



MENDOCINO COUNCIL OF GOVERNMENTS

525 South Main Street~Ukiah~California~95482
www.mendocinocog.org

NEPHELE BARRETT, EXECUTIVE DIRECTOR

Administration: Suite B
(707) 463-1859
Transportation Planning: Suite G
(707) 234-3434

AGENDA

Monday, December 6, 2021 at 1:30 p.m.

Teleconference

Zoom videoconference link provided to Council members and by request.

Please submit access request to

info@mendocinocog.org or call MCOG Administration at (707) 463-1859.

Audio Call-in Option: 1 (669) 900-6833 (in CA)
Meeting ID: 817 2773 5376 Passcode: 463721

Additional Media

For live streaming and later viewing:

<https://www.youtube.com/>, search for Mendocino County Video, or
[YouTube link at http://www.mendocinocog.org](http://www.mendocinocog.org) under Meetings

**The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:
Mendocino Regional Transportation Planning Agency (RTPA) and
Mendocino County Service Authority for Freeway Emergencies (SAFE)**

NOTICE: This meeting of the Mendocino Council of Governments will be conducted by teleconference (audio and video) and not available for in-person public participation, pursuant to the Assembly Bill 361, Brown Act: Remote Meetings During a State of Emergency. In order to minimize the risk of exposure to COVID-19, the public may participate in lieu of personal attendance in several ways. Since opportunities during the meeting are limited, we encourage submitting comments in advance.

- In advance of the meeting: comments may be sent by email to info@mendocinocog.org or by using the form at <https://www.mendocinocog.org/contact-us>, to be read aloud into the public record.
- During the meeting: email comments to info@mendocinocog.org or send comments using the form at <https://www.mendocinocog.org/contact-us>, to be made available as soon as possible to the Board of Directors, staff, and the general public as they are received and processed by staff.
- During the meeting: make oral comments on the conference call by phone or video when public comment is invited by the Chair.

Thanks to all for your interest and cooperation.

NOTE: All items are considered for action unless otherwise noted.

1. Call to Order and Roll Call
2. Convene as RTPA
3. Recess as RTPA – Reconvene as Policy Advisory Committee

CONSENT CALENDAR

The following items are considered for approval in accordance with Administrative Staff, Committee, and/or Directors' recommendations and will be enacted by a single motion. Items may be removed from the Consent Calendar for separate consideration, upon request by a Director or citizen.

4. Adoption of Resolution No. M2021-15 Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG's Legislative and Advisory Bodies During the COVID-19 State of Emergency
5. Approval of November 1, 2021 Minutes

PUBLIC EXPRESSION – *Please refer to notice at top of this Agenda.*

6. Participation is welcome in Council meetings. Comments will be limited to three minutes per person and not more than ten minutes per subject, so that everyone can be heard. "Public Expression" time is limited to matters under the Council's jurisdiction that may not have been considered by the Council previously and are not on the agenda. No action will be taken. Members of the public may comment also during specific agenda items when recognized by the Chair.

REGULAR CALENDAR

Attachments posted at [Board of Directors - Mendocino Council of Governments \(mendocinocog.org\)](http://Board of Directors - Mendocino Council of Governments (mendocinocog.org))

7. Presentation: Gualala Downtown Streetscape Enhancement Project – *Caltrans District 1*
8. Technical Advisory Committee (TAC) Recommendations of November 17, 2021
 - a. **Public Hearing at 1:30 p.m. or as soon thereafter as possible:** Consideration and Finding of Negative Declaration of Environmental Impact, followed by Possible Adoption of Resolution M2021-___* Approving the 2022 Mendocino County Regional Transportation Plan (RTP) & Active Transportation Plan (ATP)
 - b. **Public Hearing at 1:30 p.m. or as soon thereafter as possible:** Approval of Resolution M2021-___* Adopting the 2022 Regional Transportation Improvement Program (RTIP)
9. Consideration of Participation in New RuralREN (Regional Energy Network) Program
10. Discussion/Direction: Draft 2022 MCOG Board Calendar

RATIFY ACTION

11. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee

REPORTS

12. Reports – Information – *No Action*
 - a. Caltrans District 1 – Projects Update and Information
 - b. Mendocino Transit Authority
 - c. North Coast Railroad Authority
 - d. MCOG Staff - Summary of Meetings
 - e. MCOG Administration Staff
 - i. Status of Covelo SR 162 Corridor Multi-Purpose Trail Project
 - ii. 50th Anniversary of MCOG – 2022 Recognition/Celebration – *verbal report*
 - iii. Miscellaneous
 - iv. Next Meeting Date – Monday, February 7, 2022
 - f. MCOG Planning Staff
 - i. Feasibility Study - Mobility Solutions for Rural Communities of Inland Mendocino County – *verbal report*
 - ii. Miscellaneous
 - g. MCOG Directors
 - h. California Association of Councils of Governments (CALCOG) Delegates

ADJOURNMENT

13. Adjourn

AMERICANS WITH DISABILITIES ACT (ADA) and TRANSLATION REQUESTS

Persons who require special accommodations, accessible seating, or documentation in alternative formats under the Americans with Disabilities Act, or persons who require interpretation services (free of charge) are advised to contact the MCOG office at (707) 463-1859, **at least five days** before the meeting.

Las personas que requieren alojamiento especial de acuerdo con el Americans with Disabilities Act, o personas que requieren servicios de interpretación (libre de cargo) deben comunicarse con MCOG (707) 463-1859 al menos cinco días antes de la reunión.

