville), unincorporated communities, and the Tule River Reservation, all in California.

4.1

The District offers the following comments at this time regarding the Project:

1) Land Use Planning/Project Sitting

The RTP/SCS is used to guide development in order to plan the construction of regional transportation projects that require partnership with its member agencies. Nearly all development projects within the San Joaquin Valley Air Basin, from RTP/SCS to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that future

4.2

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development incorporate strategies that reduce VMTs and require the cleanest available heavy-duty trucks, vehicles, and off-road equipment, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at: <https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

In addition, the District recommends that future development incorporate strategies that will advance implementation of the best practices listed in Tables 5 and 6 of California Air Resource Board's (CARB's) Freight Handbook Concept Paper, to the extent feasible. This document compiles best practices designed to address air pollution impacts as "practices" which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities. The concept paper is available at:

https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

4.2
cont.

2) **Project Related Emissions**

The District recommends that the DPEIR stipulate that future development projects within the RTP/SCS identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>. The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

The District understands that the RTP/SCS is a program-level project where future individual project-specific data may not be available at this time. As such, future development projects within the RTP/SCS should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items:

4.3

2a) **Operational Emissions**

Future development projects operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: <https://www2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

2b) Recommended Model for Quantifying Air Emissions

Future development project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

3) Health Risk Screening/Assessment

Per Mitigation Measure AQ-5 in the DPEIR, for projects that do not meet health risk assessment (HRA) screening, retain a qualified air quality consultant to prepare a HRA in accordance with CARB and OEHHA requirements to determine the exposure for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects that may be approved under implementation of the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

**4.3
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4.4

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

**4.4
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4) 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 State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects that may be approved under implementation of the Project with emissions that exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would 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:
<https://ww2.valleyair.org/permitting/ceqa/>.

5) Recommended Emission Reduction Strategies to Reduce Emissions from Future Projects within the RTP/SCS

5a) Voluntary Emission Reduction Agreement

In the DPEIR, it states *"Under CEQA, participation in a District Voluntary Emission Reduction Agreement (VERA) is not required but may be used, at the discretion of the lead agency, to reduce a project's contribution to significant or cumulatively considerable air quality impacts."* For future development projects that may be approved under implementation of the Project, when determined to exceed the District's CEQA significance thresholds, the District recommends a feasibility discussion on implementing a VERA be included as a mitigation measure.

A VERA is a mitigation measure by 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. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing

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old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

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5b) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

4.7

5c) 5b) Locomotives, and Railcar Movers/Switchers

Per Mitigation Measure MM AQ-3(a), to help reduce regional PM10 emissions, TCAG, in partnership with implementing agencies shall "Support the use of existing air quality and transportation funds intended to retrofit and replace trucks and locomotives to reduce particulate matter". Replacing older locomotives is important to reduce the public's exposure to diesel emissions, including PM2.5 in the form of diesel particulate and NOx. These pollutants negatively impact human health, especially for sensitive populations such as children and the elderly. New, clean-technology locomotives generate significantly lower emissions than older, uncontrolled diesel locomotives.

4.8

The District offers the following incentive program for locomotive fleets interested in transitioning to newer, clean technology:

- Heavy-Duty Program – <https://ww2.valleyair.org/grants/locomotive-program/>
- Locomotive replacements, including switcher locomotives and railcar movers can be funded as an eligible project category under the District's utilizing funding provided to support AB 617. These projects are administered according to the Carl Moyer Program guidelines.

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5d) District's Bikeway Incentive Program

Incorporating design elements (e.g., installing bikeways) that enhance walkability and connectivity can result in an overall reduction of vehicles miles traveled (VMT) and improve air quality within the area. Since future development projects approved under implementation of the Project may install bikeways, they may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class I (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: <https://ww2.valleyair.org/grants/bike-paths/>

4.9

Guidelines and Project Eligibility for the grant program can be found at: <https://ww2.valleyair.org/media/drpiuw1/bikeway-program-guidelines-62515.pdf>

6) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

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The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665.

6a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, project proponents shall obtain an ATC permit from the District for equipment/activities subject to District permitting requirements. For further information or assistance, project proponents may contact the District's SBA Office at (661) 392-5665.

6b) District Rule 9510 - Indirect Source Review (ISR)

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, future development projects may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

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cont.**

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

In the case the future development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance with determining if the Project OR future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

6c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

**4.10
cont.**

Information about District Rule 9410 can be found online at:
<https://ww2.valleyair.org/compliance/rule-9410-employer-based-trip-reduction/>.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

4.10
cont.

6d) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

7) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

4.11

If you have any questions or require further information, please contact Ryan Grossman by e-mail at ryan.grossman@valleyair.org or by phone at (559) 230-6569.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



Daniel Martinez
Program Manager

Letter 4

Commenter: Mark Montelongo, San Joaquin Valley Air Pollution Control District (SJVAPCD)

Date: June 29, 2026

Response 4.1

The commenter provides an overview of the proposed 2026 RTP/SCS and acknowledges that the Project involves updating TCAG's regional transportation plan to address future transportation needs throughout Tulare County and its incorporated and unincorporated communities. This comment is introductory and summarizes the Project description. This comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 4.2

The commenter recommends the use of the cleanest available heavy-duty vehicles and equipment, including zero- and near-zero-emission technologies, and encourages consideration of applicable air quality best practices identified by the SJVAPCD and the California Air Resources Board (CARB) for future development and freight-related projects. These comments provide general recommendations regarding land use planning, project design, and air quality considerations for future project implementation. The comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The recommendations have been noted for consideration during future project-level planning and environmental review. No further response is necessary.

Response 4.3

The commenter recommends that future RTP/SCS projects should quantify construction and operational emissions, compare them to District significance thresholds, and apply feasible mitigation to reduce emissions below those thresholds.

The commenter states that because the RTP/SCS is programmatic, future project-level reviews should include policies requiring emissions analysis and feasible air quality mitigation when specific project details become available.

The commenter states that future projects should separately evaluate operational emissions from mobile and stationary sources using the District's established significance thresholds.

The commenter states that air quality impacts should be reduced below District thresholds through cleaner trucks and vehicles, VMT reduction measures, and energy-efficiency improvements.

The commenter states that future construction and operational emissions should be quantified using CalEEMod and current CARB-approved emissions data.

These comments pertain to the analysis and mitigation of air quality impacts at the project level and provide recommendations for future environmental review of individual projects implementing the 2026 RTP/SCS. It is noted that the EIR acknowledges its programmatic nature and states that "a precise, project-level analysis of the specific impacts associated with individual transportation and land use projects is not possible at this time", in Section 4.3, Air Quality, Page 4.3-26. The EIR on Page 4.3-28 further explains that the quantity of emissions associated with individual transportation improvement and development projects would be determined during future project review and that project-specific CEQA documents would evaluate emissions in relation to applicable SJVAPCD significance thresholds.

The Draft EIR includes programmatic air quality mitigation measures to be applied at the project level. Mitigation measures AQ-2(a) through AQ-2(c) on pages 4.3- 28 and 4.3-29 implement emissions reduction from construction activities by providing ways to reduce fugitive dust and the use of EPA Tier 4

or electric construction equipment. Mitigation Measures AQ-3(a) and AQ-3(b) on pages 4.3-33 and 4.3-34 provide ways to reduce criteria pollutant emissions from operational emissions including transportation. Mitigation Measure AQ-5 on page 4.3-38 implements health risk assessments for transportation project that facilitate an increase in vehicle trips. Furthermore, the EIR provides that project-specific environmental documents may adjust mitigation measures as necessary to address site-specific conditions. There is no specific recommendation in the mitigation measures to implement cleaner trucks however Mitigation Measure AQ-3(a) supports the Carl Moyer Program which retrofits or replaces trucks and therefore provides for the use of cleaner trucks. Mitigation will be implemented as applicable to the individual projects as they are developed.

As discussed previously, the DEIR states that individual transportation improvement and development projects would be determined during future project review and that project-specific CEQA documents would evaluate emissions in relation to applicable SJVAPCD significance thresholds. As the project is within the SJVAPCD Air District, CEQA analysis under the DEIR would conduct the analysis following SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) which includes the use of CalEEMod, at a minimum, to quantify emissions. The comments do not identify any specific deficiencies in the air quality analysis presented in the EIR. No further response is necessary.

Response 4.4

The commenter recommends that future projects that fail Health Risk Assessment (HRA) screening should retain an air quality consultant to prepare an HRA and identify mitigation to protect sensitive receptors. Projects with potential health impacts should also complete screening or an HRA to evaluate TAC exposure risks to nearby receptors. Health risk analyses should evaluate both construction and operational emissions, including diesel exhaust from equipment and trucks recommending "Prioritization" as the method for a conservative screening-level health risk assessment using the California Air Pollution Control Officers Association methodology. The commenter further recommends that projects with a "Prioritization" score of 10 or higher should complete a more detailed HRA to ensure a more accurate evaluation of potential health risks. The commenter also recommends that any modeling protocol be submitted to the District for review prior to preparation of the HRA and provides additional guidance regarding HRA preparation.

These comments pertain to the analysis and mitigation of potential health risks at the project level and provide recommendations for future environmental review of individual projects implementing the 2026 RTP/SCS. As detailed in Response 4.3, it is noted that future discretionary projects implementing the 2026 RTP/SCS would undergo project-specific environmental review, including evaluation of air quality impacts and development of applicable mitigation measures, as appropriate. No further response is necessary.

Response 4.5

The commenter recommends that future development projects implementing the RTP/SCS evaluate potential impacts on ambient air quality through an Ambient Air Quality Analysis (AAQA) where project emissions exceed applicable screening criteria. The commenter further recommends that future project-level analyses consider emissions from both permitted and non-permitted sources and coordinate with the SJVAPCD regarding appropriate analytical methods and modeling assumptions. These comments pertain to the assessment of air quality impacts during future project-level environmental review and provide recommendations for evaluating consistency with State and federal ambient air quality standards. As detailed in Response 4.3, it is noted that future discretionary projects implementing the 2026 RTP/SCS would undergo project-specific environmental review. This would include following the SJVAPCD's GAMAQI for conducting the evaluation of air quality impacts and implementing applicable mitigation measures, as appropriate. The GAMAQI specifically states that where project emissions exceed 100 pounds per day for any pollutant an AAQA should be conducted to determine the significance of impacts. In following the GAMAQI, projects implemented under the DEIR would conduct an AAQA if the project emissions exceed 100 pounds per day for any criteria pollutant. The comments do not identify any deficiencies in the air quality analysis presented in the EIR. No further response is necessary.

Response 4.6

The commenter recommends that future development projects implementing the RTP/SCS consider the feasibility of participating in the SJVAPCD's Voluntary Emission Reduction Agreement (VERA) program when project emissions exceed applicable District significance thresholds. The commenter notes that a VERA may be used as a mitigation mechanism to offset project-related air emissions through implementation of emission reduction projects administered by the District. The commenter recommends that a feasibility discussion on implementing a VERA be included as a mitigation measure for future development projects.

These comments provide recommendations regarding potential mitigation options for future project-level air quality impacts and do not identify any deficiencies in the air quality analysis presented in the EIR. As detailed in Response 4.3, it is noted that future discretionary projects implementing the 2026 RTP/SCS would undergo project-specific environmental review, including evaluation of air quality impacts and applicable mitigation measures, as appropriate. The comments do not identify any deficiencies in the air quality analysis presented in the EIR; however, Mitigation Measures AQ-2(a) and AQ-3(b) have been revised to include a discussion of the use of the VERA program as mitigation for future projects. This does not add new mitigation but specifically calls out the use of the VERA which is implied in the existing mitigation measures. Mitigation Measures AQ-2(a) and AQ-3(b) have been updated as follows to add the use of the VERA program as mitigation in Section 4.3.3.b, page 4.3-29 and page 4.3-34 of Section 4.3, *Air Quality*.

The following addition has been made to Page 4.3-29 of Section 4.3, *Air Quality*.

AQ-2(a) Application of SJVAPCD Feasible Mitigation Measures

For all projects, the implementing agency shall incorporate the most recent SJVAPCD feasible construction mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances. Additional and/or modified measures may be adopted by SJVAPCD prior to implementation of individual projects under the proposed 2026 RTP/SCS; therefore, the most current list of feasible mitigation measures at the time of project implementation shall be used. The current SJVAPCD feasible mitigation measures include the following (SJVAPCD 2015):

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- An owner/operator of any site with 150 or more vehicle trips per day, or 20 or more vehicle trips per day by vehicles with three or more axles shall implement measures to prevent carryout and trackout.
- Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use.
- Where project specific mitigation does not reduce emissions of NOx and PM10 to below regulatory thresholds, the project applicant shall participate in the Voluntary Emission Reduction Agreement (VERA) program to ensure that emissions for these pollutants are below regulatory thresholds. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation

of air pollutant emissions increases through a process that funds and implements emission reduction projects. A VERA can be implemented to address impacts from both construction and operational phases of a project. Individual projects implementing a VERA should contact the Air District to enter into a contractual agreement for implementing this mitigation.

The following addition has been made to Page 4.3-34 of Section 4.3, *Air Quality*.

AQ-3(b) Long-term Regional Operational Emissions

Implementing agencies can and should implement long-term operational emissions reduction measures. Such reduction measures include the following:

- Require that all interior and exterior architectural coatings for all developments utilize coatings following SJVAPCD Rule 4601, *Architectural Coatings*.
- Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use.
- Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development.
- Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
- Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following:
 - Install indoor air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects.
 - Use air filtration devices rated MERV-13 or higher.
- Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of the canopy. Install higher efficacy public street and exterior lighting.
- Use daylight as an integral part of lighting systems in buildings.
- Use passive solar designs to take advantage of solar heating and natural cooling.
- Install light colored “cool” roofs, cool pavements.
- Install solar and tankless hot water heaters.
- Exclude wood-burning fireplaces and stoves.
- Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles and bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities.
- Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).
- Where project specific mitigation does not reduce emissions of NOx and PM10 to below regulatory thresholds, the project applicant shall participate in the VERA program to ensure that emissions for these pollutants are below regulatory thresholds. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of air pollutant emissions increases through a process that funds and implements emission reduction projects. A VERA can be implemented to address impacts from both construction and operational phases of a project.

Individual projects implementing a VERA should contact the Air District to enter into a contractual agreement for implementing this mitigation.

- Incorporate other mitigation measures recommended by SJVAPCD.

Response 4.7

The commenter recommends incorporating vegetative barriers and urban greening strategies into future development projects to help reduce air pollution exposure for sensitive receptors, such as residences, schools, and healthcare facilities. The commenter notes that features such as trees, shrubs, and other landscaping can provide additional air quality and public health benefits by helping to reduce pollutant concentrations, while also enhancing community aesthetics. These comments provide recommendations for future project design and implementation and do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. Vegetative buffers are already included in Mitigation Measures AQ-3(b) and AQ-5 as part of programmatic mitigation measures. The recommendations have been noted for consideration during future project-level planning and environmental review. No further response is necessary.

Response 4.8

The commenter provides information regarding available incentive and grant funding programs that may assist locomotive fleets in transitioning to lower-emission equipment. These comments provide recommendations and information regarding implementation of Mitigation Measure AQ-3(a) and available funding opportunities. The comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The information has been noted for consideration during future project planning and implementation. No further response is necessary.

Response 4.9

The commenter recommends incorporating bikeway and active transportation improvements into future development projects to enhance walkability, connectivity, and reductions in VMT, which can contribute to improved regional air quality. The commenter also provides information regarding the SJVAPCD's Bikeway Incentive Program. These comments provide recommendations and information regarding active transportation planning and potential funding sources for future projects. Improved bicycle facilities to reduce VMT are already included in Mitigation Measures T-2(a) and T-2(b) as part of programmatic mitigation measures. The comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. The information has been noted for consideration during future project planning and implementation. No further response is necessary.

Response 4.10

The commenter provides information regarding SJVAPCD permitting requirements, regulations, and programs that may apply to future development projects implementing the RTP/SCS. The commenter notes that future projects may be subject to District permitting requirements, including District Rules 2010 and 2201, as well as other applicable regulations such as Rule 9510 (Indirect Source Review) and Rule 9410 (Employer Based Trip Reduction). The commenter also provides information regarding permitting processes and available District resources and assistance for project proponents. These comments are informational and are regarding future project-level compliance with existing air quality regulations and permitting requirements. The Draft EIR on pages 4.3-20 to 4.3-21 in Section 4.3, *Air Quality*, summarizes many SJVAPCD rules and regulations potentially applicable to future projects implementing the 2026 RTP/SCS, including Rule 2010 and Rule 9510. The Draft EIR has been revised to add SJVAPCD Rule 2520 as follows on page 4.3-20 of Section 4.3, *Air Quality*.

- **Rule 2520: (Federally Mandated Operating Permits):** This rule incorporates the federal Title V permitting program into the San Joaquin Valley Air District. It establishes administrative mechanisms for issuing, renewing, and modifying operating permits to ensure compliance with the Clean Air Act.

The comments do not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. It is noted that individual projects implementing the RTP/SCS would be required to comply with all applicable federal, State, District, and local regulations, as part of project-specific environmental review and permitting. No further response is necessary.

Response 4.11

The commenter requests that SJVAPCD's comment letter be provided to the Project proponent and provides contact information for follow-up questions regarding the comments. This comment is administrative and does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. TCAG as the 2026 RTP/SCS Project Proponent, does have a copy of the SJVAPCD's comments. No further response is necessary.