ADDITIONS TO AGENDA

The Brown Act, Section 54954.2, states that the Board may take action on off-agenda items when:

- a) a majority vote determines that an “emergency situation” exists as defined in Section 54956.5, **or**
- b) a two-thirds vote of the body, or a unanimous vote of those present, determines that there is a need to take immediate action and the need for action arose after the agenda was legally posted, **or**
- c) the item was continued from a prior, legally posted meeting not more than five calendar days before this meeting.

CLOSED SESSION

If agendaized, MCOG may adjourn to a closed session to consider litigation or personnel matters (i.e. contractor agreements). Discussion of litigation or pending litigation may be held in closed session by authority of Govt. Code Section 54956.9; discussion of personnel matters by authority of Govt. Code Section 54957.

POSTED 11/30/2021

* Next Resolution Number: M2021-16

(Blank Page)

November 29, 2021

To: MCOG Board of Directors
From: Janet Orth, Deputy Director & CFO
Subject: Consent Calendar of December 8, 2021

The following agenda items are recommended for approval/action.

4. Adoption of Resolution No. M2021-15 Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG's Legislative and Advisory Bodies During the COVID-19 State of Emergency – The resolution makes findings required every 30 days to continue meeting by teleconference. This item (or any other) may be pulled from Consent for discussion.
– *Draft resolution attached*
5. Approval of November 1, 2021 Minutes – *attached*

(Blank Page)

MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 4
Consent
MCOG Meeting
12/6/2021

BOARD of DIRECTORS

RESOLUTION No. M2021-15

MAKING CONTINUED FINDINGS PURSUANT TO ASSEMBLY BILL 361
TO CONDUCT REMOTE PUBLIC MEETINGS FOR MCOG'S
LEGISLATIVE AND ADVISORY BODIES
DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS,

1. The Mendocino Council of Governments (MCOG) is committed to preserving and fostering public access and participation in its meetings, as required by the Ralph M. Brown Act (Cal. Government Code 54950 – 54963), which makes provisions for remote teleconferencing participation in meetings by members of a legislative body, subject to the existence of certain conditions;
2. A state of emergency was proclaimed by Governor's Executive Order N-33-20 on March 4, 2020, addressing the threat of the COVID-19 pandemic, and remains in effect;
3. On September 16, 2021, the Governor signed into law AB 361, an urgency measure, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules during a declared state of emergency if: (a) State or local officials have imposed or recommended measures to promote social distancing, (b) the legislative body is meeting to determine whether, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees, or (c) the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees;
4. In recent months, the Delta variant has surged in the United States and become the predominant COVID-19 variant, accounting for the majority of infections and hospitalizations, believed by medical experts to be twice as contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people;
5. Due to the uncertainty and concerns about these current conditions, the Mendocino County Supervisors continue to meet remotely and not in their regular board chambers where MCOG typically has convened its meetings, and numerous state and local agencies including Caltrans continue to require their workforce to work from separate remote locations;
6. Given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;
7. These virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities, and MCOG continues to provide for public access to its remote meetings; and

8. On October 4, 2021, MCOG's Board of Directors made the above findings of fact by Resolution #M2021-12 including additional background and pertinent details; therefore, be it

RESOLVED, THAT:

- The Mendocino Council of Governments adopts the recitals set forth above as findings of fact.
- MCOG has reconsidered circumstances of the state of emergency.
- MCOG hereby determines that the state of emergency continues to directly impact the ability of the members to meet safely in person.
- In accordance with AB 361, based on the findings and determinations herein, meetings of MCOG's legislative and advisory bodies will be held remotely by virtual means, suspending Brown Act teleconferencing rules while providing for all feasible means of public participation.
- This resolution shall be effective upon adoption and remain in effect until MCOG's next regular board meeting on February 7, 2022, when MCOG shall consider renewing its findings by subsequent resolution, in accordance with AB 361.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 6th day of December, 2021, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

Dan Gjerde, Chair

MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 5
Consent
MCOG Meeting
12/6/2021

MINUTES

Monday, November 1, 2021

Teleconference Only

Pursuant to Brown Act and Assembly Bill 361

The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:
Mendocino Regional Transportation Planning Agency (RTPA) and
Mendocino County Service Authority for Freeway Emergencies (SAFE)

1. Call to Order / Roll Call. The meeting was called to order at 1:31 p.m. with Directors Jim Brown, Scott Ignacio, John Haschak, Tatiana Ahlstrand (Caltrans/PAC), and Dan Gjerde present by Zoom teleconference; Chair Gjerde presiding. Directors Greta Kanne and Tess Albin-Smith arrived subsequently. [Clerk's note: the Public Appointee seat was vacant.]

Staff present: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; Lisa Davey-Bates, Transportation Planner; James Sookne, Program Manager; and Danielle Casey, Program Coordinator.

Note: Public comment was invited via email and online comment form; staff monitored for incoming comments throughout the meeting, reporting periodically.

2. Convene as RTPA

3. Recess as RTPA – Reconvene as Policy Advisory Committee

4 - 5. Consent Calendar. Upon motion by Haschak, second by Ignacio, and carried unanimously on roll call vote (*5 Ayes – Brown, Ignacio, Haschak, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Kanne, Albin-Smith*): IT IS ORDERED that consent items are approved.

4. Adoption of Resolution Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG's Legislative and Advisory Bodies During the COVID-19 State of Emergency.