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE



GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
wildlife.ca.gov

July 30, 2026

Letter 5

Steven Ingoldsby, Senior Regional Planner
Tulare County Association of Governments
210 North Church Street, Suite B
Visalia, California 93291
(559) 623-0450

**Subject: 2026 Regional Transportation Plan and Sustainable Communities
Strategy (Plan)
Draft Programmatic Environmental Impact Report (DPEIR)
State Clearinghouse No. 2025050379**

Dear Steven Ingoldsby:

The California Department of Fish and Wildlife (CDFW) received a DPEIR from the Tulare County Association of Governments (TCAG) for the above-referenced Plan pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

5.1

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Plan that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

5.2

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

**5.1
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agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, future projects tiered from the Plan may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of a future project may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

5.2
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Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

5.3

Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (Fish & G. Code § 2081.15). Project proponents should consult with CDFW early in the project planning process if an ITP may be pursued for projects tiered from the Plan.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their nests, and eggs include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds of prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

5.4

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E,

5.5

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R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Plan.

5.5
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PLAN DESCRIPTION SUMMARY

Proponent: Tulare County Association of Governments (TCAG)

Objective: The Plan proposes updating the current Regional Transportation Plan and Sustainable Communities Strategy. The Plan identifies specific strategies, policies, and actions, including a list of programmed and planned transportation projects that would be implemented in order to meet current and future transportation needs of the region.

5.6

Location: The Plan includes all of Tulare County, including the eight incorporated cities, unincorporated communities, and the Tule River Reservation.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist TCAG in adequately identifying and/or mitigating the Plan’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the Final Programmatic Environmental Impact Report (FPEIR).

5.7

CDFW previously commented on the Notice of Preparation (NOP) for the DPEIR in a letter dated June 20, 2025 (Attachment 1). The letter provided recommendations to identify and mitigate the Plan’s significant or potentially significant direct and indirect impacts on biological resources. Based on a review of the DPEIR, CDFW has the following comments and/or recommendations pertaining to special-status plant and animal species, streams, wildlife connectivity, alternative analyses, and cumulative impacts.

5.8

Special-Status Species

The DPEIR provides mitigation measures BIO-1(a) through BIO-1(i) to mitigate for potentially significant impacts to special-status species and includes measures for biological resource assessments, focused surveys, avoidance, minimization, and mitigation. CDFW has concerns about the ability of some of the proposed measures to ensure that project activities reduce potential impacts to less than significant. For example, mitigation measure BIO-1(d) does not specify that State candidate species will be considered during biological resource assessments and surveys. As such, CDFW recommends modifying BIO-1(d) to specify that State candidate species will be considered during biological resource assessments and surveys. CDFW also recommends modifying BIO-1(c) and BIO-1(e) to specify that if State-listed or candidate species are detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire

5.9

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an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any vegetation- or ground-disturbing activities.

5.9 cont.

Mitigation measure BIO-1(e) states that temporary impact areas would be restored to pre-project conditions, and compensatory mitigation would be provided for permanent impacts to State-listed or candidate species habitat. Please be advised that compensatory mitigation may also be necessary to fully mitigate for temporary impacts to State-listed or candidate species habitat as part of acquiring CESA take authorization, pursuant to Fish and Game Code section 2081 subdivision (b).

5.10

Mitigation measure BIO-1(f) requires pre-construction surveys for State-listed or candidate species prior to the start of construction activities. CDFW recommends modifying BIO-1(f) to state that pre-construction surveys for these species shall be conducted prior to the start of construction activities, including staging and mobilization, and that surveys shall include staging and mobilization areas.

5.11

Mitigation measure BIO-1(g) provides avoidance and minimization measures for non-listed and non-candidate special-status species. CDFW has concerns about the ability of BIO-1(g) to ensure projects tiered from the Plan reduce potential impacts to less than significant for species including but not limited to: American badger (*Taxidea taxus*); Tulare grasshopper mouse (*Onychomys torridus tularensis*); coast horned lizard (*Phrynosoma blainvillii*); northern California legless lizard (*Anniella pulchra*); northwestern pond turtle (*Actinemys marmorata*); and San Joaquin coachwhip (*Masticophis flagellum ruddocki*). As such, CDFW recommends revising BIO-1(g) to incorporate the following:

5.12

Recommended Mitigation Measure 1: Pre-construction Surveys for Special-Status Species

5.13

If suitable habitat for special-status species is identified, CDFW recommends that a qualified biologist conduct focused surveys for special-status species and their requisite habitat features no more than 14 days prior to the start of Project Activities.

Recommended Mitigation Measure 2: Special-Status Species Avoidance, Minimization, and Mitigation

5.14

Avoidance whenever possible is encouraged via delineation and observance of a minimum 50-foot no-disturbance buffer around special-status species and their associated burrows and habitat areas. CDFW also recommends that if special-status species are observed, project activities in their immediate vicinity shall cease, allowing individuals to leave the project site on their own accord. Consultation with CDFW is also recommended for further project-specific guidance on avoidance, minimization, and mitigation measures.

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Western Spadefoot

The DPEIR states that western spadefoot (*Spea hammondi*) (WESP) is listed as a State species of special concern and has the potential to occur within the Plan area. Please note that on September 24, 2025, the California Fish and Game Commission (FGC) received a petition to list the northern population of WESP as threatened and the southern population of WESP as endangered under CESA. At the FGC meeting on April 16, 2026, CDFW presented its determination that the petition provided sufficient scientific information that the petitioned action to list WESP under CESA may be warranted; however, the FGC deferred its decision on WESP candidacy until August 2026. If WESP becomes a candidate for listing or ultimately becomes listed as threatened or endangered pursuant to CESA, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), would be necessary to comply with CESA if full avoidance of WESP cannot be achieved.

5.15

Special-Status Plants

Mitigation measure BIO-1(c) requires implementation of special-status plant avoidance, minimization, and mitigation measures. As stated above, CDFW concurs with BIO-1(c) but recommends modifying this measure to specify that special-status plant species include plants designated as State candidate species as they receive the same legal protections afforded to a State endangered or threatened species.

5.16

The DPEIR states that special-status plant surveys shall not be conducted earlier than one year before construction commences. While CDFW encourages that special-status plant surveys occur during the appropriate survey season prior to the initiation of project activities, please note that adverse conditions from yearly weather patterns may prevent botanical field surveyors from determining the presence of, or accurately identifying, some special-status plants in a given year. Disease, drought, predation, fire, herbivory, or other disturbance may also preclude presence or identification of special-status plants in any given year. As such, CDFW recommends these types of conditions be considered to determine the appropriate number of surveys and survey seasons to adequately detect special-status plants and mitigate for potential significant impacts.

5.17

Additionally, CDFW recommends adjusting the 30-foot avoidance buffer in BIO-1(c) to a minimum of 50 feet from the outer edge of the plant population(s) and their habitat type(s). CDFW also recommends modifying BIO-1(c) to state that if buffers cannot be maintained, consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plants and/or how to implement the project to avoid take. CDFW also recommends incorporating the following measure into the DPEIR:

5.18

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Recommended Mitigation Measure 3: Special-Status Plant Take Authorization

If State endangered, threatened, or rare plants are identified during special-status plant surveys and take cannot be avoided, then to ensure compliance with CESA and the Native Plant Protection Act (NPPA), consultation with CDFW for acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) and/or California Code of Regulations, Title 14, section 786.9, subdivision (b), is necessary to comply with CESA and the NPPA.

5.19

Wildlife Corridors and Habitat Connectivity

California wildlife is increasingly losing the ability to move and migrate as habitat conversion and built infrastructure disrupts species habitat and restricts migration corridors. Senate Bill (SB) 790 and Assembly Bill 2344 both address wildlife connectivity in California and assert authority and responsibility to CDFW and/or local and state transportation agencies to implement wildlife connectivity actions by identifying where they are needed, coordinate and implement those actions, and establish compensatory mitigation credits for actions taken.

5.20

The Plan area and adjacent lands are important for providing habitat connectivity and wildlife movement for many species of wildlife and contain habitat linkages that allow species to disperse, migrate, and maintain genetic exchange with neighboring populations. Maintaining these connections is essential for both the immediate and long-term persistence of wildlife, particularly as species respond to environmental stressors such as climate change and ongoing habitat degradation. Disruption or loss of these linkages could lead to direct and indirect wildlife mortality, reduced reproductive success, diminished juvenile survival due to interrupted parental care, and increased exposure to vehicle collisions and predation. Additionally, the isolation of wildlife subpopulations threatens intra-species diversity and increases the likelihood of local extirpation, making it imperative that the Plan preserve and enhance these ecological pathways. As such, CDFW recommends the following:

5.21

Analysis and Monitoring of Wildlife Corridor

CDFW recommends in-depth studies on existing use of wildlife corridors within the Plan area and surrounding areas in order to evaluate the extent of future impacts of projects tiered from the Plan on wildlife connectivity and to provide a basis for infrastructure and project component redesign. Data collection methods should enable detection of species that have been found to utilize the existing movement corridors, including species mentioned above. The cumulative impacts of adjacent projects on wildlife corridors should be considered.

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CDFW concurs with mitigation measure BIO-3(a) of the DPEIR, which requires project-specific wildlife movement assessments prior to project design approvals to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. In addition, CDFW recommends that these wildlife movement assessments include detailed mapping of specific locations where wildlife movement could be affected and incorporate all available past connectivity studies in their respective analyses. In addition, CDFW recommends modifying BIO-3(a) to incorporate the following:

**5.22
cont.**

Recommended Mitigation Measure 4: Analysis and Monitoring of Wildlife Corridor

For projects where wildlife corridor improvements are considered, pre-construction study results should be used to develop biologically feasible movement corridor improvements. Post-construction monitoring should also assess the use of wildlife movement corridors.

The protocol for the pre-construction surveys, post-construction surveys, site selection criteria, and design criteria for the development of the wildlife connectivity structures should, at a minimum, follow the protocols outlined in the California Department of Transportation (Caltrans) Wildlife Crossings Design Manual (Caltrans 2009), CDFW's Transportation Planning Companion Plan associated with the State Wildlife Action Plan (CDFW 2016), and the Federal Highway Administration Wildlife Crossing Structure Handbook (FHWA 2011).

5.23

CDFW recommends that monitoring data be analyzed, summarized, and results discussed in reports that may be posted to the project webpage and submitted to CDFW and other agencies or organizations that have a duty or interest in the effectiveness of wildlife movement corridors.

Infrastructure and Project Component Design

Mitigation measure BIO-3(a) of the DPEIR requires that projects tiered from the Plan be designed to minimize impacts to wildlife movement by prohibiting fencing at the openings of culverts, undercrossings, or other wildlife passage structures, and requiring that wildlife-friendly fencing be designed with intermittent openings along the bottom of the fence, or a contiguous gap between the ground and the bottom of the fence. CDFW concurs with incorporating design features such as wildlife-friendly fencing, when appropriate, to maintain or enhance wildlife connectivity but does not concur with allowing the use of intermittent openings along the bottom of the fence in lieu of a contiguous gap. The use of intermittent openings would increase the potential for predation of fleeing prey species by funneling them into confined routes and making them more susceptible to

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becoming trapped or disoriented. CDFW recommends modifying BIO-3(a) to discourage intermittent openings along the bottom of wildlife-friendly fencing in lieu of a contiguous gap. CDFW also recommends that projects tiered from the Plan evaluate the impacts of fencing on wildlife connectivity and design project fencing to reduce wildlife-vehicle strikes during both dry and wet seasons.

5.24 cont.

Furthermore, CDFW recommends modifying BIO-3(a) to incorporate the following considerations during project design:

Recommended Mitigation Measure 5: Infrastructure and Project Component Design

CDFW recommends that on-site features that contribute to habitat connectivity be evaluated and implemented. CDFW also recommends that the projects tiered from the Plan avoid developing and encroaching onto wildlife corridors, essential connectivity blocks, critical wildlife passage areas, or potential linkage areas.

5.25

CDFW recommends the following considerations be incorporated as appropriate during project design:

- **Culvert improvements** to support passage during wet and dry years, including but not limited to maintaining culverts to be free of sediments and vegetation; terracing to allow passage of terrestrial species where space allows; and upsizing to support passage of impacted species.

5.26

- **Consideration of design features** that can support wildlife movement such as minimizing lengths (entry to exit) of dedicated wildlife crossings for certain species guilds; designs (grates, shelving, terracing, etc.) that facilitate illumination from sunlight; maximizing heights of crossings or adding bridges for larger species guilds; natural cover types to encourage use; bench designs to allow use of the crossings during flooding; and smaller animal escape areas within or adjacent to the dedicated wildlife crossings.

5.27

- **Scientifically defensible wildlife corridor width** should be required. The functional width of usable linkages should be described and maintained outside of the zone of influence of edge effect. In general, a corridor should be at least 2 kilometers wide, except at unavoidable bottlenecks such as freeway crossing structures (Beier 2018). The effective corridor width is the minimum spatial dimension needed to

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mitigate human influence on animal movement through the corridor (Ford et al. 2020).

5.28
cont.

For projects that incorporate wildlife connectivity design measures, CDFW recommends coordination with regional CDFW and conservation engineering staff on structure design including, but not limited to, wildlife passage undercrossings, directional fencing to prevent animals from crossing roads to reduce wildlife-vehicle strikes, removal of accumulated sediment that may block undercrossings, removal of vegetation debris, control of invasive plant species, signage to alert drivers of wildlife crossings, and education and training on wildlife crossing minimization.

5.29

When structures to facilitate or enhance wildlife movement are installed, they should continue to be monitored for wildlife passage during all project phases (construction, operation, reclamation, and revegetation monitoring). Upon completion of the project, any wildlife connectivity structures should be studied for an additional 12- to 24-month period, at minimum, to determine the effectiveness of utilization by wildlife of the structures. In addition, CDFW recommends thorough monitoring of wildlife crossings both before and after construction to assess their effectiveness. This monitoring should include the use of camera traps, track beds, and other methods.

5.30

Compensatory Mitigation – Local Area Movement Corridors

Mitigation Measure BIO-3(a) of the DPEIR states that when on-site design measures cannot fully reduce impacts, compensation shall be considered as a mitigation option, including but not limited to participation in mechanisms authorized under SB 790, to reduce unavoidable connectivity impacts at a landscape scale. The DPEIR should include an analysis of beneficial and feasible wildlife movement corridors and/or crossings at off-site locations that could be improved or constructed to enhance wildlife connectivity.

5.31

The Plan should evaluate the development of advanced mitigation credits to support mitigation for future projects and to address connectivity impacts. As mentioned above, Fish and Game Code Section 1955 et seq. (SB 790) allows the Department of Fish and Wildlife to approve compensatory mitigation credits for actions that improve wildlife connectivity. These actions should lead to measurable improvements in aquatic or terrestrial habitat connectivity, wildlife migration, recolonization, and breeding opportunities, especially where these are hindered by infrastructure or habitat fragmentation and may include building road overpasses or underpasses.

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CDFW recommends modifying BIO-3(a) to incorporate the following:

**Recommended Mitigation Measure 6: Compensatory Mitigation –
Local Area Movement Corridors**

5.33

On- or off-site compensatory mitigation should be implemented to completely offset unavoidable impacts if infrastructure redesigns and other measures to avoid significant impacts to existing wildlife corridors within the Plan area do not fully avoid impacts to wildlife corridors.

Editorial Comments and/or Suggestions

Significant and Unavoidable Impacts: The DPEIR determined that implementation of the Plan would result in significant and unavoidable impacts to special-status species, sensitive habitats, and wildlife movement. Therefore, it is assumed that future projects tiered from the DPEIR could have the potential for similar biological resource impacts. As such, CDFW recommends that future projects tiered from the DPEIR clearly state their biological resource impacts and provide a robust biological resource and cumulative impact analysis to support the conclusions drawn in the project’s CEQA document.

5.34

Cumulative Impacts: Currently, the DPEIR has a very broad analysis of cumulative impacts to biological resources and does not adequately evaluate impacts to specific resources. As such, the conclusions reached in the cumulative impacts analysis are not supported by substantial evidence, and the analysis lacks sufficient rigor and transparency to adequately develop reasonable and feasible measures to reduce harm. This is especially concerning given the DPEIR’s finding that cumulative impacts on biological resources would be significant and cumulatively considerable. To address this, CDFW recommends that the DPEIR conduct a cumulative impact analysis for all specific biological resources that would either be significantly or potentially significantly impacted by implementation of the Plan, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and would be impacted by future projects tiered from the Plan, even if those impacts are relatively small (i.e., less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the projects. An appropriate resource study area should be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

5.35

CEQA Alternatives: It is unclear whether the information and results obtained from the DPEIR’s cumulative impact analysis were used to develop and modify the Plan’s

5.36

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alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. For example, each of the potential alternatives explored in the DPEIR, except for the “no project” alternative, included all of the Plan’s proposed transportation projects without any apparent changes. Based on a review of the alternatives that were considered but rejected as infeasible, it is unclear whether alternatives such as alternate routes or configurations were considered. Please note that when efforts to avoid and minimize impacts have been exhausted for projects tiered from the Plan, remaining impacts to sensitive biological resources may need to be mitigated to reduce impacts to a less than significant level, if feasible.

5.36
cont.

Lake and Streambed Alteration: Reasonably foreseeable future projects tiered from the Plan may be subject to CDFW’s regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. “Any river, stream, or lake” includes those that are ephemeral or intermittent as well as those that are perennial in nature. For information on notification requirements, please refer to CDFW’s website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593, or R4LSA@wildlife.ca.gov.

5.37

CDFW therefore recommends that the DPEIR include information related to these requirements of Fish and Game code and advise that projects tiered from the Plan retain a qualified biologist to determine if potential impacts to streams may require the need to notify pursuant to Fish and Game Code section 1602.