Resolution No. M2021-14

Making Continued Findings Pursuant to Assembly Bill 361
to Continue Public Meetings Remotely
for MCOG's Legislative and Advisory Bodies
During the COVID-19 State of Emergency
[Reso. #M2021-14 is incorporated herein by reference]

5. Approval of October 4, 2021 Minutes - as written

Director Albin-Smith arrived at 1:34 p.m.

6. Public Expression. None.

7. Review/Discussion: Draft 2022 Regional Transportation Improvement Program (RTIP). Mr. Sookne reviewed status of the document, prepared every two years to program projects for Regional Improvement Program (RIP) funding. The Fund Estimate was reported to the Council at the August meeting and reiterated here, with just over \$5 million available for new programming.

Public outreach was somewhat different this cycle, due to virtual means and the concurrent Regional Transportation Plan update. Project applications were due October 1. The only submittal received was from County of Mendocino, to adjust previously committed funds for North State Street Intersection/Interchange improvements, moving a portion from construction to the right-of-way component. Mr. Sookne described details of the project, which is identified as a high priority area in the Local Road Safety Plan. Also Caltrans had indicated a need to increase funds for the current component of the Gualala Downtown Streetscape. Staff prepared the draft RTIP based on the Technical Advisory Committee's recommendations of October 20. The proposal approves the County's request and adds new funds for the Gualala project. Additionally, staff is working with the member agencies to program any remaining COVID relief funds that pass through the program. Staff invited questions.

Director Kanne arrived at 1:42 p.m.

Chair Gjerde reviewed for clarification the projects for the upcoming RTIP adoption to be voted on in December, affirmed by Mr. Sookne. A table will be added to the final version, to include the Coronavirus Response & Relief Supplemental Appropriations Act of 2021 (CRRSAA) projects. Ms. Barrett added that the only new funding proposed is approximately \$200,000 for Gualala's downtown streetscape project. No new projects were requested. She provided options for the process of future amendments. Board questions and discussion followed. The Chair invited public comment on the item, with no one requesting to speak. No action was taken.

8. Presentation and Discussion: Draft 2022 Regional Transportation Plan (RTP) & Active Transportation Plan (ATP). Ms. Ellard introduced the item and gave a slide presentation of background and activity to date, including public outreach, tribal consultation, data collection from other agencies, and components of the plan. Sections updated by staff include Goals, Objectives and Policies, executive orders on climate change; modal elements; and funding. Objectives and policies were added or expanded to support healthy communities, affordable housing, active transportation, emergency evacuations, and public transit. Action Plans for each transportation mode listed short and long range projects. Board discussion included:

- Potential of freight service on the California Western Railroad/Skunk Train line, Fort Bragg to Willits. (Haschak) Ms. Barrett encouraged all to review the Rail Transportation Element of the Plan for the latest details.
- Where to find the environmental document for review? The negative declaration will be posted online following a 30-day public review period. (Albin-Smith, staff)
- A policy to prioritize completion of all phases of the Willits Bypass was deleted, while improvements consistent with the Route Concept are covered elsewhere in the Plan.

The Chair invited public comments, summarized as follows:

- Jessica Stull Otto, addressing County Roads & City Streets, asked about an area to consider for improvements on State Route 162 in downtown Covelo. Director Ahlstrand (Caltrans District 1) described a proposal for the Clean California Local Grant Program to implement traffic calming, street trees, and related improvements to that area.
- George Reinhardt questioned seriousness of the California Western Railroad/Skunk Train's interest in resuming freight activities, based on their record of performance. He stated the railroad is trying to present itself as a legitimate rail hauling service, and cautioned MCOG to look into this more closely. Also he requested a safer bicycle lane on State Route 1 at Pudding Creek north of Fort Bragg.

- Peter McNamee asked about the presentation on greenhouse gas emissions and climate change, and how the RTP addresses needs for more public electric vehicle (EV) chargers. Staff noted climate change related goals were updated in the Introduction section. MCOG's Mendocino County Zero Emission Vehicle (ZEV) Regional Readiness Plan is one of numerous plans reflected in the RTP/ATP, which is overarching and pulls from those specific plans. Policy CCE 2.6 is expanded and CCE 2.7 added, which address the charging network.

Comments were requested by November 22 for inclusion in the proposed final RTP/ATP, and would be accepted until December 6, when the final document with CEQA Initial Study/Negative Declaration will be presented for possible adoption at the Council's next regular meeting. Ms. Barrett noted the sooner comments were received, the better staff would be able to make any appropriate changes to the document prior to adoption. The presentation slides will be posted. The draft RTP/ATP will go to the Technical Advisory Committee for review and recommendations in November. No action was taken.

9. Discussion/Direction: Exploration of Options for Regional Energy Network and Climate Protection Agency. Director Gjerde reported on the ad hoc committee meeting of October 21. Ms. Barrett gave background of research to date on existing programs and agencies, listing several Regional Energy Networks (REN) emerging around the state, as well as options to join or create separately. It was noted that a REN is a program, not an agency. Activities are meant to fill gaps and serve disadvantaged communities, and can be customized for the region, for instance providing rebates for energy efficient appliances. Other examples of REN activities include a County energy audit. A climate protection agency can co-exist with a REN, supporting sustainability programs and local agency staff work.