5.38

Nesting Birds: CDFW encourages that vegetation- or ground-disturbing activities occur during the bird non-nesting season; however, if vegetation- or ground-disturbing activities must occur during the nesting season (February 1 through September 15), the project applicant is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

5.39

Mitigation Measure BIO-1(h) requires a qualified biologist to establish an appropriate avoidance buffer around active nests based on the species biology and the current and anticipated disturbance levels occurring in the vicinity of the nest. CDFW concurs with establishing avoidance buffers but, in addition, recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from project activities. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends implementing a minimum 250-foot avoidance buffer around active nests of non-listed

5.40

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bird species and a minimum 500-foot avoidance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these avoidance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the work area would be concealed from a nest site by topography. Prior to implementing a variance from these avoidance buffers, CDFW recommends that a qualified biologist evaluate the site-specific circumstances, provide a biological or ecological justification to support a variance, if possible, and notify CDFW.

5.40 cont.

California Natural Diversity Database (CNDDDB): Please note that the CNDDDB is populated by voluntary submission records of species detections. As a result, species may be present in locations not depicted in the CNDDDB, but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDDB does not mean a species is not present. All projects tiered from the Plan should adequately assess any potential project-related impacts to biological resources by ensuring biological surveys are conducted by a qualified biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology as warranted in order to determine whether or not any special-status species are present at or near the project area.

5.41

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during the Plan or tiered project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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FILING FEES

The Plan, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

5.43

CONCLUSION

CDFW appreciates the opportunity to comment on the DPEIR to assist TCAG in identifying and mitigating the Plan's impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>).

5.44

Please see the enclosed, Attachment 2, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. If you have any questions regarding this letter or further coordination, please contact Stephanie Manzo, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 578-0409, or by electronic mail at stephanie.manzo@wildlife.ca.gov.

5.45

Sincerely,

DocuSigned by:

 E9964E60293D40A...

For Julie A. Vance
 Regional Manager

5.46

Attachment 1: CDFW NOP Comment Letter June 20, 2025

Attachment 2: Mitigation and Monitoring and Reporting Program

5.47

ec: State Clearinghouse
 Governor's Office of Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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REFERENCES

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5.48

Attachment 1



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 20, 2025

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**Subject: 2026 Tulare County Association of Governments (TCAG) Regional
Transportation Plan & Sustainable Communities Strategy (Plan)
Notice of Preparation (NOP)
SCH No.: 2025050379**

Dear Steve Ingoldsby:

The California Department of Fish and Wildlife (CDFW) received a NOP to prepare a Programmatic Environmental Impact Report (PEIR) from the TCAG, as Lead Agency, for the above referenced Plan pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Plan that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation,

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, projects tiered from this Plan may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of a project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock, or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process if an ITP may be pursued for a project tiered from this Plan.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Plan.

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Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PLAN DESCRIPTION SUMMARY

Proponent: Tulare County Association of Governments (TCAG)

Objective: The Plan updates the 2022 RTP/SCS. The Plan would be used to allocate federal and State funding for regional transportation projects. The Plan would also identify policies and strategies to balance land use and transportation systems to reduce greenhouse gas emissions from cars and light trucks.

Location: The Plan includes all of Tulare County, including the eight incorporated cities and the Tule River Reservation.

COMMENTS AND RECOMMENDATIONS

The NOP indicates the PEIR will inform decision makers and the public about potential significant environmental effects associated with the implementation of the Plan and Plan alternatives. CDFW offers the comments and recommendations below to assist TCAG in adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the PEIR prepared for this Plan.

Special-Status Species

Based on aerial imagery and species occurrence records from the California Natural Diversity Database (CNDDDB) (CDFW 2025) as well as CDFW's familiarity with biological resources in the Plan area, and given that the Plan encompasses the entirety of Tulare County, CDFW recommends that special-status species be considered as part of the PEIR that will be prepared for this Plan, including, but not limited to, the species identified in **Attachment 1** of this letter. These resources need to be evaluated and addressed as part of the PEIR and prior to any approvals that would allow vegetation- or ground-disturbing activities. CDFW also recommends that the PEIR analyze potential impacts to these species and provide measurable mitigation measures that would reduce impacts to less than significant levels as needed for projects tiered (streamlined) from this Plan.

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Botanical Surveys: CDFW recommends that the PEIR for this Plan include a measure requiring that projects tiered from this Plan located within natural habitats be surveyed by a qualified botanist for any possible special-status plants following the “Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities”. CDFW recommends that the plant surveys be floristic and, if necessary, utilize a known reference site for any special-status plants in order to provide a high level of confidence in the effort and results.

If a special-status plant is found, CDFW recommends that the special-status plant species be avoided whenever possible by delineating and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State or federally listed plant species is identified during botanical surveys, it is recommended that consultation with CDFW and/or the United States Fish and Wildlife Service (USFWS) be conducted to determine permitting needs.

California Endangered Species Act: Reasonably foreseeable future projects tiered from this Plan may be subject to CDFW’s regulatory authority pursuant to the California Endangered Species Act (CESA). In the event that species listed under CESA are detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid “take,” or if avoidance is not feasible, to acquire a State ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground disturbing activities. In addition, CDFW recommends that mitigation measures for the CESA listed species be fully addressed in the CEQA document prepared for any future project tiered from this Plan.

California Natural Diversity Database (CNDDDB): Please note that the CNDDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDDB does not mean that a species is not present. All projects tiered from this Plan should adequately assess any potential project-related impacts to biological resources by ensuring biological surveys are conducted by a qualified wildlife biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology as warranted in order to determine whether or not any special-status species are present at or near the project area.

CEQA Alternatives Analysis: CDFW recommends that the information and results obtained from the cumulative impacts analysis conducted as part of this Plan’s PEIR be used to develop and modify the Plan’s alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. Please note that when efforts to

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avoid and minimize impacts have been exhausted for projects tiered from this Plan, remaining impacts to sensitive biological resources may need to be mitigated to reduce impacts to a less than significant level, if feasible.

Cumulative Impact Analysis: Given that a Plan serves primarily as a planning tool and that future project-level CEQA documents are expected to be tiered from it, CDFW recommends that a cumulative impact analysis be conducted for all potential biological resources that will either be significantly or potentially significantly impacted by implementation of the Plan, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by any future project, even if those impacts are expected to be relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

Federally Listed Species: CDFW recommends projects tiered from this Plan consult with the U.S. Fish and Wildlife Service (USFWS) on potential impacts to federally listed species. Take under the Federal Endangered Species Act (ESA) is more broadly defined than CESA; take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS is advised well in advance of any ground disturbing activities.

Lake and Streambed Alteration: Reasonably foreseeable future projects tiered from this Plan may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For information on notification requirements, please refer to CDFW's website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593, or R4LSA@wildlife.ca.gov.

CDFW therefore recommends that the PEIR for this Plan include information related to these requirements of Fish and Game code and advise that projects tiered from this

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Plan retain a qualified biologist to determine if potential impacts to streams may require the need to notify pursuant to Fish and Game Code section 1602.

Nesting birds: CDFW encourages that all projects tiered from this Plan occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), each future project applicant is responsible for ensuring that implementation of their project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

CDFW recommends that a qualified biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around each future project site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from each future project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during the Plan or tiered project surveys to the CNDDDB. The

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CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

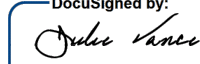
FILING FEES

The Plan, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist TCAG in identifying and mitigating the Plan's impact on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Questions regarding this letter or further coordination should be directed to John Riedel, Environmental Scientist, at (559) 807-1453 or john.riedel@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance
Regional Manager

ATTACHMENT

ec: State Clearinghouse
Governor's Office of Planning and Research
State.Clearinghouse@opr.ca.gov

U. S. Fish and Wildlife Service
Matthew Nelson,
Matthew.Nelson@fws.gov

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REFERENCES

California Department of Fish and Wildlife. 2025. Biogeographic information and observation system (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed 10 June 2025.

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE SPECIAL-STATUS SPECIES TABLE

PROJECT: 2026 Tulare County Association of Governments Regional Transportation Plan & Sustainable Communities Strategy

SCH No.: 2025050379

Common Name	Scientific Name	Status	
		State	Federal
Gray wolf	<i>Canis lupus</i>	E	E
Tipton kangaroo rat	<i>Dipodomys nitratoide</i> <i>nitratoide</i>	E	E
Bald eagle	<i>Haliaeetus leucocephalus</i>	E/FP	None
California Condor	<i>Gymnogyps californianus</i>	E/FP	E
Least Bell's vireo	<i>Vireo bellii pusillus</i>	E	E
Willow flycatcher	<i>Empidonax traillii</i>	E	None
Blunt-nosed leopard lizard	<i>Gambelia sila</i>	E/FP	E
Foothill yellow-legged frog - south Sierra Distinct Population Segment	<i>Rana boylei</i> pop. 5	E	E
California jewelflower	<i>Caulanthus californicus</i>	E	E
Kaweah brodiaea	<i>Brodiaea insignis</i>	E	None
San Joaquin adobe sunburst	<i>Pseudobahia peirsonii</i>	E	T
San Joaquin Valley Orcutt grass	<i>Orcuttia inaequalis</i>	E	T
Springville clarkia	<i>Clarkia springvillensis</i>	E	T
Fisher - southern Sierra Nevada Evolutionary Significant Unit	<i>Vulpes vulpes necator</i> pop. 2	T	E
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	T	E
San Joaquin antelope squirrel	<i>Ammospermophilus nelsoni</i>	T	None
Sierra Nevada red fox - Sierra Nevada Distinct Population Segment	<i>Vulpes vulpes necator</i> pop. 2	T	E
Swainson's hawk	<i>Buteo swainsoni</i>	T	None
Tricolored blackbird	<i>Agelaius tricolor</i>	T	None
California tiger salamander – Central California Distinct Population Segment	<i>Ambystoma californiense</i>	T	T
Striped adobe-lily	<i>Fritillaria striata</i>	T	None
Golden eagle	<i>Aquila chrysaetos</i>	FP	None

Western burrowing owl	<i>Athene cunicularia hypugaea</i>	C	None
Crotch's bumble bee	<i>Bombus crotchii</i>	C	None
Greene's tuctoria	<i>Tuctoria greenei</i>	R	E
Tracy's eriastrum	<i>Eriastrum tracyi</i>	R	None
Twisselmann's buckwheat	<i>Eriogonum twisselmannii</i>	R	None
American badger	<i>Taxidea taxus</i>	SSC	None
Tulare grasshopper mouse	<i>Onychomys torridus tularensis</i>	SSC	None
Pallid bat	<i>Antrozous pallidus</i>	SSC	None
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	SSC	None
Western mastiff bat	<i>Eumops perotis californicus</i>	SSC	None
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC	None
Mountain plover	<i>Charadrius montanus</i>	SSC	None
Coast horned lizard	<i>Phrynosoma blainvillii</i>	SSC	None
Northern California legless lizard	<i>Anniella pulchra</i>	SSC	None
Northwestern pond turtle	<i>Actinemys marmorata</i>	SSC	PT
San Joaquin coachwhip	<i>Masticophis flagellum ruddocki</i>	SSC	None
Western spadefoot	<i>Spea hammondi</i>	SSC	PT
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	SA	E
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	SA	T
San Joaquin woollythreads	<i>Monolopia congdonii</i>	CRP	E
E= Endangered, T=Threatened, C= Candidate for listing as Threatened and/or Endangered, R= Rare, SSC= Species of Special Concern, FP= Fully Protected, PT=Proposed Threatened, SA=Special Animal, CRP=California Rare Plant Rank 1B			

Attachment 2

Attachment 2

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

**PLAN: 2026 Regional Transportation Plan and Sustainable
Communities Strategy**

SCH No.: 2025053709

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Special-Status Species	
Recommended Mitigation Measure 1: Pre-construction Survey for Special-Status Species	
Recommended Mitigation Measure 2: Special-Status Species Avoidance, Minimization, and Mitigation	
Special-Status Plants	
Recommended Mitigation Measure 3: Special-Status Plant Take Authorization	
Wildlife Corridors and Habitat Connectivity	
Recommended Mitigation Measure 4: Analysis and Monitoring of Wildlife Corridor	
Recommended Mitigation Measure 5: Infrastructure and Project Component Design	
Recommended Mitigation Measure 6: Compensatory Mitigation – Local Area Movement Corridors	
<i>During Construction</i>	
Special-Status Species	
Recommended Mitigation Measure 2: Special-Status Species Avoidance, Minimization, and Mitigation	
Special-Status Plants	

Recommended Mitigation Measure 3: Special-Status Plant Take Authorization	
<i>Post-Construction</i>	
Wildlife Corridors and Habitat Connectivity	
Recommended Mitigation Measure 4: Analysis and Monitoring of Wildlife Corridor	
Recommended Mitigation Measure 5: Infrastructure and Project Component Design	

Letter 5

Commenter: Sarah Paulson, California Department of Fish and Wildlife (CDFW)

Date: June 30, 2026

Response 5.1

The commenter confirms receipt of the Draft EIR from TCAG. The commenter thanks TCAG for the opportunity to provide comments and recommendations regarding activities in the 2026 RTP/SCS that may affect California fish and wildlife or may be under the regulatory authority of the Fish and Game Code.

Because this comment does not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR, no further response is necessary.

Response 5.2

The commenter summarizes the role and responsibilities of the CDFW as a Responsible Agency. The commenter states that they expect CDFW may need to exercise regulatory authority in relation to lake and streambed alterations or the “take” of species protected under the California Endangered Species Act (CESA). The commenter further explains that CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources.

This comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 5.3

The commenter explains that the take or possession of fully protected species is prohibited except for certain circumstances. The commenter also clarifies that specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) under Fish and Game Code Section 2081.15, and that project proponents should consult with CDFW early in the planning process for projects.

Because the comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 5.4

The commenter clarifies that CDFW has jurisdiction over actions the potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. The commenter also clarifies that Sections 3503, 3503.5, and 3513 of the Fish and Game Code are meant to protect birds, their eggs, and their nests.

Because the comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 5.5

The commenter states that species of plants or animals do not have to be officially listed as Endangered, Rare, or Threatened on any State or Federal list to be considered as such under CEQA. CDFW recommends that species that meet the criteria for these designations under CEQA Guidelines Section 15380 are fully considered in the environmental analysis for projects stemmed from the 2026 RTP/SCS.

Appendix C of the Draft EIR provides a list of special-status species that are known to occur or have the potential to occur within the TCAG region. Special-status species are broadly defined, consistent with the

commenter's recommendation. As noted on Page 4.4-16 through Page 4.4-17 of the Draft EIR, special-status species were considered to be plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service under the federal Endangered Species Act; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under CESA; and animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW. Furthermore, the California Natural Diversity Database provides records of other special animals that CDFW is tracking but are not currently designated as a special-status species. Because of the programmatic nature of the Draft EIR and the duration in which the 2026 RTP/SCS will be implemented, these species were also included as "special-status" considering the CDFW is currently collecting data and tracking these species and therefore there is potential for their status to be elevated in the future.

Response 5.6

The commenter summarizes the EIR's project description of the proposed 2026 RTP/SCS. The commenter correctly summarizes the proposed project. Because the comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 5.7

The commenter states that their comments and recommendations are intended to help TCAG identify and mitigate significant or potentially significant impacts on biological resources, and that they may also offer editorial suggestions to improve the EIR.

Because this introductory comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary. In response to the specific comments below, clarifications or errata have been identified where necessary.

Response 5.8

The commenter references their prior letter submitted in response to the Notice of Preparation (NOP), noting that it provided species-specific considerations and recommendations to ensure compliance with CESA and the Fish and Game Code.

Table 1-1 on Pages 1-6 and 1-7 in Chapter 1, *Introduction*, of the Draft EIR provides a summary of the comments and recommendations in CDFW's NOP comment letter and how they were addressed in the Draft EIR, as applicable. Table 1-1 refers to specific sections in the Draft EIR that relate to CDFW's comments and requests. These comments and recommendations are addressed in Section 4.4, *Biological Resources*, and Chapter 6, *Alternatives*. CDFW's June 20, 2025 NOP comment letter is also included in Appendix A of the Draft EIR.

Response 5.9

The commenter recommends revisions to Mitigation Measures BIO-1(c), BIO-1(d), and BIO-1(e) to strengthen protections for special-status species. The commenter recommends that State candidate species be included in biological resource assessments and focused surveys and that consultation with the CDFW occur if State-listed or candidate species are detected, including consultation with CDFW and consideration of avoidance measures or acquisition of an ITP, as appropriate. To strengthen protections for candidate species, a reference to State candidate species has been added to Mitigation Measure BIO-1(d) in Section 4.4.3, Page 4.4-29 of Section 4.4, *Biological Resources*. To strengthen protections for candidate species, a reference to candidate species and required permitting has been added to Mitigation Measure BIO-1(c) in Section 4.4.3, Page 4.4-28-29 of Section 4.4, *Biological Resources*.

Mitigation Measure BIO-1(e) already applies to State candidate species and includes compensatory mitigation; therefore, no revisions to BIO-1(e) are necessary. Consultation with CDFW will occur as part of the applicable regulatory and permitting processes, including any formal permit application review.

However, agency consultation is not mitigation under CEQA. CEQA mitigation must be adopted by the lead agency, be enforceable, and include measurable performance standards, monitoring, and assigned responsibility. The revised mitigation measures address CDFW's comment on addressing State candidate species.

The following revision has been made to Page 4.4-29 of Section 4.4, *Biological Resources*.

BIO-1(c) Special-Status Plant Species Avoidance, Minimization, and Mitigation

If state or federally listed, state candidate, and/or CRPR 1 and 2 species are found during special-status plant surveys [pursuant to mitigation measure BIO-1(b)], then the implementing agency shall redesign the project to avoid impacting these plant species to the maximum extent feasible. Occurrences of these species that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. If CRPR 3 and 4 species are found, the qualified biologist contracted to conduct the plant surveys [pursuant to mitigation measure BIO-1(b)] shall evaluate to determine if they meet criteria to be considered special-status, and if so, the same process as identified for CRPR 1 and 2 species shall apply.

If special-status plants species cannot be avoided and would be impacted by a project implemented under the proposed 2026 RTP/SCS, the implementing agency shall require all impacts to be mitigated at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted by the qualified biologist to the implementing agency. The implementing agency shall obtain all necessary regulatory permits for impacts to state listed, state candidate, and/or federally listed plants prior to any vegetation- or ground-disturbing activities.

BIO-1(d) Endangered/Threatened Animal Species Habitat Assessment and Protocol Surveys

If the results of the BRA determine that suitable habitat may be present for federally and/or state endangered, ~~or~~ threatened, or candidate animal species, the implementing agency shall require habitat assessments/surveys. Whenever practicable, the surveys shall be completed in accordance with CDFW and/or USFWS/NMFS protocols prior to issuance of any construction permits/project approvals.

No further response is necessary.

Response 5.10

The commenter notes that Mitigation Measure BIO-1(e) requires restoration of temporary impact areas and compensatory mitigation for permanent impacts to habitat occupied by State-listed or candidate species. The commenter recommends clarifying that compensatory mitigation may also be required for temporary impacts to such habitats in order to satisfy CESA requirements and obtain any necessary ITP authorization. Whether temporary impacts would require compensatory mitigation would be evaluated on a specific project-by-project basis during project environmental review and coordination with CDFW for that project. To clarify that compensatory mitigation is not limited to permanent impacts, the following revision has been made to Mitigation Measure BIO-1(e) on Page 4.4-30 of Section 4.4, *Biological Resources*.

BIO-1(e) Endangered/Threatened/State Candidate Animal Species Avoidance and Compensatory Mitigation

Compensatory mitigation shall be achieved through purchase of credits at a USFWS, NMFS and/or CDFW approved conservation bank if available for the affected species, and/or through providing compensatory mitigation to offset impacts to federal and/or state listed or candidate species habitat.

Compensatory mitigation shall be provided at an appropriate ratio to fully offset project impacts, as determined by a qualified biologist ~~for permanent impacts~~. Compensatory mitigation may be combined/nested with special-status plant species and sensitive community restoration where applicable. Temporary impact areas shall be restored to pre-project conditions.

No further response is necessary.

Response 5.11

The commenter recommends revising Mitigation Measure BIO-1(f) to clarify that pre-construction surveys for State-listed and candidate species should be conducted prior to all construction-related activities, including staging and mobilization, and that survey areas should include all staging and mobilization locations. To strengthen protections for candidate species a reference to State candidate species has been added to Mitigation Measures BIO-1(f) on Page 4.4-31 of Section 4.4, *Biological Resources*.

BIO-1(f) Endangered/Threatened/State Candidate Species Avoidance and Minimization During Construction

- All projects occurring within or adjacent to sensitive habitats that may support federally and/or state endangered/threatened/candidate species shall have a qualified biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS/NMFS or as outlined in project permits, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented.
- No endangered/threatened/state candidate species shall be captured and relocated without authorization from the CDFW and/or USFWS.
- [..]
- If at any time during construction of the project an endangered/threatened/state candidate species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW.

No further response is necessary.

Response 5.12

The commenter notes that Mitigation Measure BIO-1(g) may not fully ensure that impacts to certain non-listed and non-candidate special-status species are reduced to a less-than-significant level for future projects implementing the RTP/SCS. The commenter recommends revising the measure to incorporate additional avoidance and minimization requirements for specific special-status species. This comment relates to the implementation and refinement of biological resource mitigation measures for future projects and does not explain why Mitigation Measure BIO-1(g) may not be effective in reducing impacts to less-than-significant level. At the Program EIR level, it is not feasible to identify mitigation measures for each special status species a second-tier project may affect. Appropriate species-specific mitigation measures would be developed during project-level environmental review based on the presence of special-status species and site-specific conditions. Refer to Appendix C for a list of special-status species with potential to occur within the TCAG region. No further response is necessary.

Response 5.13

The commenter recommends adding a requirement for focused pre-construction surveys for special-status species where suitable habitat is present. Specifically, the commenter recommends that a

qualified biologist conduct surveys for special-status species and associated habitat features within 14 days prior to the commencement of project activities. The EIR is programmatic in nature, and the mitigation prescribed in the EIR calls for all future projects to conduct a project-level review to analyze potential impacts to biological resources, including special-status species. Pre-construction surveys are already required by Mitigation Measures BIO-1(f) and BIO-1(g), no more than 48 hours and 14 days before construction, respectively. Additionally, as discussed in Response 5.12, special-status species would be evaluated and species-specific mitigation measures would be developed during project-level environmental review based on site-specific conditions and agency coordination. No further response is necessary.

Response 5.14

The commenter recommends additional avoidance, minimization, and mitigation measures for special-status species that may be affected by future projects implementing the RTP/SCS. The commenter recommends establishing no-disturbance buffers around special-status species and associated habitat areas where feasible, requiring work to cease if special-status species are encountered during project activities, and consulting with the California Department of Fish and Wildlife for project-specific guidance regarding appropriate avoidance, minimization, and mitigation measures. The EIR is programmatic in nature, and the mitigation prescribed in the EIR require future projects implementing the RTP/SCS to conduct project-level environmental review to evaluate potential impacts to biological resources, including special-status species and their habitats. Project specific measures such as habitat buffers will be developed on a project level. As the Draft EIR on page 4.4-27 notes, project-specific environmental documents may adjust biological mitigation measures as necessary to respond to site-specific conditions. To strengthen protections for special-status species, non-disturbance buffers have been added to Mitigation Measure BIO-1(f) and BIO-1(g) in Section 4.4.3, Page 4.4-31 of Section 4.4, *Biological Resources*. As discussed above, agency consultation alone does not constitute mitigation under CEQA and is insufficient to mitigate impacts.

BIO-1(f) Endangered/Threatened/State Candidate Species Avoidance and Minimization During Construction

- If at any time during construction of the project an endangered/threatened/state candidate species enters the construction site or otherwise may be impacted by the project, all project activities shall cease within a minimum 50-foot non-disturbance buffer until the individual has left the site on their own. At that point, a qualified biologist shall recommend an appropriate course of action, which may include consultation with USFWS, NMFS and/or CDFW.

BIO-1(g) Non-Listed and Non-Candidate Special-status Animal Species Avoidance and Minimization

Depending on the species identified in the BRA, the implementing agency shall select from among the following to reduce the potential for impacts to non-listed and non-candidate special-status animal species:

- Preconstruction clearance surveys shall be conducted within 14 days prior to the start of construction (including staging and mobilization). The surveys shall cover the entire disturbance footprint plus a minimum 100-foot buffer and shall identify all special-status animal species that may occur on-site. All non-listed special-status species shall be avoided through implementation of a species-specific avoidance buffer, or, if avoidance is not feasible, relocated from the site either through direct capture or through passive exclusion. A report of the preconstruction survey shall be submitted to the County by the implementing agency for their review and approval prior to the start of construction.

Additionally, as discussed in Response 5.12, special-status species would be evaluated and mitigation developed during project-level environmental review based on site-specific conditions and agency coordination. No further response is necessary.

Response 5.15

The commenter notes that western spadefoot (*Spea hammondi*) is identified in the Draft EIR as a State species of special concern with the potential to occur within the Plan Area and advises that if western spadefoot becomes a candidate or listed species under CESA, future projects affecting the species may require additional consultation and, where avoidance cannot be achieved, acquisition of an ITP pursuant to Fish and Game Code Section 2081(b). This comment provides regulatory and species status information relevant to future project-level implementation and permitting. The comment does not identify a deficiency in the adequacy of the biological resources analysis presented in the EIR related to the western spadefoot. Any future consultation, permitting, or authorization requirements would be addressed at the project level, as warranted and consistent with regulatory requirements in effect at the time of project implementation. Existing mitigation measures requiring project-level biological review and agency coordination would adequately address such requirements. No further response is necessary.

Response 5.16

The commenter supports Mitigation Measure BIO-1(c), which requires implementation of avoidance, minimization, and mitigation measures for special-status plants, but recommends revising the measure to include State candidate plant species. Mitigation Measure BIO-1(c) has been further clarified to incorporate the commenter's recommendations for State candidate plant species. Refer to Response 5.9 above. No further response is necessary.

Response 5.17

The commenter notes that Mitigation Measure BIO-1(b) requires special-status plant surveys to be conducted within one year prior to construction but recommends acknowledging that annual environmental conditions, such as drought, fire, disease, predation, or other disturbances, may affect the detectability of special-status plant species. The commenter recommends that survey timing, frequency, and survey seasons be tailored as necessary to ensure adequate detection of special-status plants and effective mitigation of potential impacts. This comment relates to the implementation and refinement of biological resource mitigation measures for future projects and is intended to improve the effectiveness of special-status plant surveys. The recommendation does not identify a deficiency in the overall adequacy of Mitigation Measure BIO-1(b). Special-status plant surveys will be modified, as appropriate, based on environmental conditions present at the time of project implementation to maximize the likelihood of detecting special-status plant species. As the Draft EIR on page 4.4-27 notes, project-specific environmental documents may adjust biological mitigation measures as necessary to respond to site-specific conditions. No further response is necessary.

Response 5.18

The commenter recommends revisions to Mitigation Measure BIO-1(c) to increase the avoidance buffer for special-status plant populations from 30 feet to a minimum of 50 feet and to provide additional direction when avoidance buffers cannot be maintained. The commenter recommends consultation with CDFW to determine appropriate avoidance, minimization, and mitigation measures, and where applicable, to ensure compliance with regulatory requirements related to the avoidance of take. As the Draft EIR on page 4.4-27 notes, project-specific environmental documents may adjust biological mitigation measures as necessary to respond to site-specific conditions. Additionally, as discussed above, agency consultation alone does not constitute mitigation under CEQA and is insufficient to mitigate impacts. Mitigation Measure BIO-1(f) has been modified to include consultation with USFWS, NMFS and/or CDFW if a candidate species is found on a project site during construction (See Response to Comment 5.14). To specify a minimum of 50 feet for CEQA avoidance measures, the following revision has been made to Mitigation Measure BIO-1(c) on Page 4.4-29 of Section 4.4, *Biological Resources*.

BIO-1(c) Special-Status Plant Species Avoidance, Minimization, and Mitigation

If state or federally listed species, state candidate species, and/or CRPR 1 and 2 species are found during special-status plant surveys [pursuant to mitigation measure BIO-1(b)], then the implementing agency shall redesign the project to avoid impacting these plant species to the maximum extent feasible. Occurrences of these species that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 350 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. If CRPR 3 and 4 species are found, the qualified biologist contracted to conduct the plant surveys [pursuant to mitigation measure BIO-1(b)] shall evaluate to determine if they meet criteria to be considered special-status, and if so, the same process as identified for CRPR 1 and 2 species shall apply.

Additionally, as discussed in Response 5.13, special-status species would be evaluated and mitigation developed during project-level environmental review based on site-specific conditions and agency coordination. This revision does not change the environmental analysis nor conclusions in the EIR. No further response is necessary.

Response 5.19

The commenter recommends adding a mitigation measure addressing situations where State-listed rare, threatened, endangered, or candidate plant species cannot be avoided during implementation of future projects. The commenter recommends consultation with CDFW and acquisition of any necessary take authorization, including an ITP, to ensure compliance with the CESA and Native Plant Protection Act. This comment relates to the implementation and of biological resource mitigation measures for future projects and is intended to ensure compliance with applicable regulatory requirements for special-status plant species. The recommendation does not identify a deficiency in the adequacy of the biological resources analysis and mitigation measures presented in the Draft EIR. Future projects would be required to comply with the CESA and Native Plant Protection Act. No further response is necessary.

Response 5.20

The commenter provides information about SB 790 and Assembly Bill 2344, which both address wildlife connectivity in California and give authority and responsibility to CDFW and/or local and state transportation agencies to implement wildlife connectivity actions.

Because this comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 5.21

The commenter notes the importance of maintaining wildlife corridors and habitat connectivity within and adjacent to the Plan Area to support species movement, migration, genetic exchange, and long-term population viability. The importance of the Plan area and adjacent lands for habitat connectivity and wildlife migration is recognized in the Draft EIR on pages 4.4-17 through 4.4-19 (Setting) and pages 4.4-38 through 4.4-41 (Impact BIO-4). No further response is necessary.

Response 5.22

The commenter recommends conducting detailed studies of existing wildlife corridors and movement patterns within and adjacent to the Plan Area to better evaluate the potential effects of future projects on habitat connectivity. The commenter supports Mitigation Measure BIO-3(a), which requires project-specific wildlife movement assessments, and recommends expanding the measure to include detailed mapping of wildlife movement areas, consideration of cumulative impacts, and incorporation of available wildlife connectivity studies.

Mitigation Measure BIO-3(a) has been further clarified to incorporate the commenter's recommendations, refer to Response 5.23. Additionally, according to CEQA Guidelines Section 15204(a), a lead agency is not required to "conduct every test or perform all research, study, and experimentation recommended or demanded by commentors". The EIR's program-level analysis of wildlife corridor impacts related to implementation of the RTP/SCS is adequate under CEQA, and detailed project-level analysis of wildlife movement impacts due to the implementation of specific projects is properly deferred to second-tier CEQA documents. Refer to CEQA Guidelines Section 15152(c), which notes that when a lead agency is using the tiering process for large scale planning approval, the development of detailed site-specific information can be properly deferred to second-tier environmental documents as long as significant effects of the planning approval are adequately disclosed. No further response is necessary.

Response 5.23

The commenter recommends adding a new mitigation measure that would require project-specific wildlife movement studies, use of preconstruction survey data to develop corridor improvements, and post-construction monitoring. The commenter also suggests adding baseline survey protocols, site-selection and design criteria, and reporting requirements for wildlife movement monitoring.

The Draft EIR provides a program-level evaluation of potential impacts associated with implementation of the RTP/SCS. Because detailed design, construction timing, and site conditions are not yet known, the Draft EIR appropriately evaluates impacts at a broad, programmatic level and identifies performance-based mitigation to be implemented after project specific analysis in future CEQA documents is prepared consistent with CEQA Guidelines Sections 15162, 15163, and 15168. Note that Mitigation Measure 3(a) as written does require that prior to design approval, implementing agencies must conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement.

To mitigate impacts to wildlife corridors, the Draft EIR includes Mitigation Measures BIO-3(a) through BIO-3(c), which incorporate project design for wildlife connectivity and construction best management practices. In response to several of the commenter's comments on habitat connectivity and wildlife corridors, the following revision has been made to Mitigation Measure BIO-3(a) on Page 4.4-40 of Section 4.4, *Biological Resources*.

BIO-3(a) Project Design for Wildlife Connectivity

All projects, including those with long segments of fencing or lighting, shall be designed to minimize impacts to wildlife movement. Fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety; where fencing is necessary, it shall be placed far enough from the structure entrance to avoid blocking wildlife access and shall include design features that maintain clear, functional movement pathways.

Where fencing or other project components are required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as:

- A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;
- A minimum 12 inches between the top two fence wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled;
- If privacy fencing is required near open space areas, openings at the bottom of the fence shall measure at least 16 inches in diameter and be installed at reasonable intervals as defined by a qualified biologist to allow wildlife movement, or the fence may be installed with the bottom at least 16 inches above the ground level;
- If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate;

- Culverts shall be maintained to be free of sediment and vegetation to ensure continued functionality for wildlife passage;
- Project designs shall incorporate terracing to facilitate terrestrial species movement where space allows;
- Culverts shall be upsized where appropriate to support passage of impacted species;
- Crossing structures shall incorporate bench designs where feasible to allow wildlife use of the crossings during flooding;
- Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-3(a) Roadway Lighting for lighting requirements); and
- Vegetative buffers, consisting of California native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat.

In addition, prior to design approval, implementing agencies shall conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. These assessments shall use the best available wildlife-movement protocols and shall inform design of fencing, crossings, and other project features. Post-construction monitoring shall be conducted, where feasible, to confirm wildlife use of implemented movement features and to identify any needed adaptive management. When on-site design measures cannot fully reduce impacts, compensation shall be used as a mitigation option, including but not limited to participation in Regional Conservation Investment Strategies and mechanisms authorized under SB 790, to offset unavoidable connectivity impacts at a landscape scale.

It is the responsibility of the implementing agencies of individual projects to conduct environmental review consistent with CEQA and, where applicable, consider mitigation measures provided in the Program EIR. As stated throughout the Draft EIR, project-specific environmental documents may adjust mitigation measures as necessary or incorporate to respond to site specific conditions. Additional mitigation measures may also be developed for project-specific impacts.

Response 5.24

The commenter supports the incorporation of wildlife-friendly design features into future projects implementing the RTP/SCS to maintain and enhance wildlife connectivity. The commenter recommends modifications to Mitigation Measure BIO-3(a) to discourage the use of intermittent fence openings in lieu of a continuous gap beneath wildlife-friendly fencing and to require consideration of potential fencing impacts on wildlife movement and wildlife-vehicle collisions. The commenter recommends that future projects evaluate additional design considerations to improve wildlife passage and connectivity. As discussed under Impact BIO-3, the Draft EIR provides a program-level evaluation of potential impacts to wildlife movement and habitat connectivity, and Mitigation Measures BIO-3(a) through BIO-3(c) require future projects to incorporate design features and best management practices that minimize impacts to wildlife movement and maintain connectivity where feasible. In response to several of the commenter's comments on habitat connectivity and wildlife corridors, the following revision has been made to Mitigation Measure BIO-3(a) on Page 4.4-40 of Section 4.4, *Biological Resources*.