The ad hoc recommended further investigation and gauging member agencies' interest. Board discussion followed, including:

- Sonoma Clean Power is providing unfunded rebates to Mendocino County, which is not a sustainable subsidy. (Haschak)
- City of Willits initiated energy planning, but was too understaffed to maintain; smaller cities could benefit from a regional program. (Kanne)

Public comments (summarized):

- George Reinhardt: Supports looking into both ideas. Where is funding to form a climate agency if that is pursued? Urgency of climate action is paramount over more studies.
- Ratepayers already pay a public good fee for such activities, for example a climate agency in Napa, staffed by County planning department, serves joint powers members; discussion of limited staff capacity in general. (Barrett)
- Jessica Stull-Otto: Supports both ideas; attended recent multi-county workshop, would like to see more collaboration in these efforts consistent with Mendocino County values, could help to relieve County staff in some of the long-range planning and to provide job training.
- Peter McNamee: Supports pursuing both recommendations; local actions have the greatest results in reducing GHG and carbon emissions; proposal is well suited to MCOG as a regional approach to addressing climate; funding could be available from various sources for planning and development initiatives, such as new Coastal Commission budget for expanding capacity to strategically address sea-level rise; a REN could partner on workforce training to compete in a green economy.
- Workforce development is definitely an eligible activity of a REN. (Barrett)
- James Schoonover: Wholeheartedly supports this idea and encourages the formation of a REN and the Climate Protection Agency. Community members will likely volunteer to assist.

- Thanks to the MCOG staff who have worked on this so far. (Gjerde, others)

Upon motion by Brown, second by Albin-Smith, and carried unanimously on roll call vote (7 Ayes – Brown, Kanne, Albin-Smith, Ignacio, Haschak, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that, as recommended by the ad hoc committee, staff is directed to: 1) in collaboration with the ad hoc committee, explore options for joining an existing Regional Energy Network or developing a new Regional Energy Network program and forming a regional climate protection agency; and 2) send requests to MCOG member agencies to endorse further exploration of both a Regional Energy Network program and a regional climate protection agency.

10. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. Upon motion by Haschak, second by Albin-Smith, and carried unanimously on roll call vote (6 Ayes – Brown, Kanne, Albin-Smith, Ignacio, Haschak, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

11. Reports - Information

- a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand reported 12 projects are moving forward in the Clean California Local Grant Program; she listed various eligible activities including public art. Public comments included:
 - Ms. Stull-Otto again commented on Covelo, relative to the safety of angled parking downtown. Ms. Ahlstrand further discussed the grant project proposed for postmile MEN-162 29.0 through 29.2, subject to modifications by Caltrans Headquarters.
 - Dave Shpak asked whether components of the Gualala Streetscape Master Plan are eligible for funding under the Clean California program. Director Ahlstrand explained the grants are meant to be implemented quickly and conflicts arose with Coastal Commission requirements. Ms. Barrett agreed those Gualala projects were unlikely to be funded.
 - Director Kanne asked about litter removal on county roads or state highways, noting numerous comments received from constituents, particularly south and west of Willits on SR-20. Director Ahlstrand will follow up.
 - Director Haschak reported word from Caltrans staff they are applying for a large grant for a dump amnesty day in Covelo and other parts of the county; Ms. Ahlstrand confirmed.
- b. Mendocino Transit Authority. There was no report.
- c. North Coast Railroad Authority. Director Haschak reported an upcoming meeting is scheduled, though was unsure how many more meetings will convene as the NCRA, while the agency transitions to the Great Redwood Trail Agency.
- d. MCOG Staff - Summary of Meetings. Ms. Barrett referred to her written staff report.
- e. MCOG Administration Staff
 - i. *Position Open – Administrative Assistant.* Ms. Barrett reported two job openings for a similar position with both Dow & Associates (MCOG Administration) and Davey-Bates Consulting (MCOG Planning). Chair Gjerde noted the County has open positions also.
 - ii. *Miscellaneous.* None.
 - iii. *Next Meeting Date.* Monday, December 6, 2021.
- f. MCOG Planning Staff
 - i. *Position Open – Administrative Assistant.* Refer to #11e above.

ii. *Miscellaneous*. None.

g. MCOG Directors. There were no reports.

h. California Association of Councils of Governments (CALCOG) Delegates. No news to report.

12. Closed Session—Conference with Legal Counsel—Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9), *Dewey-White v. Mendocino Council of Governments*, Mendocino Superior Court Case No. SCUK-CVPT 18-70179.

Adjourned to closed session at 2:58 p.m. and reconvened in open session at 3:15 p.m. Executive Director Barrett reported that a settlement of the case was approved by unanimous roll call vote.

13. Adjournment. The meeting was adjourned at 3:16 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director

(Blank Page)



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 7
Regular Calendar
MCOG Meeting
12/6/2021

TITLE: Gualala Downtown Streetscape Project –
Presentation and Discussion

DATE PREPARED: 11/29/21
MEETING DATE: 12/06/21

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND: At the April MCOG Board meeting, Caltrans presented information on the community outreach and efforts that had recently taken place to gather feedback on the Gualala Downtown Streetscape project. The design team discussed the project alternatives that had been presented to the community and reviewed some of the feedback that had been received. Following analysis of all the community feedback, Caltrans began developing modifications to the project to address the community input. At this meeting, Caltrans will be presenting the proposed modifications to the project concept. This is an informational presentation, but will also be an opportunity for the Board to provide comment. Although there are likely to be differing opinions in the community on certain project components, Caltrans is hoping that these new project modifications result in something upon which the majority of the community can agree.

The next major step in project development will be recirculation of a draft environmental document (DED). Because there have been some significant changes, the project team has determined that this is a necessary step prior to moving forward. Recirculation of the DED is anticipated in May 2022. In a separate agenda item at this meeting, the Board will consider approving additional funding for Caltrans to complete the PA&ED component of the project.

The other hurdle for moving the project forward is securing construction funding. We intend to apply for an Active Transportation Program grant in the upcoming cycle, which will open in the next few months. Although MCOG has some funding set aside to cover non ATP eligible items if necessary, it is inadequate to fully fund construction. We have a virtual site visit planned with California Transportation Commission staff to discuss the project in February and may consider some additions, such as a non-infrastructure component, to make the application more competitive.

ACTION REQUIRED: This item is for information and discussion. No action is required.

ALTERNATIVES: None identified.

RECOMMENDATION: Receive the presentation, discuss the project, and provide comment to MCOG staff and Caltrans. This item is for information and discussion only. No formal action is required on this item.

(Blank Page)



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 8a
Regular Calendar
MCOG Meeting
12/6/2021

STAFF REPORT

TITLE: Public Hearing - Final 2022 Regional Transportation Plan and Active Transportation Plan, and Negative Declaration **DATE PREPARED:** 11/29/21

SUBMITTED BY: Loretta Ellard, Deputy Planner

MEETING DATE: 12/06/21

BACKGROUND:

Over the past year or more, MCOG staff has been working with local agencies, Caltrans, and other stakeholders to update the Regional Transportation Plan (RTP) and Active Transportation Plan (ATP). The RTP is the primary transportation planning document for the region, and was last adopted on 2/5/18. As we are now on a four-year RTP update cycle, this 2022 update is due by 2/5/22. The ATP is included within the RTP as the Active Transportation element, and is intended to identify priority bicycle and pedestrian improvements for all local jurisdictions and qualify projects for grant funding through the State's Active Transportation Program.

As previously reported, due to the COVID-19 pandemic, the public outreach for this project was conducted virtually through Social Pinpoint, an interactive online platform posted on MCOG's website and advertised through email lists, press releases, flyers, and social media. Stakeholder outreach also included a virtual presentation to Mendocino County tribes at a Caltrans District 1 quarterly tribal meeting; a recorded informational presentation posted on both the County's YouTube channel and on MCOG's website; virtual presentations at the Mendocino County Climate Action Advisory Committee meeting and at various Municipal Advisory Council (MAC) meetings.

At last month's MCOG meeting, staff gave a PowerPoint presentation on the Draft 2022 RTP and ATP. The draft was posted to MCOG's website on 10/15/21 for public review and comment. Staff followed up with press releases to local news media and email notifications to a large mailing list of interested parties, tribes, and stakeholders, advising of the availability of the draft documents for public review. The proposed CEQA Document – Initial Study/Negative Declaration was also prepared and distributed for review and comment through the State Clearinghouse, and posted on MCOG's website.

We have updated the draft based on stakeholder feedback as appropriate, and the proposed Final RTP and ATP, along with the Negative Declaration, are now posted at: <https://www.mendocinocog.org/draft-2022-regional-transportation-plan>.

The Technical Advisory Committee (TAC) considered the Draft RTP, ATP and Negative Declaration at their 11/17/22 meeting, and unanimously recommended approval.

At this meeting, a public hearing will be held to receive comments on the Negative Declaration and Regional Transportation Plan and Active Transportation Plan. Prior to adoption of the Plan, the MCOG Board must consider the Negative Declaration and any comments received. Upon finding that there is no substantial evidence that adoption of the Plan will have a significant effect on the environment, the Board may then approve the Negative Declaration. Once the Negative Declaration has been approved, the Board may take action on the Plan itself, by adopting the attached resolution.

ACTION REQUIRED:

1. Make finding that proper notice of meeting has been provided. Notice was published in Ukiah Daily Journal on 10/29/21 and 11/5/21; Willits News on 10/28/21; Independent Coast Observer on 10/29/21, and Fort Bragg Advocate on 10/28/21. A notice was also posted at the Mendocino County Clerk’s office, MCOG website, sent to local agencies and tribal governments, and circulated through the State Clearinghouse.
2. Receive staff report.
3. Open public hearing.
4. Receive public comments.
5. Close public hearing.
6. Consider Approval of Negative Declaration – Upon finding that there is no substantial evidence that adoption of the Regional Transportation Plan and Active Transportation Plan will have a significant effect on the environment, accept TAC recommendation to approve the Negative Declaration.
7. Consider Adoption of 2022 Regional Transportation Plan and Active Transportation Plan – accept TAC recommendation to adopt the 2022 Mendocino County Regional Transportation Plan and Active Transportation Plan, by adopting Resolution No. M2021-_____.

ALTERNATIVES:

1. Adopt RTP and ATP with changes.
2. Continue adoption of the Negative Declaration, RTP and ATP to the 2/7/22 MCOG meeting.

RECOMMENDATION:

1. Upon finding that there is no substantial evidence that adoption of the Regional Transportation Plan and Active Transportation Plan will have a significant effect on the environment, approve the Negative Declaration.
2. Adopt Resolution No. M2021 _____, “Adopting the 2022 Mendocino County Regional Transportation Plan and Active Transportation Plan”.