BIO-3(a) Project Design for Wildlife Connectivity

All projects, including those with long segments of fencing or lighting, shall be designed to minimize impacts to wildlife movement. Fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety; where fencing is necessary, it shall be placed far enough from the structure entrance to avoid blocking wildlife access and shall include design features that maintain clear, functional movement pathways.

Where fencing or other project components are required for public safety concerns, these project components shall be designed to permit wildlife movement by incorporating design features such as:

- A minimum 16 inches between the ground and the bottom of the fence to provide continuous clearance for small animals;
- A minimum 12 inches between the top two fence wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled;
- If privacy fencing is required near open space areas, ~~openings at the bottom of the fence shall measure at least 16 inches in diameter and be installed at reasonable intervals as defined by a qualified biologist to allow wildlife movement, or the fence may be installed with the bottom at least 16 inches above the ground level or as defined by a qualified biologist to allow wildlife movement;~~
- If fencing or other project components must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures such as overpasses, underpasses, culverts, etc., shall be incorporated into the project design as appropriate;
- Culverts shall be maintained to be free of sediment and vegetation to ensure continued functionality for wildlife passage;
- Project designs shall incorporate terracing to facilitate terrestrial species movement where space allows;
- Culverts shall be upsized where appropriate to support passage of impacted species;
- Crossing structures shall incorporate bench designs where feasible to allow wildlife use of the crossings during flooding;
- Lighting installed as part of any project shall be designed to be minimally disruptive to wildlife (see mitigation measure AES-3(a) Roadway Lighting for lighting requirements);
- Vegetative buffers, consisting of California native plant and tree species, shall be installed where feasible to provide a natural noise barrier between roadway projects and sensitive wildlife habitat, including movement corridors. The buffer shall be maintained in perpetuity to ensure noise levels from the roadway are minimized within adjacent sensitive habitat; and
- Design features that support wildlife movement, such as minimizing lengths (entry to exit) of dedicated wildlife crossings for certain species guilds; designs (grates, shelving, terracing, etc.) that facilitate illumination from sunlight; maximizing heights of crossings or adding bridges for larger species guilds; natural cover types to encourage use; bench designs to allow use of the crossings during flooding; and smaller animal escape areas within or adjacent to the dedicated wildlife crossings.

In addition, prior to design approval, implementing agencies shall conduct wildlife movement assessments to evaluate connectivity constraints and identify opportunities to maintain or enhance wildlife movement. These assessments shall use the best available wildlife-movement protocols and shall inform design of fencing, crossings, and other project features. Post-construction monitoring shall be conducted, where feasible, to confirm wildlife use of implemented movement features and to identify any needed adaptive management. When on-site design measures cannot fully reduce impacts, compensation shall be used as a mitigation option, including but not limited to participation in Regional Conservation Investment Strategies and mechanisms authorized under SB 790, to offset unavoidable connectivity impacts at a landscape scale.

Response 5.25

The commenter suggests that the EIR establish measures for wildlife-friendly fencing, including placement restrictions and designing fencing to deter wildlife from crossing roads and other infrastructure to reduce vehicle collisions with wildlife.

Mitigation Measure BIO-3(a) requires project design to consider wildlife connectivity and provides a non-exhaustive list of design parameters meant to promote wildlife movement, consistent with the commenter's suggestion. Mitigation Measure BIO-3(a) has been further clarified to specify that fencing shall not be installed at the openings of culverts, undercrossings, or other wildlife passage structures unless required for public safety, and that any necessary fencing shall be placed far enough from structure entrances to avoid blocking wildlife access. The measure has also been expanded to include culvert improvements to support wildlife passage during both wet and dry years, including but not limited to maintaining culverts free of sediment and vegetation, terracing where space allows to facilitate terrestrial species movement, and upsizing culverts to support passage of impacted species.

Response 5.26

The commenter suggests that the EIR establish measures for culvert improvements including culvert maintenance, implementing terracing, and upsizing to support passage of impacted species.

As described in Response 5.23, Mitigation Measure BIO-3(a) requires project design to consider wildlife connectivity and provides a non-exhaustive list of project design parameters meant to promote wildlife movement. Mitigation Measure BIO-3(a) has been revised to include restrictions on fencing at culvert and crossing entrances to avoid blocking wildlife access, as well as culvert improvements to support wildlife passage during wet and dry years, including maintaining culverts free of sediment and vegetation, adding terracing where space allows to facilitate terrestrial species movement, and upsizing culverts where appropriate to support passage of impacted species. In addition, Mitigation Measure BIO-3(b) requires connectivity in drainages to be maintained to allow for continued wildlife movement.

Response 5.27

The commenter suggests that the EIR establish measures to consider design features that would support wildlife movement such as limit lengths of wildlife crossings; allow for light penetration; maximize crossing heights or add bridges; encourage the use of corridors by using natural cover types; encourage the use of bench designs to allow crossings during flooding; and smaller animal escape areas.

As described in Response 5.23, Mitigation Measure BIO-3(a) requires project design to consider wildlife connectivity and provides a non-exhaustive list of design parameters meant to promote wildlife movement. Mitigation Measure BIO-3(a) has been further revised to incorporate the commenter's recommendations for wildlife-friendly designs. See Response to Comment 5.24 for clarification and revised text for Mitigation Measure BIO 3(a), Project Design for Wildlife Connectivity.

Response 5.28

The commenter suggests that the Draft EIR establish scientifically-defensible corridor width requirements and recommends a width of at least 2 kilometers except at bottlenecks.

The 2026 RTP/SCS is a compilation of transportation improvement projects and the land use scenario envisioned within the TCAG region through 2049. The 2026 RTP/SCS does not propose new wildlife corridors, nor does it propose enhancement of existing wildlife corridors. Therefore, the EIR does not propose "scientifically-defensible corridor width" requirements. No revisions to the EIR are required in response to this comment.

Response 5.29

The commenter recommends coordination with regional CDFW and conservation engineering staff on the design of mitigation measures for wildlife, including passage undercrossings, directional fencing, sediment and debris removal, control of invasive plant species, signage, and education.

Mitigation Measure BIO-3(a), Mitigation Measure BIO-3(b), and Mitigation Measure BIO-3(c) would require projects to be designed for wildlife connectivity, maintain connectivity in drainages, and implement BMPs to minimize disruption to wildlife. As noted in Response 5.23, it is the responsibility of the implementing

agencies for individual projects to conduct project-level environmental review consistent with CEQA and, where applicable, consider the mitigation measures provided in the Program EIR. As stated throughout the EIR, project-specific environmental documents may adjust mitigation measures as necessary to respond to site specific conditions. Additional mitigation measures may also be developed for project-specific impacts. If future projects implement additional mitigation measures related to wildlife movement and connectivity such as passage undercrossings, directional fencing, sediment and debris removal, control of invasive plant species, signage, and education, the agencies implementing those projects will coordinate with CDFW in the manner required by CEQA or the Fish and Game Code. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 5.30

The commenter recommends that wildlife movement corridors be monitored during all 2026 RTP/SCS phases. The commenter also recommends that after completion of projects, wildlife connectivity structures should be studied for an additional 1-2 years. The commenter recommends that movement studies should be used to decide on locations for design modifications meant to support wildlife movement and connectivity. The commenter also recommends that wildlife crossings are monitored before and after construction by using camera traps, track beds, and other methods.

Mitigation Measure BIO-3(a) includes project-level monitoring recommendations, ensuring that wildlife movement features designed under this measure are evaluated after construction to confirm their effectiveness. Also, as noted in Response 5.23, it is the responsibility of the implementing agencies of individual projects to conduct environmental review consistent with CEQA and, where applicable, consider mitigation measures provided in the Program EIR. Project-specific environmental documents may adjust mitigation measures as necessary or incorporate to respond to site specific conditions. Additional mitigation measures may also be developed for project-specific impacts. The EIR provides a program-level evaluation of potential impacts associated with implementation of the RTP/SCS, and proposes program-level mitigation measures. Because detailed design, construction timing, and site conditions are not yet known, the Draft EIR appropriately evaluates impacts at a broad, programmatic level and proposes program-level mitigation measures.

Response 5.31

The commenter recommends that the Draft EIR should include an analysis of beneficial and feasible wildlife movement corridors at off-site locations that could be implemented to enhance wildlife connectivity.

The 2026 RTP/SCS is a compilation of transportation improvement projects and the land use scenario envisioned within the TCAG region through 2049. The 2026 RTP/SCS does not propose to enhance wildlife corridors and the location and extent of potential impacts to specific wildlife corridor impacts are not known at this time due to the programmatic level of this EIR. However, the EIR does evaluate potential impacts to wildlife movement and includes Mitigation Measure BIO-3(a) which allows for beneficial and feasible actions to avoid, minimize, or compensate for impacts to wildlife connectivity, including off-site mitigation where appropriate. Because specific project impacts and suitable off-site enhancement locations are not known at this time, such measures would be identified during future project-level environmental review. Therefore, no further revisions to the Draft EIR are required in response to this comment.

Response 5.32

The commenter recommends that the 2026 RTP/SCS evaluate the development of advanced mitigation credits to support future projects and address impacts to connectivity. The commenter reiterates that SB 790 allows for CDFW to approve compensatory mitigation credits for wildlife connectivity improvements. Lastly, the commenter states that these improvements should improve habitat connectivity, wildlife

migration, recolonization, and breeding opportunities, especially in areas hindered by fragmentation or infrastructure.

There is no requirement for an RTP/SCS to evaluate or include habitat connectivity and wildlife corridor advanced mitigation concepts. As noted in Response 5.23, Mitigation Measure BIO-3(a) already recommends compensation as an allowable mitigation option, and has been revised to include the use of Regional Conservation Investment Strategies and mechanisms authorized under SB 790, where appropriate.

Response 5.33

The commenter recommends that on- or off-site compensatory mitigation should be implemented to offset unavoidable impacts to wildlife corridors if redesigns or other measures do not fully avoid impacts.

Mitigation Measure BIO-3(a) already recognizes compensation as an allowable mitigation option, and has been revised to include the use of Regional Conservation Investment Strategies and mechanisms authorized under SB 790, where appropriate, to offset unavoidable impacts to wildlife movement and connectivity. These compensation pathways would complement project-level design features by providing landscape-scale mitigation when on-site measures cannot fully reduce impacts.

Response 5.34

The commenter notes that the Draft EIR identifies significant and unavoidable impacts related to special-status species, sensitive habitats, and wildlife movement and states that future projects implementing the RTP/SCS may have the potential to result in similar biological resource impacts. The commenter recommends that future tiered projects clearly disclose their biological resource impacts and include comprehensive biological resource and cumulative impact analyses during project-level environmental review. This comment pertains to future project-level environmental analysis and documentation and does not identify a deficiency in the adequacy of the program-level biological resources analysis presented in the EIR. It is noted that future projects implementing the RTP/SCS will be subject to project-specific environmental review, including evaluation of biological resource impacts and cumulative effects, as appropriate. No further response is necessary.

Response 5.35

The commenter states that the Draft EIR's cumulative impacts analysis for biological resources is overly broad and does not adequately evaluate impacts to specific biological resources. The commenter recommends preparing more detailed cumulative impact analyses for biological resources that may be significantly or potentially significantly affected by implementation of the RTP/SCS, including special-status species, sensitive habitats, wildlife movement corridors, and other resources that are rare or declining. The commenter recommends that the EIR conduct a cumulative impact analysis for all biological resources significantly impacted or potentially significantly impacted by the RTP/SCS. The commenter further recommends that the EIR's cumulative analyses utilize resource-specific study areas and methodologies that evaluate the effects of past, present, and reasonably foreseeable future projects on the affected resources. The commenter also offers consultation assistance in support of the EIR's cumulative impact analyses.

The EIR provides a program-level evaluation of cumulative biological resource impacts consistent with CEQA requirements for a regional transportation plan. According to CEQA Guidelines Section 15204(a), a lead agency is not required to "conduct every test or perform all research, study, and experimentation recommended or demanded by commentors". The EIR's program-level analysis of cumulative impacts related to implementation of the RTP/SCS is adequate under CEQA, and detailed project-level analysis of cumulative impacts due to the implementation of specific projects is properly deferred to second-tier CEQA documents. At that time, consultation with CDFW on cumulative impacts would occur as required by CEQA.

Refer to CEQA Guidelines Section 15152(c), which notes that when a lead agency is using the tiering process for large scale planning approval, the development of detailed site-specific information can be properly deferred to second-tier environmental documents as long as significant effects of the planning approval are adequately disclosed. It is appropriate for programmatic CEQA documents to include a “general level of analysis of cumulative impacts” and to “defer more specific discussion of cumulative impacts to site-specific environmental documents. (*Western States Petroleum Association v. State Air Resources Board* (2025) 108 Cal. App. 4th 938, 988.) No further response is necessary.

Response 5.36

The commenter questions whether the cumulative biological resources analysis and alternatives evaluation adequately informed the development of alternatives intended to avoid or minimize impacts to biological resources. The commenter notes that the alternatives considered in the Draft EIR include similar transportation projects and recommends consideration of alternative routes, configurations, or other approaches that could further reduce impacts to sensitive biological resources. The commenter also notes that future projects implementing the RTP/SCS may require additional mitigation where impacts to biological resources cannot be fully avoided.

The Draft EIR evaluates a reasonable range of alternatives at a programmatic level, consistent with CEQA requirements, and analyzes the comparative environmental impacts of those alternatives. Because the specific design, location, and configuration of many future projects are not yet known, detailed consideration of alternative alignments, configurations, and resource-specific avoidance measures is appropriately addressed during subsequent project-level environmental review. The Draft EIR does evaluate the No Project Alternative, a programmatic alternative that does exclude new transportation projects and reduces biological impacts. No further response is necessary.

Response 5.37

The commenter requests that CDFW’s Lake and Streambed Alteration Program be notified prior to conducting any project activities that have the potential to impact or change the bed, bank, and channel of rivers, streams, and other waterways.

State law requires implementing agencies to notify CDFW’s Lake and Streambed Alteration Program pursuant to Fish and Game Code Section 1600 et seq., prior to conducting any project activities that affect waters regulated under this program. The lake and streambed alteration agreement program requirements are acknowledged on Draft EIR Page 4.4-34.

Response 5.38

The commenter recommends that the Draft EIR include additional information regarding applicable Fish and Game Code requirements associated with activities that may affect streams, rivers, lakes, or other regulated resources. The commenter further recommends that future projects implementing the RTP/SCS retain a qualified biologist to evaluate whether notification to the California Department of Fish and Wildlife pursuant to Fish and Game Code Section 1602 may be required.

The EIR does on page 4.4-22 and 4.4-34 acknowledge lake and streambed permit requirements that would apply to future projects implementing the RTP/SCS. This comment primarily relates to compliance with applicable regulatory requirements during future project implementation and environmental review. The comment does not identify a deficiency in the overall adequacy of the biological resources analysis presented in the EIR. It is noted that future projects implementing the RTP/SCS will be subject to project-specific environmental review and permitting requirements, including evaluation of the need for any applicable permits, agreements, or consultations with regulatory agencies. No further response is necessary.

Response 5.39

The commenter recommends that vegetation- and ground-disturbing activities occur outside of the bird nesting season where feasible. The commenter further notes that if such activities must occur during the nesting season, future projects implementing the RTP/SCS should ensure compliance with the Migratory Bird Treaty Act and applicable sections of the California Fish and Game Code to avoid impacts to nesting birds. Mitigation Measure BIO-1(h) requires nesting bird surveys and avoidance of species protected under the MBTA and CFGC; Mitigation Measure BIO-1(h) has been further revised to incorporate the commenter's recommendations for vegetation removal during the non-breeding season on Page 4.4-32 of Section 4.4, *Biological Resources*.

BIO-1(h) Preconstruction Surveys for Nesting Birds

Initial vegetation removal and ground disturbance shall be limited to the non-breeding season (September 16 to January 31) to the extent feasible. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the MBTA, and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist no more than 10 days prior to vegetation removal activities.

Response 5.40

The commenter supports the establishment of avoidance buffers around active nests but recommends additional measures to further protect nesting birds during project implementation. The commenter recommends continuous monitoring of active nests by a qualified biologist to detect behavioral changes resulting from construction activities and to implement additional avoidance measures if impacts are observed. The commenter also recommends minimum avoidance buffers for active nests of non-listed birds and raptors where continuous monitoring is not feasible and provides recommendations regarding buffer modifications under site-specific conditions.

It is noted that Mitigation Measure BIO-1(h) already requires establishment of species-appropriate avoidance buffers by a qualified biologist. This comment relates to the implementation and refinement of nesting bird protection measures for future projects implementing the RTP/SCS. The recommendation does not identify a deficiency in the overall adequacy of the nesting bird impact analysis or mitigation measures presented in the EIR. The EIR provides a program level evaluation of potential nesting bird impacts associated with implementation of the RTP/SCS, and proposes program-level mitigation measures. Because detailed design, construction timing, and site conditions are not yet known, the Draft EIR appropriately evaluates impacts at a broad, programmatic level and proposes program-level mitigation measures. Mitigation Measure BIO-1(h) has been further revised to incorporate the commenter's recommendations for nest monitoring on Page 4.4-32 of Section 4.4, *Biological Resources*.

BIO-1(h) Preconstruction Surveys for Nesting Birds

Initial vegetation removal and ground disturbance shall be limited to the non-breeding season (September 16 to January 31) to the extent feasible. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC, the MBTA, and Bald and Golden Eagle Protection Act shall be conducted by a qualified biologist no more than 10 days prior to vegetation removal activities.

A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of bald and golden eagles shall cover all areas within of the disturbance footprint plus a one-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively.