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD OF DIRECTORS

RESOLUTION NO. M2021 - _____

ADOPTING THE 2022 MENDOCINO COUNTY REGIONAL TRANSPORTATION PLAN AND ACTIVE TRANSPORTATION PLAN

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County;
- State law required the preparation of Regional Transportation Plans by regional transportation planning agencies to address transportation issues and to assist local and state decision makers with shaping California's transportation infrastructure;
- In accordance with Government Code Section 65080, MCOG is required to regularly adopt a Regional Transportation Plan (RTP);
- The last RTP for the Mendocino County region was adopted February 5, 2018;
- MCOG prepared, in accordance with the Regional Transportation Plan Guidelines, a Draft 2022 Mendocino County Regional Transportation Plan and Active Transportation Plan (ATP), which was distributed for review and comment;
- Throughout the RTP and ATP update process MCOG has made efforts to include and consult with Tribal governments, other governmental agencies, community organizations, the private sector, and members of the public, consistent with the adopted Public Participation Plan;
- MCOG's Technical Advisory Committee reviewed the RTP and ATP at their meeting of November 17, 2021 and recommended approval; and
- MCOG has found that there is no substantial evidence that adoption of the RTP and ATP will have a significant effect on the environment, and therefore, has adopted a Negative Declaration for the Plan, pursuant to CEQA; therefore, be it

RESOLVED THAT:

The Mendocino Council of Governments hereby adopts the 2022 Mendocino County Regional Transportation Plan and Active Transportation Plan.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and carried this 6th day of December, 2021, by the following roll call vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

Dan Gjerde, Chair



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 8b
Regular Calendar
MCOG Meeting
12/6/2021

TITLE: Public Hearing & Adoption of the 2022
Regional Transportation Improvement Program

DATE PREPARED: 11/30/21
MEETING DATE: 12/06/21

SUBMITTED BY: James Sookne, Program Manager

BACKGROUND:

Each odd-numbered year we consider the programming of projects that are to be included in the State Transportation Improvement Program (STIP) that goes into effect July 1 of the following year. We do this by developing our Regional Transportation Improvement Program (RTIP) which programs our Regional Improvement Program (RIP) shares of funding as identified by the California Transportation Commission (CTC) in the Fund Estimate (FE). The FE for the 2022 STIP identified available programming through FY 2026/27 of \$5,290,000 for the Mendocino County region. That total includes Planning, Programming & Monitoring funds in the amount of \$209,000, leaving \$5,081,000 available for projects.

Applications for funding were due to MCOG on October 1. The only request that staff received was from the County to rearrange previously uncommitted funds for the construction of their North State Street project.

Following the completion of an alternatives analysis in 2020, the County revised their engineer's estimate and identified cost increases in all components of the project. At this time, the County would like to program \$138,000 of the committed funds to the right of way component and leave the remaining \$1,464,000 unprogrammed. This will allow the County to request the remaining unprogrammed funds through allocation of the PS&E phase for a total of \$1,800,000 for this component when combined with the \$336,000 that is programmed for that component. The County would prefer to program the additional \$1,464,000 to the PS&E phase in the STIP; however, guidelines don't allow for programming funds to a component that is programmed in the current fiscal year.

The location of this project has been identified as a high priority area in the Local Road Safety Plan (LRSP) and the County plans to submit a Highway Safety Improvement Program (HSIP) application to fund the construction phase.

In addition to this request for funding changes from the County, Caltrans has also indicated that there is a need to increase funding for the PA&ED component of the Gualala Downtown Streetscape project by \$400,000 (adding to the \$340,000 programmed and allocated for the component). Because this is a Caltrans implemented project, it can be accomplished through a supplemental allocation. Within the RTIP, the addition can be accommodated either by tapping into the existing future funding commitment for the project which committed up to \$3,050,000 pending the outcome of an Active Transportation Program grant application and determination of eligible project components. It could also be accommodated by adding to the funds approved for the project.

The Technical Advisory Committee (TAC) reviewed both requests at their meeting on October 20. After some discussion, the TAC made a recommendation to approve the County's request to rearrange the previously committed funds and to tap into the current Fund Estimate to increase the funding for the PA&ED component of the Gualala Downtown Streetscape project by \$400,000. This recommendation would utilize \$1,802,000 of the \$5,081,000 RIP funds available to the region, which includes an existing future funding commitment for the County's North State Street Intersection/Interchange Improvement project.

Based on the TAC's recommendation, a draft RTIP has been prepared that includes the programming described above. The previous funding commitment for the construction of the Gualala Downtown Streetscape project has been included as reserves in the document as well. In addition to the regular 2022 RTIP development process, staff has worked with agencies to identify programming for any unprogrammed COVID Relief STIP funds, which has also been included in the RTIP. At their meeting of November 20, the TAC reviewed the draft RTIP and recommended that the MCOG Board approve the RTIP as presented.

At this time, we ask that the Board consider the RTIP for adoption. A Resolution has been prepared which reflects the TAC recommendation for approval. Following adoption, the RTIP will be forwarded to Caltrans and the California Transportation Commission prior to the December 15, 2021, due date along with any additional project documentation.

ACTION REQUIRED:

1. Make finding that proper notice of meeting has been provided. Notice was published in the Ukiah Daily Journal 11/24/21.
2. Receive staff report.
3. Open public hearing.
4. Receive public comments.
5. Close public hearing.
6. Action by Resolution on the 2022 Regional Transportation Improvement Program.

ALTERNATIVES: Do not adopt the RTIP or adopt the RTIP with modifications.

RECOMMENDATION: By resolution, adopt the 2022 Regional Transportation Improvement Program which programs \$347,000 for transportation projects in the Mendocino County region over the next five years, including programming of additional right of way funds for North State Street Intersection & Interchange Improvement project and a supplemental allocation of \$400,000 for the PA&ED component for the Gualala Downtown Streetscape project. Authorize staff to submit the adopted RTIP to Caltrans and the California Transportation Commission by the December 15, 2021, due date.