If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. If the buffer for non-listed passerines is less than 250ft, or 500 ft for non-listed raptors, the biologist shall monitor the nest for signs of disturbance and

normal baseline behavior during the first day of construction. If the individuals show signs of disturbance, such as scolding, flushing, or hesitating when returning to the nest, the buffer shall be increased. All buffers shall be marked using high visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the qualified biologist has verified that young have fledged from the nest, or the nest fails.

For bald or golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established by a qualified biologist on a case-by-case basis in consultation with the USFWS and CDFW. The size of the buffer may be influenced by the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing, and duration of the expected disturbance. The buffer shall be established between February 1 and September 15; however, buffers may be relaxed earlier than September 15 if a qualified biologist determines that a given nest has failed or that all surviving chicks have fledged, and the nest is no longer in use.

The qualified biologist shall prepare a report of these preconstruction nesting bird surveys and nest monitoring (if applicable) to be submitted by the qualified biologist to the implementing agency for review and approval prior to the start of construction.

Response 5.41

The commenter notes that the California Natural Diversity Database (CNDDDB) may not contain all occurrences of special-status species because species records are submitted voluntarily and the absence of a documented occurrence does not necessarily indicate that a species is absent from a site. The commenter recommends that future projects implementing the RTP/SCS conduct biological surveys by qualified biologists and botanists using appropriate protocols and survey methodologies during suitable survey periods to determine the presence or absence of special-status species and evaluate potential impacts to biological resources. This comment provides recommendations regarding future project-level biological resource surveys and impact assessments and does not identify a deficiency in the overall adequacy of the biological resources analysis presented in the EIR. It is noted that future projects implementing the RTP/SCS will be subject to project-specific environmental review, including biological resource surveys and evaluation of special-status species, as appropriate. No further response is necessary.

Response 5.42

The commenter restates Public Resources Code Section 21003(e) and requests that any special-status species or natural communities detected during project surveys be reported to the CNDDDB, provides a weblink to the CNDDDB field survey form, and information regarding form submittal.

Public Resources Code Section 21003(e) establishes a state policy that information developed in CEQA documents should be incorporated into a database that can be used to make subsequent or supplemental environmental determinations. When project-specific CEQA documents are prepared, special-status species or natural communities detected during project surveys will be reported to the CNDDDB consistent with Public Resources Code Section 21003(e).

Response 5.43

The commenter notes that filing fees, which help defray the cost of environmental review by CDFW, are payable upon filing of the NOD.

Filing fees will be paid upon filing the RTP/SCS NOD, as required by Public Resources Code Section 21089.

Response 5.44

The commenter explains they appreciate the opportunity to comment on the Draft EIR and provides a link to a CDFW webpage with more information on survey and monitoring protocols.

Because the comment does not pertain to the adequacy of the EIR or CEQA process, no response is required.

Response 5.45

The commenter provided an attachment of a recommended Mitigation and Monitoring Program (MMRP). The commenter additionally provides contact information, should TCAG have any questions regarding the comment letter or require any further coordination.

The recommended MMRP reiterates the 10 mitigation measures suggested previously in the comments above. Please see the above responses, including Responses 5.23 through 5.27 and 5.29 through 5.33, for information regarding the commenter's suggested mitigation measures. To the extent the commenter's suggested mitigation measures are incorporated in the RTP/SCS EIR mitigation measures, they will be included in the EIR's MMRP, consistent with CEQA requirements. The contact information provided in this comment is noted.

Response 5.46

The commenter provides a list of attachments that are referenced in their letter. This specific comment refers to Attachment 1, which is CDFW's June 2025 NOP comment letter.

Refer to Response 5.8 for information regarding how TCAG responded to CDFW's June 2025 NOP letter.

Response 5.47

The commenter provides a list of attachments that are referenced in their letter. This specific comment refers to Attachment 2, which is the MMRP described in Comment 5.45.

Refer to Response 5.45 for information regarding the commenter's recommended MMRP.

Response 5.48

The commenter provides a list of citations that are referenced throughout their letter.

These references were reviewed along with their respective comments within the letter and were considered when providing individual responses to comments. Because the comment does not pertain to the adequacy of the EIR or CEQA process, no further response is required.

Letter 6



Gavin Newsom
GOVERNOR
Toks Omishakin
SECRETARY OF TRANSPORTATION
Ian Choudri
CHIEF EXECUTIVE OFFICER



July 31, 2026

Theodore Smalley, Executive Director
Tulare County Association of Governments
210 N. Church Street, Suite B
Visalia, CA 93291
TSmalley@tularecag.ca.gov

Subject: Draft Regional Transportation Plan and Sustainable Community Strategy

Dear Theodore,

Thank you for the opportunity to comment on the Draft Regional Transportation Plan (RTP) and Sustainable Community Strategy (SCS) documents. The California High Speed Rail Authority's program represents a bold vision to transform the state's future by delivering fast, reliable, zero-emission train service. The benefits of high-speed rail extend beyond mobility; it is a catalyst for economic growth, environmental sustainability, and social equity to meet the needs of a growing population. By linking communities across the state, high-speed rail will expand access to jobs, education, and affordable housing, while reducing greenhouse gas emissions and providing an alternative to congested highways and airports. This vision is consistent with the Tulare County Association of Governments' 2026 Draft Regional Transportation Plan and Sustainable Community Strategy.

6.1

6.2

The Authority's provides the following comment with regard to the Draft 2026 RTP/SCS documents:

We recommend that TCAG staff review and reference the Authority's 2026 Business Plan documents describing the current status of work and future outlook on the high speed rail project in the RTP/SCS documents. This will demonstrate coordination, consistency, and alignment between these critical state and regional endeavors.

6.3

<https://hsr.ca.gov/communications-outreach/reports/business-plans/2026-business-plan/>

Tulare County Association of Governments

Page 2

July 30, 2026

The Authority looks forward to continued collaboration on issues of shared interest, including station area planning that will leverage the state's and Tulare County's investments in multi-modal transit infrastructure.

6.4

Please reach out if you have any questions.

Sincerely,



Ben Lichty, AICP
Principal Transportation Planner
Planning & Sustainability
Ben.Lichty@hsr.ca.gov

cc: Allison Rodriguez, Central Valley Deputy Regional Director

Letter 6

Commenter: Ben Lichty, California High Speed Rail Authority

Date: July 31, 2026

Response 6.1

The commenter appreciates the opportunity to provide comments and recommendations regarding activities in the 2026 RTP/SCS that may affect the California High Speed Rail Authority's program.

Because this introductory comment does not pertain to the adequacy of the EIR or CEQA process, no further response is necessary.

Response 6.2

The commenter describes the California High-Speed Rail Authority's vision to provide a fast, reliable, and zero-emission transportation system and notes the anticipated economic, environmental, and social benefits associated with implementation of the statewide high-speed rail program. The commenter states that the goals of the high-speed rail program, including expanded mobility, improved access to jobs and housing, reduced greenhouse gas emissions, and enhanced regional connectivity, are consistent with the objectives of the 2026 RTP/SCS. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. These comments are supportive and do not raise any specific significant environmental issues or raise issues on the adequacy of the environmental analysis included in the EIR. No further response is necessary.

Response 6.3

The commenter recommends that TCAG review and reference the California High-Speed Rail Authority's 2026 Business Plan within the RTP/SCS documents to reflect the current status and future outlook of the high-speed rail program. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. The comments are relevant to future transportation projects and planning activities implemented by future 2026 RTP/SCS projects where coordination with the California High-Speed Rail Authority would occur during project development and environmental review. This comment does not identify any specific significant environmental impacts or deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 6.4

The commenter expresses a desire to continue coordination with TCAG on issues of mutual interest, including station area planning and the integration of multimodal transportation improvements that support future California High-Speed Rail service. This comment pertains to the 2026 RTP/SCS, not the EIR; nevertheless, the following response is provided. The comments do not identify any specific significant environmental impacts or deficiencies the environmental analysis presented in the EIR. No further response is necessary.



Letter 7

August 3, 2026

Steven Ingoldsby
Tulare County Association of Governments
210 N. Church Street, Suite B
Visalia, CA 93291

Sent via email to SIngoldsby@tularecag.ca.gov

RE: City of Visalia Response to the Notice of Availability for the 2026 Regional Transportation Plan and Sustainable Communities Strategy Program EIR

Dear Mr. Ingoldsby,

Thank you for the opportunity to comment on the Tulare County Association of Governments' (TCAG) Notice of Availability (NOA) for the 2026 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) Program Environmental Impact Report (EIR) (SCH No. 2025050379) as a Responsible Agency under the California Environmental Quality Act (CEQA).

Pursuant to Public Resources Code Section 21104.1, the City, acting as a Responsible Agency, "shall only make substantive comments regarding those activities involved in a project that are within an area of expertise of the agency or that are required to be carried out or approved by the agency."

The City appreciates the effort undertaken by TCAG to prepare a countywide Program EIR intended to support future transportation and land use planning activities. The City's comments generally focus on the usefulness of the Program EIR for future CEQA tiering and implementation by Responsible Agencies. Several comments request clarification regarding the relationship between program-level mitigation and existing regulatory requirements, the implementation of mitigation measures by local agencies, and the analytical basis supporting certain significance determinations.

The City requests clarification regarding the following issues:

Project Description and Program-Level Analysis

1. The DEIR states that the RTP/SCS consists of a Policy Element, Sustainable Communities Strategy, and Action Element that together comprise the proposed project and have the potential to result in physical environmental effects. However, much of the DEIR's discussion focuses on the transportation projects identified in Table 2-2. The Action Element contains numerous additional transportation strategies, programs, and implementation measures, including transit service expansions, active transportation investments, vanpool programs, ridesharing initiatives, telework strategies, and other transportation demand management measures. The Final EIR should clarify whether all of these Action Element components are part of the proposed project, whether they were incorporated into the travel demand, air quality, greenhouse gas, and VMT analyses, and how they



contribute to the environmental impact conclusions. If these measures are part of the RTP/SCS being approved, the EIR should clearly disclose and analyze their environmental effects as part of the whole of the action.

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cont.

2. **Cultural and Paleontological Resource Measures.** The City notes that many RTP transportation projects are identified at known locations and corridors (see Figures 2-4 through 2-9 and Table 2-2) with defined termini and approximate footprints. The Draft EIR appears to rely primarily on future project-level investigations and assessments rather than performing a program-level records review of known cultural resources and regional paleontological sensitive screening using available geologic mapping, paleontological sensitivity classifications, or fossil locality databases. If such screening was not conducted, the Final EIR should explain why a program-level assessment was not feasible given the known locations of many RTP projects. The City further recommends that Mitigation Measure CUL-2 expressly reference consultation with the appropriate CHRIS Information Center as part of future cultural resources evaluations.

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Transportation and VMT

3. Table 4.15-2 presents regional vehicle miles traveled information but does not provide a jurisdiction-level breakdown of modeled VMT, population, employment, or related transportation assumptions. Because local agencies will rely on the RTP/SCS and its EIR for future transportation planning, CEQA tiering, and SB 743 implementation, the City requests that the Final EIR provide additional information regarding jurisdiction-specific VMT assumptions and model outputs. Such information would assist Responsible Agencies in evaluating consistency between local General Plans, future development projects, and the RTP/SCS transportation modeling framework.
4. The Final EIR should explain why the projected increase in total regional VMT constitutes a significant environmental impact given that per-capita VMT decreases, the RTP/SCS achieves its SB 375 targets, and regional GHG emissions are projected to decline. The City requests clarification regarding the environmental consequences associated with the increase in total VMT and the threshold of significance supporting the impact conclusion.
5. The Draft EIR concludes that induced vehicle travel associated with transportation improvements would result in a less-than-significant impact, while vehicle travel associated with implementation of the RTP/SCS land use forecast would result in a significant and unavoidable impact. The City requests clarification regarding the analytical distinction between these conclusions. Specifically, the Final EIR should explain the extent to which projected increases in regional VMT are attributable to transportation investments, land use development, or the interaction between the two, and how those factors were considered in the significance determinations.

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Mitigation Measures

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| <p>6. Mitigation Measures AES-1(a), AES-1(b), AES-2, AES-3(a), and AES-3(b). The Draft EIR identifies eligible State Scenic Highways and County-designated scenic roadways but does not clearly identify which specific scenic vistas, viewsheds, corridors, or RTP/SCS projects that are anticipated to experience significant impacts. The Final EIR should provide additional information identifying the scenic resources affected by implementation of the RTP/SCS, including the relationship between planned transportation improvements, anticipated growth areas, and identified scenic highways and corridors. This information would assist Responsible Agencies in understanding the basis for the significance determination and the intended application of these mitigation measures.</p> | <p>7.16</p> <p>7.17</p> |
| <p>7. Mitigation Measure AES-1(a). This measure should clarify the basis for the 2:1 tree replacement ratio and explain how replacement trees would mitigate the loss of mature trees contributing to scenic vistas and scenic highway corridors. The Final EIR should identify whether replacement must occur within the affected viewshed, whether canopy replacement is required, and whether existing local tree preservation ordinances are intended to satisfy this mitigation measure.</p> | <p>7.18</p> <p>7.19</p> |
| <p>8. Mitigation Measures AES-1(b) and AES-2. These measures contain qualitative design objectives but do not identify objective performance standards or measurable criteria that can be used by Responsible Agencies to determine compliance. The Final EIR should clarify whether these measures are intended as discretionary design guidance or enforceable mitigation measures and provide examples of objective implementation criteria where feasible.</p> | <p>7.20</p> <p>7.21</p> |
| <p>9. Mitigation Measures AES-3(a) and AES-3(b). The City request clarification on implementation of these measures, which appear to rely primarily on qualitative design concepts but do not identify objective performance standards or measurable criteria by which implementing agencies can determine compliance. The Final EIR should identify applicable objective standards, such as lighting design criteria, shielding requirements, light trespass limits, glare reduction standards, or other measurable benchmarks, or clarify that these measures are intended as discretionary design guidance rather than enforceable mitigation measures.</p> | <p>7.22</p> <p>7.23</p> |
| <p>10. Mitigation Measure AQ-2(a). This measure appears to rely substantially on implementation of fugitive dust control measures required pursuant to San Joaquin Valley Air Pollution Control District Regulation VIII. The Final EIR should clarify the extent to which AQ-2(a) consists of compliance with existing regulatory requirements versus additional mitigation adopted specifically for implementation of the RTP/SCS. If the measure incorporates requirements beyond those already mandated by Regulation VIII, the Final EIR should identify those additional requirements.</p> | <p>7.24</p> <p>7.25</p> |



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| 11. Mitigation Measure AQ-3(b). This measure includes recommendations regarding the location of sensitive receptors relative to major roadways, as well as potential building design and energy-efficiency measures. The City requests clarification regarding: | 7.26 |
| a. Whether the measure is intended to require amendments to local General Plans, zoning ordinances, specific plans, or development standards; | 7.27 |
| b. Whether alternative measures, such as building filtration systems, building orientation, or other exposure reduction strategies, may be used in lieu of separation distances; | 7.28 |
| c. Which provisions reflect existing State requirements, including Title 24 standards, versus new mitigation measures proposed by the RTP/SCS; and | 7.29 |
| d. How implementing agencies are expected to determine compliance where adopted local plans already designate housing sites within the identified setback distances. | 7.30 |
| 12. Mitigation Measure AQ-5. This measure appears to rely on future project-level health risk assessments and subsequent implementation of exposure reduction measures. The City requests clarification regarding the extent to which the Draft EIR has evaluated potential health-risk impacts associated with planned roadway capacity improvements and whether AQ-5 is intended to mitigate identified impacts or determine whether significant impacts exist. The Final EIR should identify any program-level assumptions, significance thresholds, and performance standards that will guide future project-level analyses and ensure that the measure does not defer environmental analysis to a later stage. | 7.31 |
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| 13. Biological Resource Mitigation Measures. Several biological mitigation measures appear to consist primarily of compliance with existing Federal and State regulatory requirements, including the Federal Endangered Species Act, California Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, and Fish and Game Code. The Final EIR should distinguish between (1) mitigation that would be required independent of CEQA through existing permitting processes and (2) additional mitigation measures adopted specifically to reduce impacts of the RTP/SCS. This clarification would assist Responsible Agencies in understanding the extent to which impact reduction relies upon existing regulatory programs versus project-specific mitigation. | 7.34 |
| | 7.35 |
| 14. Mitigation Measures GHG-2 and GHG-4. The City notes that these measures appear to include land use, development, transportation demand management, and other policy-oriented measures that may require amendments to local General Plans, zoning ordinances, development standards, parking standards, circulation elements, or other local policies. The Final EIR should clarify whether these measures are intended as recommendations, enforceable mitigation measures, or prerequisites for RTP/SCS implementation. The City further requests clarification regarding whether implementation of these measures is expected as a condition of receiving transportation funding programmed through the RTP/SCS or related | 7.36 |
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regional funding programs, and whether local agencies are expected to amend adopted plans or regulations to achieve compliance.

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cont.**

The Draft EIR indicates that the RTP/SCS growth forecasts are based on adopted local General Plans and other local planning documents. However, the EIR does not clearly identify whether the local plans incorporated into the RTP/SCS are assumed to be consistent with SB 743 implementation, regional GHG reduction strategies, or other climate planning assumptions used in the RTP/SCS modeling process. The City requests clarification regarding whether implementation of Mitigation Measures GHG-2 and GHG-4 would require amendments to local General Plans, zoning ordinances, circulation elements, or other adopted policies beyond those already reflected in the RTP/SCS forecasts. The Final EIR should further clarify whether the RTP/SCS modeling assumes implementation of such future policy changes.

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If implementation of these measures is not intended to be mandatory for project programming or funding, the Final EIR should clearly state that these measures are recommendations or best practices rather than enforceable conditions.