Ukiah Daily Journal

617 S. State St
Ukiah, California 95482
(707) 468-3500
advertising@record-bee.com

3748390

MENDOCINO COUNCIL OF GOVERNMENTS
525 S. MAIN ST SUITE G
UKIAH, CA 95482

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/24/2021

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
November 30th, 2021



Molly E. Lane, LEGAL CLERK

Legal No. **0006625498**

5438-21

11-24/21

MEETING NOTICE

NOTICE IS HEREBY GIVEN that the Mendocino Council of Governments (MCOG) will meet on Monday, December 6, 2019, at 1:30 p.m. or as soon thereafter as possible, to consider the following item:

Public Hearing - Adoption of 2022 Regional Transportation Improvement Program

MCOG will hold a public hearing to consider adoption of a Regional Transportation Improvement Program (RTIP) which proposes to program \$138,000 for transportation projects throughout the region over the next five years.

The purpose of this public hearing is to receive public testimony prior to formal adoption of the 2022 RTIP. Pursuant to AB 361, MCOG continues to conduct their meetings virtually. Virtual meeting information, and in-person locations if available, will be posted to MCOG's website under the "meetings" tab. For further information, please contact the MCOG office at 707-463-1859 or visit www.mendocinocog.org.

Nephele Barrett
Executive Director

(Blank Page)

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2021-___

ADOPTING THE 2022 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS,

1. The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency (RTPA) for Mendocino County;
2. In August of 2021, the California Transportation Commission (CTC) adopted a 2022 State Transportation Improvement Program (STIP) Fund Estimate which provides Regional Improvement Program (RIP) funds to regional transportation planning agencies;
3. MCOG, as the RTPA, is required by State law to prepare, adopt, and submit to Caltrans and the California Transportation Commission by December 15, 2021 a Regional Transportation Improvement Program (RTIP) which programs these funds;
4. The 2022 STIP Fund Estimate identified a new programming target for the Mendocino County region of \$5,290,000, which includes \$209,000 in Planning, Programming, & Monitoring (PPM) funding, with a maximum programming limit of \$6,943,000;
5. The 2020 RTIP identified future funding commitments of \$1,602,000 for Mendocino County's North State Street Intersection/Interchange Improvement project and \$3,050,000 for the Gualala Downtown Streetscape Project;
6. MCOG accepted applications for projects to utilize the RIP funding which were reviewed by the Technical Advisory Committee (TAC) at their meeting on October 20;
7. The TAC made recommendations for projects to be included in the 2022 Regional Transportation Improvement Program at their meeting on October 20, 2021;
8. The 2022 Regional Transportation Improvement Program has been prepared with the following new programming:

Project Name and Location	Amount
North State Street Intersection/Interchange Improvement	\$138,000 ROW Total \$138,000
Planning, Programming & Monitoring	\$209,000
Total Programming	\$347,000

9. The \$138,000 for the County's North State Street Intersection/Interchange Improvement project is coming out of the previous funding commitment of \$1.602 million identified in the 2020 RTIP, leaving the \$1,464,000 reserved and available for allocation to this project;

10. Caltrans has requested a supplemental allocation of \$400,000 for the PA&ED component of the Gualala Downtown Streetscape project that will come out of the current Fund Estimate maintaining the \$3,050,000 future funding commitment in the 2022 RTIP;
11. The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) was enacted into law on December 27, 2020, and resulted in COVID Relief STIP funding of \$1,198,132 for the Mendocino County region (including PPM of \$59,907);
12. MCOG approved a distribution of these COVID Relief STIP funds to the local agencies at their meeting on May 3, 2021; and
13. A portion of these funds have already been programmed, and programming for the balance has been included as part of the 2022 RTIP as follows:

Project Name and Location	Amount
County – Ackerman Creek Bridge Replacement	\$600,000 CON Total \$600,000
Ukiah – Ukiah Downtown Streetscape, Phase II	\$233,000 CON Total \$233,000
Fort Bragg – 2022 Streets Project	\$162,000 CON Total \$162,000
Planning, Programming & Monitoring	\$59,000
Total Programming	\$1,054,000

14. The Technical Advisory Committee recommended approval of the RTIP with the programming identified above at their meeting on November 17, 2021; now therefore, be it

RESOLVED, THAT:

The Mendocino Council of Governments finds that the 2022 Regional Transportation Improvement Program (RTIP) is consistent with Mendocino County’s adopted Regional Transportation Plan; and

The Mendocino Council of Governments hereby adopts the 2022 Regional Transportation Improvement Program (RTIP) to include programming a total of \$138,000 in RIP funding and a total of \$1,054,000 in COVID Relief STIP funds and directs staff to forward this resolution and the appropriate documentation to Caltrans and the California Transportation Commission.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 6th day of December, 2021, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

Dan Gjerde, Chair



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 9
Regular Calendar
MCOG Meeting
12/6/2021

TITLE: Consideration of Participation in New RuralREN Program

DATE PREPARED: 11/29/21

MEETING DATE: 12/06/21

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND: In light of an increasing interest in reducing the region's carbon footprint and climate impacts, the MCOG Board appointed an ad hoc committee for the purposes of exploring options for a regional role in these efforts. Based on other regional efforts around the State, the ad hoc committee discussed two potentially overlapping concepts—joining or creating a Regional Energy Network program and forming a regional climate protection agency. At the November MCOG meeting, based on the ad hoc recommendation, the Board directed staff to explore options for joining an existing Regional Energy Network or developing a new Regional Energy Network (REN) program and forming a regional climate protection agency.