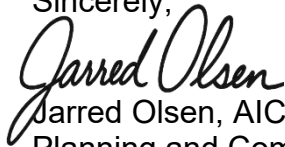
7.42

Given that many RTP/SCS transportation projects are identified at known locations and are anticipated to seek future state and federal funding, the City encourages TCAG to conduct screening-level environmental assessments where feasible to identify potential biological, cultural, paleontological, agricultural, hazardous materials, and other environmental constraints. Such information would improve the usefulness of the RTP/SCS for future project development, grant funding applications, and CEQA/NEPA tiering.

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Thank you very much for your time and consideration. Pursuant to Public Resources Code Section 21092.2 and Government Code Section 65092, the City requests to be notified of environmental notices and public hearing notices for this project. Please contact me with any questions related to the City's comments.

Sincerely,



Jarred Olsen, AICP, Principal Planner
 Planning and Community Preservation Department

7.44

cc: Leslie Caviglia, City Manager
 John Lollis, Assistant City Manager
 Chris Crawford, City Engineer
 Paul Bernal, Planning and Community Preservation Department Director
 Brandon Smith, AICP, Principal Planner

Letter 7

Commenter: Jarred Olsen, City of Visalia, Planning and Community Preservation Department

Date: August 3, 2026

Response 7.1

The commenter appreciates the opportunity to review and comment on the 2026 RTP/SCS EIR. The commenter notes that its comments are provided in its capacity as a Responsible Agency and are focused on areas within its jurisdiction and expertise. This introductory statement does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 7.2

The commenter notes that, pursuant to Public Resources Code Section 21104.1, its comments are provided in its capacity as a Responsible Agency under CEQA and are limited to matters within the City's jurisdiction, expertise, and approval authority. This statement provides context regarding the City's role in the environmental review process and does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 7.3

The commenter acknowledges TCAG's effort in preparing a countywide Program EIR to support future transportation and land use planning activities. The commenter states that its comments are intended to address the usefulness of the Program EIR for future CEQA tiering and implementation by Responsible Agencies and generally focus on clarification of program-level mitigation measures, the relationship between mitigation measures and existing regulatory requirements, the implementation of mitigation measures by local agencies, and the basis for certain significance determinations. This introductory statement provides context for the comments that follow and does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 7.4

The commenter requests clarification regarding the project description and program-level analysis presented in the EIR. The commenter notes that the RTP/SCS consists of the Policy Element, Sustainable Communities Strategy, and Action Element, but states that much of the Draft EIR discussion focuses on the transportation projects identified in Table 2-2. The commenter requests clarification regarding whether all components of the Action Element are part of the proposed project, whether those components were incorporated into the environmental analyses, and how they contribute to the environmental impact conclusions presented in the Draft EIR.

The Action Element includes not only the transportation projects listed in Table 2-2, but also broader transportation programs, policies, and strategies addressing all transportation modes, including highways, transit, passenger rail, bicycle, pedestrian, goods movement, and transportation demand management measures (Section 2.4.3, Page 2-19; Section 2.5, Page 2-30 to 2-31). The environmental analysis evaluates implementation of the proposed RTP/SCS as a whole, including the land use and transportation strategy reflected in the SCS, the transportation policies contained in the Policy Element, and the programs and projects contained in the Action Element. Table 2-2 provides representative programmed and planned transportation capital projects that contribute to implementation of the RTP/SCS and are considered within the overall program-level analysis. The impact analyses and conclusions presented in the Draft EIR are therefore based on implementation of the full RTP/SCS, as a whole, rather than solely on the projects listed in Table 2-2. CEQA requires an EIR to analyze impacts of

proposed projects as a whole, rather than analyze individual project components. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 396.)

No further response is necessary.

Response 7.5

The commenter notes that the Action Element includes numerous transportation strategies, programs, and implementation measures, including transit service expansions, active transportation investments, vanpool programs, ridesharing initiatives, telework strategies, and other transportation demand management measures, and requests clarification regarding how these measures are considered within the RTP/SCS and Draft EIR analyses. Refer to Response 7.4. In RTP/SCS Appendix 1-N Technical Methodology, page 5 states, "The San Joaquin Valley MPOs worked with Trinity Consultants and developed a unified approach for the quantification of the off-model strategies. The methodologies are consistent with those of the 2022 RTP/SCS that were approved by the CARB. The methodologies are aligned with Appendix D of the Final SCS Program and Evaluation Guidelines from the CARB. The step-by-step calculation for the off-model strategies is provided in the spreadsheet in Appendix 1-N. TCAG's GHG quantification of off-model strategies will follow the valley-wide approach and mirror those for the 2022 RTP/SCS except as modified by agreement between TCAG and CARB [California Air Resources Board]." These strategies in Table 4 include; Enhanced Transit, Enhanced Active Transportation, Van Pool Program, Electric Vehicle Incentive Program, Micro-Transit, Electric Vehicle charging infrastructure, Passenger rail, Rule 9410, and Traffic Demand management\Intelligent Transportation Systems. No further response is necessary.

Response 7.6

The commenter requests clarification regarding whether the Action Element components are part of the proposed RTP/SCS project, whether they were incorporated into the travel demand, air quality, greenhouse gas (GHG), and VMT analyses, and how they contributed to the environmental impact conclusions presented in the Draft EIR. The commenter further requests that, if these components are part of the proposed RTP/SCS, their environmental effects be disclosed and analyzed as part of the whole of the action. The Action Element components are part of the project as described in Response 7.4. As stated in Response 7.5, the Action Element components are incorporated into the modeling utilized for the RTP/SCS and therefore incorporated into the travel demand, air quality, GHG, and VMT analyses conducted in the EIR based on the data provided by the RTP\SCS modeling. No further response is necessary.

Response 7.7

The commenter notes that many RTP transportation projects are identified at known locations and corridors with defined termini and approximate project footprints. This comment does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. Consistent with the programmatic nature of the RTP/SCS, the EIR evaluates the broad environmental effects of implementing the plan, while subsequent project-specific environmental review will provide more detailed analysis when sufficient information becomes available. No further response is necessary.

Response 7.8

The commenter notes that the EIR relies primarily on future project-level investigations and assessments rather than conducting a program-level review of known cultural resources and paleontological sensitivity using available data sources. The commenter requests clarification regarding why a program-level assessment was not conducted, if such an analysis was determined to be infeasible.

Under CEQA Guidelines Section 15152(c), when a Lead Agency is preparing a first-tier EIR such as a Program EIR for a large-scale plan, development of detailed, site-specific information that is not known or

reasonably foreseeable at the current time may be properly deferred to future tiers. Under CEQA Guidelines Section 15146, the specificity required in an EIR corresponds to the specificity of the underlying activity to be evaluated. An EIR on a construction project will necessarily describe impacts more specifically than an EIR prepared on a local general plan. An EIR prepared on a local general plan should focus on the cumulative and secondary effects expected to follow adoption but need not be as detailed as an EIR on the specific construction projects that might follow. The same principles regarding specificity apply with even greater force to an EIR prepared for a regional RTP/SCS, which covers multiple jurisdictions.

A program-level assessment meeting CEQA requirements was included in the EIR's cultural and paleontological resources impact analyses, but not to the level of detail or specificity requested by the comment. A lead agency has discretion to determine the methodologies for evaluating impacts in an EIR, and need not include every conceivable analysis that might provide helpful information suggested by Draft EIR commenters. (*League to Save Lake Tahoe v. County of Placer* (2022) 75 Cal.App.5th 63, 139-140, citing [San Joaquin Raptor Rescue Center v. County of Merced \(2007\) 149 Cal.App.4th 645, 666](#) and [North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors \(2013\) 216 Cal.App.4th 614, 639-640](#).) The commenter's recommendation is impracticable due to the Plan's countywide scope, 20-year planning horizon, and the lack of sufficient project-level detail. Cultural resources records searches become outdated relatively quickly, often within 1 to 2 years, making a countywide records search conducted now of limited value for projects implemented years in the future. In addition, a countywide records search would be very costly. For reference, small projects tend to cost around \$800, medium projects can cost around \$2000, and larger projects can cost around \$6000 or more to get a records search. Based on just the list of road projects in the RTP, the cost at a minimum is estimated at \$54,400 assuming \$800 per project, with a more realistic estimate of \$151,600. Finally, many future projects do not yet have defined footprints, grading depths, or other details necessary to accurately evaluate archaeological, cultural, or paleontological sensitivity. Therefore, site-specific investigations are more appropriately conducted at the time individual projects are proposed and sufficient information is available.

No further response is necessary.

Response 7.9

The commenter recommends that Mitigation Measure CUL-2 be revised to expressly require consultation with the appropriate California Historical Resources Information System (CHRIS) Information Center as part of future cultural resources evaluations. The following revision has been made to Mitigation Measure CUL-2(a) on Page 4.5-19 of Section 4.5, *Cultural Resources*.

CUL-2(a) Archaeological Resources Impact Minimization

Before construction activities, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct a record search at the Southern San Joaquin Valley Northwest Information Center to determine whether the project area has been previously surveyed and whether resources were identified. When recommended by the Information Center, implementing agencies shall, or can and should, retain a qualified archaeologist to conduct archaeological surveys before construction activities. Implementing agencies shall, or can and should, follow recommendations identified in the survey, which may include, but would not be limited to subsurface testing, designing and implementing a Worker Environmental Awareness Program (WEAP), construction monitoring by a qualified archaeologist, avoidance of sites and preservation in place, and/or data recovery if avoidance is not feasible. Recommended mitigation measures shall be consistent with CEQA Guidelines Section 15126.4(b)(3) recommendations and may include but not be limited to preservation in place and/or data recovery. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard DPR Primary Record forms (Form DPR 523) and location information to the appropriate California Historical Resources Information System office for the project area.

No further response is necessary.

Response 7.10

The commenter notes that Table 4.15-2 presents regional VMT information but does not provide a jurisdiction-level breakdown of modeled VMT, population, employment, or related transportation assumptions. The commenter requests additional jurisdiction-specific information to support local transportation planning, CEQA tiering, and implementation activities.

The EIR is a programmatic-level analysis intended to evaluate the regional impacts of the 2026 RTP/SCS and presents transportation and VMT information at a regional scale. Consistent with the level of detail available for a long-range planning document, the EIR does not provide jurisdiction-specific environmental analysis. Future planning efforts, CEQA tiering, and project-level review by local jurisdictions can rely on more refined, current, and project-specific data available at the time those actions are undertaken. Accordingly, the EIR properly focuses on regional trends and systemwide effects consistent with the purpose of the RTP/SCS. The level of detail and specificity the EIR provides for VMT analysis is consistent with CEQA requirements; see Response 7.8 regarding the appropriate level of detail and specificity required for first-tier Program EIRs. No further response is necessary.

Response 7.11

The commenter requests that the FEIR provide additional information regarding jurisdiction-specific VMT assumptions and model outputs. The commenter states that this information would assist local agencies in future transportation planning, CEQA tiering, SB 743 implementation, and evaluating consistency between local General Plans, future development projects, and the RTP/SCS transportation modeling framework. Refer to Response 7.10. No further response is necessary.

Response 7.12

The commenter requests clarification regarding why the projected increase in total regional VMT is identified as a significant environmental impact despite projected decreases in per-capita VMT, achievement of SB 375 greenhouse gas reduction targets, and projected declines in regional GHG. The commenter requests additional explanation regarding the basis for the significance determination and the environmental consequences associated with the increase in regional VMT.

Under CEQA, it is an accepted and common practice for an EIR to use multiple independent thresholds of significance for a resource topic such as transportation impacts. See, e.g., the CEQA Guidelines Appendix G Initial Study checklist. There is no requirement for an EIR's significance determinations for transportation impacts under each significance threshold to agree. Similarly, there is no requirement for an EIR's significance conclusion about regional VMT significance to agree with an EIR's significance conclusion for transportation-related regional GHG emissions. The threshold for VMT impacts used in the EIR are listed in with CEQA Guidelines section 15064.3, subdivision (b); An overall increase in total regional VMT above baseline (2025) conditions would be considered a significant impact or a change in VMT per capita in the region that fails to reach 15 percent below baseline (2025) VMT per capita conditions would be considered a significant impact. As stated on page 4.15-24, the project would increase VMT by 8.5 percent of baseline levels and VMT per capita would decrease by 2.3 percent, not meeting the threshold of 15 percent below baseline levels. Therefore, VMT impacts are significant and feasible mitigation to reduce this impact cannot be guaranteed. The GHG-1 impact threshold is a net increase in GHG emissions by 2049 compared to existing baseline conditions (construction) with GHG-2 impact threshold is a net increase in GHG emissions by 2049 compared to existing baseline conditions (operation). As stated on page 4.8-19, construction activities would result in GHG emissions exceeding the 2025 baseline and thus result in a significant impact. On page 4.8-20, implementation of the proposed 2026 RTP/SCS would result in a net reduction in per capita emissions of 0.69 MT of CO₂e per person per year and a net reduction in total emissions of 179,245 MT of CO₂e per year by 2049, compared to existing (2025) conditions due to stricter fuel efficiency and vehicle emissions standards that will phase in over the planning period as reflected in EMFAC2021 emission factors and slower growth in VMT as compared to forecasted population growth. This explains why GHG emissions are connected to VMT, but are not in

direct correlation to VMT levels so can have different significance findings. The impact thresholds are also different as described above. No further response is necessary.

Response 7.13

The commenter requests clarification regarding the environmental consequences associated with the projected increase in total regional VMT and the significance threshold used to support the impact conclusion in the EIR. Refer to Response 7.12. As well, the EIR only assesses whether VMT meets the identified VMT thresholds, environmental consequences for VMT increases are evaluated in other resource topics such as air quality, energy, and GHG sections. No further response is necessary.

Response 7.14

The commenter notes that the EIR concludes that induced vehicle travel associated with transportation improvements would result in a less-than-significant impact, while vehicle travel associated with implementation of the RTP/SCS land use forecast would result in a significant and unavoidable impact. The commenter requests clarification regarding the analytical distinction between these conclusions. As described on page 4.15-2728, TCAG uses a hybrid approach to estimate the induced VMT caused by the increased capacities on the transportation system capturing the short-term induced demand from capacity-increasing projects in the 2026 RTP/SCS. TCAG uses the National Center for Sustainable Transportation tool to estimate the long-term induced VMT. The 2026 RTP/SCS has a limited number of capacity increasing projects to minimize overall induced demand from capacity increasing projects. In addition, the 2026 RTP/SCS encourages transit use and concentrates development in urban areas to reduce development of land uses in more rural or undeveloped areas that would attract additional trips thereby increasing or inducing demand on existing and expanded roadways. The combination of limited capacity-increasing projects, encouraging transit use, and concentrating development in urban areas results in limiting overall induced demand. It is this interaction of few capacity increasing projects, transit projects, and the SCS land use pattern that determined the level of significance. As described in Response 7.12 and in Table 4.15-3 on page 4.15-24 in the EIR, Regional VMT and VMT per Capita increases above the established thresholds for the RTP\SCS. Induced demand is only one factor impacting VMT. No further response is necessary.

Response 7.15

The commenter requests that the FEIR further explain the extent to which projected increases in regional VMT are attributable to transportation investments, land use development, or the interaction between the two, and how these factors were evaluated in determining the significance of VMT-related impacts. Refer to Response 7.12 and 7.14. It is the interaction of transportation projects, and the SCS land use pattern that determined the level of significance. No further response is necessary.

Response 7.16

The commenter notes that the EIR identifies eligible State Scenic Highways and County-designated scenic roadways but does not clearly identify the specific scenic vistas, viewsheds, corridors, or RTP/SCS projects that may experience significant visual impacts. The commenter requests additional information regarding the scenic resources potentially affected by implementation of the RTP/SCS and the basis for the related significance determinations. The EIR is a programmatic-level analysis and does not include sufficient project-specific design information to identify all potentially affected scenic vistas, viewsheds, corridors, or visual resources. The analysis evaluates potential impacts to designated State Scenic Highways, County-designated scenic roadways, and other scenic resources at a regional level. Future implementing projects will be subject to project-level environmental review, as appropriate, where site-specific visual impacts and scenic resource considerations can be evaluated based on detailed project information available at that time. The significance determinations are therefore based on the level of analysis appropriate for a long-range regional planning document. See Response 7.8 for an explanation of why the Program EIR's level of detail and specificity meet CEQA requirements. No further response is necessary.

Response 7.17

The commenter requests that the FEIR provide additional information identifying the scenic resources that may be affected by implementation of the RTP/SCS, including the relationship between planned transportation improvements, anticipated growth areas, and identified scenic highways and corridors. The commenter states that this information would assist Responsible Agencies in understanding the basis for the significance determination and the intended application of the mitigation measures. Refer to Response 7.16. The significance determinations and identified mitigation measures are based on the level of analysis appropriate for a long-range regional planning document. No further response is necessary.

Response 7.18

The commenter requests clarification regarding the basis for the 2:1 tree replacement ratio included in Mitigation Measure AES-1(a) and how replacement trees would mitigate the loss of mature trees that contribute to scenic vistas and scenic highway corridors. The 2:1 tree replacement ratio is a commonly used mitigation approach intended to compensate for the loss of trees. Because the EIR is a programmatic-level analysis, it does not identify specific trees or scenic resources that may be affected by future projects. While replacement trees may not immediately replicate the visual character or scenic value of mature trees, the measure is intended to offset tree loss over time by ensuring replacement planting occurs. Any additional or refined mitigation needed to address site-specific scenic resources will be evaluated during project-level environmental review, as appropriate. See Response 7.8 for an explanation of why the Program EIR's level of detail and specificity meets CEQA requirements. No further response is necessary.

Response 7.19

The commenter requests clarification regarding implementation of Mitigation Measure AES-1(a), including whether replacement trees must be planted within the affected viewshed, whether canopy replacement is required, and whether compliance with existing local tree preservation ordinances is intended to satisfy the requirements of the mitigation measure. Issues such as whether replacement must occur within the affected viewshed (this can be assumed for most projects), whether canopy replacement would be required, and the role of local trees ordinances would be determined when project-specific CEQA documents are prepared by implementing agencies. See Response 7.8 for an explanation of why the Program EIR's level of detail and specificity meets CEQA requirements. Refer to Response 7.18. No further response is necessary.

Response 7.20

The commenter notes that Mitigation Measures AES-1(b) and AES-2 contain qualitative design objectives but do not identify objective performance standards or measurable criteria that Responsible Agencies can use to determine compliance with the measures. The commenter requests clarification regarding how compliance with these mitigation measures would be evaluated.

Mitigation Measures AES-1(b) and AES-2 have qualitative performance standards: minimize contrasts in scale and massing. There is no requirement in CEQA that mitigation measures have quantitative performance standards; rather, measures need only be "at least partially effective." (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 523). These mitigation measures provide a programmatic framework for reducing visual impacts. Because the 2026 RTP/SCS does not include project-specific design information, it is not feasible to establish uniform quantitative performance standards at the Program EIR stage. Compliance will be evaluated by the responsible agency during project-level planning, design, permitting, and environmental review based on the specific project context and potential visual impacts. TCAG does not have direct regulatory authority over most future implementing projects; therefore, compliance determinations will be made by the agency with jurisdiction over the project. No further response is necessary.

Response 7.21

The commenter recommends that the FEIR's clarify whether these measures are intended as discretionary design guidance or enforceable mitigation measures and provide examples of objective implementation criteria where feasible. TCAG does not have authority or jurisdiction over most future implementing projects; the measures are structured to be implemented by the responsible agency during subsequent project-level planning, permitting, and environmental review. As stated in the EIR, TCAG shall implement applicable measures for transportation projects under its jurisdiction, while transportation project sponsors, cities, and the County can and should implement the measures, as appropriate, consistent with their respective authorities. Implementation criteria will be applied during project-level review at the discretion of the implementing agency. No further response is necessary.

Response 7.22

The commenter requests clarification regarding the implementation of Mitigation Measures AES-3(a) and AES-3(b). The commenter notes that the measures rely primarily on qualitative design concepts and do not include objective performance standards or measurable criteria that implementing agencies can use to determine compliance with the mitigation measures. Mitigation Measures AES-3(a) and AES-3(b) have qualitative performance standards: minimize roadway lighting to the extent possible, and minimize and control glare, respectively. There is no requirement in CEQA that mitigation measures have quantitative performance standards. Refer to Response 7.20 for additional information regarding standards governing the adequacy of mitigation measures under CEQA. No further response is necessary.

Response 7.23

The commenter requests that the FEIR identify objective standards or measurable benchmarks for implementation of Mitigation Measures AES-3(a) and AES-3(b), such as lighting design criteria, shielding requirements, light trespass limits, or glare reduction standards. Alternatively, the commenter requests clarification regarding whether the measures are intended to serve as discretionary design guidance rather than enforceable mitigation measures. Mitigation Measures AES-3(a) and AES-3(b) have qualitative performance standards: minimize roadway lighting to the extent possible, and minimize and control glare, respectively. There is no requirement in CEQA that mitigation measures have quantitative performance standards. Refer to Response 7.20 for additional information regarding standards governing the adequacy of mitigation measures under CEQA. No further response is necessary.

Response 7.24

The commenter requests clarification regarding the extent to which Mitigation Measure AQ-2(a) relies on compliance with existing SJVAPCD Regulation VIII fugitive dust control requirements versus additional mitigation measures adopted specifically for implementation of the RTP/SCS.

Mitigation Measure AQ-2(a), presented on pages 4.3-28 and 4.3-29 of the DEIR states that "For all projects, the implementing agency shall incorporate the most recent SJVAPCD feasible construction mitigation measures and/or technologies for reducing inhalable particles based on analysis of individual sites and project circumstances." The measure then goes on to state that the SJVAPCD may update the provided list of measures and that the project should use the most current list of mitigation measures provided by the SJVAPCD at the time the individual projects are implemented. The mitigation measure concludes by listing the most current feasible mitigation measures from the SJVAPCD's GAMAQI. The measures does not suggest additional mitigation beyond what is currently listed in the GAMAQI. Furthermore, the EIR provides that project-specific environmental documents may adjust mitigation measures as necessary to address site-specific conditions on Pages 4.3-28, 4.3-33, and 4.3-38. This could include requiring additional fugitive dust control measures beyond those required by the SJVAPCD. The comments do not identify any specific deficiencies in the air quality analysis presented in the EIR. No further response is necessary.

Response 7.25

The commenter requests that the FEIR identify any requirements included in Mitigation Measure AQ-2(a) that extend beyond the fugitive dust control measures already mandated by SJVAPCD Regulation VIII. Refer to Response 7.24. No further response is necessary.

Response 7.26

The commenter notes that Mitigation Measure AQ-3(b) includes recommendations related to the siting of sensitive receptors near major roadways, as well as building design and energy-efficiency measures. The commenter requests clarification regarding the implementation and application of these provisions. Refer to Responses 7.27 through 7.30. This introductory comment does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 7.27

The commenter requests clarification regarding whether implementation of Mitigation Measure AQ-3(b) would require amendments to local General Plans, zoning ordinances, specific plans, or development standards. Refinements to Mitigation Measure AQ-3(b) to address these issues would occur during project-specific CEQA reviews. The EIR provides that project-specific environmental documents may adjust mitigation measures as necessary to address site-specific conditions on Pages 4.3-28, 4.3-33, and 4.3-38. No further response is necessary.

Response 7.28

The commenter requests clarification regarding whether alternative exposure reduction measures, such as building filtration systems, building orientation, or other strategies to reduce air quality exposure, may be utilized in lieu of separation distances identified in Mitigation Measure AQ-3(b). Refer to Response 7.27. No further response is necessary.

Response 7.29

The commenter requests clarification regarding which provisions of Mitigation Measure AQ-3(b) reflect existing State requirements, including Title 24 standards, and which provisions constitute new mitigation measures proposed as part of the RTP/SCS. Mitigation measure AQ-3(b) implements 15 separate measures (including the VERA as added as part of Response 4.6 above). Some of these measures reflect existing state/local requirements while others are additional measures that could be included to reduce impacts. The measures are listed below, grouped with their specific rules/requirements or as additional measures.

Reflects SJVAPCD Rule 4601:

- Require that all interior and exterior architectural coatings for all developments utilize coatings following SJVAPCD Rule 4601, *Architectural Coatings*.

Reflects SJVAPCD's Voluntary Emission Reduction Agreement program:

- Where project specific mitigation does not reduce emissions of NO_x and PM₁₀ to below regulatory thresholds, the project applicant shall participate in the VERA program to ensure that emissions for these pollutants to below regulatory thresholds. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of air emissions increases through a process that funds and implements emission reduction projects. A VERA can be implemented to address impacts from both construction and operational phases of a project. Individual projects implementing a VERA should contact the Air District to enter into a contractual agreement for implementing this mitigation.

Reflects potential for additional measures to be implemented in the SJVAPCD's GAMAQI:

- Incorporate other mitigation measures recommended by SJVAPCD.

Reflects measures that may be required under Title 24:

- Increase building envelope energy efficiency standards in excess of applicable building standards and encourage new development to achieve zero net energy use.
- Install energy-efficient appliances, interior lighting, and building mechanical systems. Encourage installation of solar panels for new residential and commercial development.
- Use daylight as an integral part of lighting systems in buildings.
- Use passive solar designs to take advantage of solar heating and natural cooling.
- Install light colored "cool" roofs, cool pavements.
- Install solar and tankless hot water heaters.

Additional Measures:

- Measures that reflect mitigation or buffer distances suggested within CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB 2005).
 - Locate sensitive receptors more than 500 feet of a freeway, 500 feet of urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
 - Locate sensitive receptors more than 1,000 feet of a major diesel rail service or railyards. Where adequate buffer cannot be implemented, implement the following:
 - Install indoor air filtration (as part of mechanical ventilation systems or stand-alone air cleaners) to reduce indoor pollution exposure for residents and other sensitive populations in buildings that are close to transportation network improvement projects.
 - Use air filtration devices rated MERV-13 or higher.
 - Plant trees and/or vegetation suited to trapping roadway air pollution and/or sound walls between sensitive receptors and the pollution source. The vegetation buffer should be thick, with full coverage from the ground to the top of the canopy. Install higher efficacy public street and exterior lighting.
- Exclude wood-burning fireplaces and stoves.
- Incorporate design measures and infrastructure that promotes safe and efficient use of alternative modes of transportation (e.g., neighborhood electric vehicles and bicycles) pedestrian access, and public transportation use. Such measures may include incorporation of electric vehicle charging stations, bike lanes, bicycle-friendly intersections, and bicycle parking and storage facilities.
- Incorporate design measures that promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).

No further response is necessary.

Response 7.30

The commenter requests clarification regarding how implementing agencies are expected to determine compliance with Mitigation Measure AQ-3(b) in situations where adopted local plans already designate housing sites within the identified roadway setback distances. Refer to Response 7.27. No further response is necessary.

Response 7.31

The commenter notes that Mitigation Measure AQ-5 relies on future project-level health risk assessments and the implementation of exposure reduction measures to address potential health risk impacts associated with future projects implementing the RTP/SCS. This comment does not raise any specific significant environmental issues or identify deficiencies in the environmental analysis presented in the EIR. No further response is necessary.

Response 7.32

The commenter requests clarification regarding the extent to which the EIR evaluated potential health risk impacts associated with planned roadway capacity improvements and whether Mitigation Measure AQ-5 is intended to mitigate identified health risk impacts or determine whether significant impacts may occur. The Draft EIR in Impact AQ-5 on pages 4.3-36 through 4.3-38 includes a programmatic analysis of potential health risk impacts associated with all transportation projects implementing the 2026 RTP/SCS. Mitigation Measure AQ-5 includes a hot-spot analysis, a screening assessment and project-specific Health Risk Assessment to determine whether project-specific health risks may occur. These analyses would be conducted following SJVAPCD guidance and project-specific significance thresholds consistent with SJVAPCD guidance would be used to determine significance. Project-specific mitigation measures consistent with Mitigation Measure AQ-5 would be developed to reduce identified significant impacts. No further response is necessary.

Response 7.33

The FEIR should identify any program-level assumptions, significance thresholds, and performance standards that will guide future project-level analyses and ensure that the measure does not defer environmental analysis to a later stage. Program-level assumptions for TAC analysis are presented in the Impact AQ-5 impact analysis on Draft EIR pages 4.3-36 through 4.3-38. Mitigation Measure AQ-5 does not defer environmental analysis to later stage. It is a programmatic mitigation measure consistent with CEQA requirements that could be applied to future projects. Project-specific significance thresholds and performance standards would be developed in CEQA reviews of future projects. No further response is necessary.

Response 7.34

The commenter asserts that several biological resource mitigation measures rely primarily on compliance with existing federal and state regulatory requirements, including the Federal Endangered Species Act, CESA, Migratory Bird Treaty Act, Clean Water Act, and Fish and Game Code. The commenter requests clarification regarding the relationship between the proposed biological mitigation measures and existing regulatory requirements.

The EIR is a programmatic-level document intended to evaluate the broad policies, programs, and actions contemplated by the Plan. As such, the biological mitigation measures are designed to establish a framework for addressing potential impacts and ensuring compliance with applicable federal and state regulations. The EIR's biological mitigation measures include existing regulatory requirements, but also include many specific measures that help implement or go beyond existing regulatory requirements. Future implementing projects will undergo project-specific environmental review, as appropriate, and any required mitigation measures, studies, permits, and avoidance or minimization measures will be tailored to the specific biological resources, impact mechanisms, and site conditions associated with each project. Therefore, the mitigation measures included in the EIR are intended to supplement and facilitate compliance with applicable regulatory requirements while allowing for the development of project-specific mitigation strategies based on the details of future projects. No further response is necessary.

Response 7.35

The commenter requests that the FEIR distinguish between mitigation measures that would be required independently through existing federal and state permitting and regulatory processes and mitigation measures adopted specifically to reduce impacts associated with implementation of the RTP/SCS. The commenter states that this clarification would assist Responsible Agencies in understanding the extent to which impact reduction relies on existing regulatory programs versus project-specific mitigation measures. Refer to Response 7.34. No further response is necessary.

Response 7.36

The commenter notes that Mitigation Measures GHG-2 and GHG-4 include land use, development, transportation demand management, and other policy-oriented measures that may require amendments to local General Plans, zoning ordinances, development standards, parking standards, circulation elements, or other local policies. The commenter requests clarification regarding the implementation of these measures and their relationship to existing local planning documents and regulations. Consistency with local plans, policies, and ordinances would be determined when project-specific CEQA documents are prepared. No further response is necessary.

Response 7.37

The commenter requests clarification regarding whether Mitigation Measures GHG-2 and GHG-4 are intended to serve as recommendations, enforceable mitigation measures, or prerequisites for implementation of the RTP/SCS.

As noted in the EIR in Section 8, *Greenhouse Gas Emissions*, Page 4.8-22, the implementing agencies for transportation projects are TCAG and transportation project sponsor agencies, while the implementing agencies for land use projects are the cities and the County. The EIR states that these measures "shall, or can and should, be applied during permitting and environmental review and implemented during construction where appropriate." As a regional planning agency, TCAG does not have authority or jurisdiction over local implementing agencies for future implementing projects. Accordingly, the EIR recognizes that implementation responsibilities vary depending on the type of project and responsible agency. As stated on Page 4.8-22, "Cities and the County can and should implement the following mitigation measures, where relevant to land use projects implementing the proposed 2026 RTP/SCS. Project-specific environmental documents may adjust these mitigation measures as necessary to respond to site-specific conditions; similar language is used for Mitigation Measure GHG-4 on page 4.8-27-29. For implementing agencies other than TCAG, the "can and should" language means these mitigation measures are recommendations rather than enforceable conditions. No further response is necessary.

Response 7.38

The commenter requests clarification regarding whether implementation of Mitigation Measures GHG-2 and GHG-4 would be required as a condition of receiving transportation funding through the RTP/SCS or related regional funding programs. The commenter also requests clarification regarding whether local agencies would be expected to amend adopted plans, policies, or regulations to achieve compliance with these measures. Implementation of the EIR's mitigation measures would not be required as a condition of receiving transportation funding, and TCAG has no authority to require local governments to amend adopted plans or regulations. Refer to Response 7.37 for additional responses. No further response is necessary.

Response 7.39

The commenter notes that the RTP/SCS growth forecasts are based on adopted local General Plans and other local planning documents but requests clarification regarding whether the local plans incorporated

into the RTP/SCS are assumed to be consistent with SB 743 implementation, regional GHG reduction strategies, and other climate planning assumptions used in the RTP/SCS modeling process. TCAG relied on land use information provided by local jurisdictions and used that information as inputs to the RTP/SCS planning and modeling process. The resulting RTP/SCS was then evaluated for consistency with applicable state and regional planning requirements. No further response is necessary.

Response 7.40

The commenter requests clarification regarding whether implementation of Mitigation Measures GHG-2 and GHG-4 would require amendments to local General Plans, zoning ordinances, circulation elements, or other adopted policies beyond those already reflected in the RTP/SCS growth forecasts and planning assumptions. Refer to Responses 7.37 and 7.38. No further response is necessary.

Response 7.41

The commenter requests clarification regarding whether the RTP/SCS modeling and forecasts assume implementation of future policy changes, including those that may be necessary to implement Mitigation Measures GHG-2 and GHG-4. The RTP/SCS modeling and forecasts do not explicitly assume implementation of particular future local jurisdiction policy changes, though some would likely be needed to implement the Sustainable Communities Strategy. Refer to Response 7.37 and 7.38 for additional responses. No further response is necessary.

Response 7.42

The commenter requests that the FEIR clarify whether Mitigation Measures GHG-2 and GHG-4 are intended to be mandatory requirements for project programming or funding. If implementation of these measures is not required, the commenter recommends that the FEIR clearly state that the measures are recommendations or best practices rather than enforceable conditions. Refer to Responses 7.37 and 7.38. No further response is necessary.

Response 7.43

The commenter recommends that TCAG conduct screening-level environmental assessments for RTP/SCS projects, where feasible, to identify potential biological, cultural, paleontological, agricultural, hazardous materials, and other environmental constraints. The commenter states that such assessments would improve the usefulness of the RTP/SCS for future project development, grant funding applications, and CEQA/NEPA tiering.

The EIR is programmatic-level planning document that does not include sufficient project-specific information. As a result, such assessments are not feasible or would be of limited value at the Program EIR stage and if conducted could become outdated as projects evolve over the planning horizon. Detailed environmental constraints and resource impacts are more appropriately evaluated during subsequent project-level planning and environmental review, when sufficient site-specific information is available to support accurate analysis and informed decision-making. The level of detail and specificity the EIR provides for environmental constraints on the settings sections for resource topics is consistent with CEQA requirements; see Response 7.8 regarding the appropriate level of detail and specificity required for first-tier Program EIRs. No further response is necessary.

Response 7.44

The commenter requests to be notified of future environmental review documents and public hearing notices related to the project pursuant to applicable provisions of the Public Resources Code and Government Code. The commenter also provides contact information for future correspondence regarding the comments submitted on the EIR. TCAG will provide notices to the City of Visalia consistent with the requirements of the applicable sections of the Public Resources Code and Government Code.