As part of the exploration of options for REN participation and/or formation, and based on recommendations from BayREN staff, we scheduled a meeting with the Humboldt County Association of Governments and Redwood Coast Energy Authority (RCEA) to discuss the potential for forming a new REN. At that meeting, we were surprised to learn that they are already in the process of forming a Rural REN, led by RCEA, with other rural counties that are part of an existing Rural Hard to Reach working group. In addition to RCEA, member counties/agencies are Sierra Business Council, San Luis Obispo County, Association of Monterey Bay Area Governments, Kern County, Ventura Regional Energy Alliance, High Sierra Energy Foundation and San Joaquin Valley Clean Energy Organization. The group is preparing to submit their business plan/application to the California Public Utilities Commission in February for consideration.

Because of the short timeframe before their filing date, it's not possible for Mendocino County to go through the steps involved in being a full REN partner at this time. The full member agencies have been working over the last year to formalize plans, develop MOUs, etc. However, RCEA representatives suggested that some of the programs could initially be conducted in a limited capacity in Mendocino through a subcontract. Mendocino could then work toward becoming a full Rural REN member to implement local programs with the Budget Filings for 2025. As I understand it, the new REN programs will be up and running in early 2023, so there would be about two years of limited program offerings before becoming a full REN member.

The Rural REN will have several program offerings, including Public Agency Equity Program, Residential Equity Program, Work Force Education and Training, Codes and Standards, Financing, Residential Resource Program (incentives and direct install), Non-Residential Resource Program (incentives and direct install). Initially, it would not be feasible to conduct all of these programs in Mendocino County. If there's support for participating in this REN, it's recommended that only the Residential and Non-Residential Resource Programs be offered initially. Because the City of Ukiah provides electricity, it is unclear what level of participation customers within the City might have in these programs initially as program offerings within the City would need to be related to natural gas service rather than electricity.

ACTION REQUIRED: Today the Board should consider whether or not there is a desire to participate in the new Rural REN. Unfortunately, due to the timing of the Rural REN filing with the CPUC, there's little time to consider this before action is needed. RCEA staff coordinating the effort has asked for letters of support from MCOG and member agencies in order to participate. If the Board would like to move forward,

they should direct staff to send a letter of support for participation in the REN and request letters of support from member agencies. Prior to the filing, staff would work with the REN administrators to work out an initial budget for Mendocino County.

ALTERNATIVES: Due to the short timeframe to consider this action, the Board may wish to take a more conservative approach. A limited amount of benefits is currently available to Mendocino County residents outside of the City of Ukiah. The region could continue with that in the short term, but work with the new Rural REN with the plan to transition to that program by the 2025 Budget Filings.

RECOMMENDATION: If the Board would like to move forward with participating in the new Rural REN, the following is recommended:

1. Direct staff to prepare and send a letter of support to the Rural REN administrators expressing our desire to participate via subcontract in the resource programs that will be offered through the REN with the intent of becoming full REN partners at the time of the Budget Filings for 2025.
2. Direct staff to request similar letters of support from member agencies, as appropriate, to participate in the Rural REN.

Enclosure:

Rural Regional Energy Network (REN) abstract

RURAL REGIONAL ENERGY NETWORK (REN)

Delivering Energy Efficiency Solutions to Rural and Hard-to-Reach Communities in California

ISSUE

California Investor Owned Utilities (IOUs) have had a difficult time providing rural and hard-to-reach areas of the state with consistent, predictable, and cost-effective energy efficiency services. **The Rural Hard to Reach Working Group (RHTR) is exploring creation of a Rural Regional Energy Network (REN) designed to serve rural and hard-to-reach (RHTR) California communities. RHTR REN services will fill service gaps while ensuring that rural California communities continue to receive EE services and the associated benefits.**

BACKGROUND

In 2012, the California Public Utilities Commission (CPUC) recognized the need for better access to and delivery of energy efficiency services to Californians who were not being served adequately by their local IOUs (see [D.12.11.015](#)). The Commission created a new partnership model, known as a Regional Energy Network (REN), to leverage key local government attributes, including a commitment to community, an ability to innovate and adapt, and capacity to connect programs to climate action planning at a regional level, as described in the CPUC's Decision D.12.11.015.

Three RENs are currently in operation: BayREN in the nine-County Bay Area, SoCalREN in Southern California, and Tri-County REN covering Ventura, Santa Barbara, and San Luis Obispo counties. Together they are fulfilling these CPUC directives in their jurisdictions, building a viable infrastructure with customized, flexible, and innovative programs that reflect local government values and serve local needs. The CPUC identified additional areas that could benefit from future REN development, including the largely rural Central Valley, San Joaquin Valley, and Sierra Nevada. RHTR members are exploring the creation of a REN for these and other rural regions — a so-called “*Rural REN*” — that can provide more consistent, predictable, and cost-effective energy efficiency services while encouraging greater public and private sector energy leadership and accelerating achievement of California's emission reduction and public health goals in the state's less populated communities.

NEED

Rural and hard-to-reach customers do not have easy access to program information or generally do not participate in energy efficiency programs due to language, income, housing type, geographic, or built space ownership (eg. split incentives) barriers. These customer groups also tend to have increased financial barriers as compared to more urban and affluent communities, making it more difficult for them to undertake equipment replacements in both commercial and residential environments. Available research and data suggest that serving rural areas has been an ongoing challenge that a Rural REN would be best equipped to address. For example:

- A September 2018 ACEEE report titled [Reaching Rural Communities with Energy Efficiency Programs](#) indicates that rural populations are more spread out and housing stock is less dense,

so utility programs serve fewer customers per mile of line and usually at greater cost than in urban areas. In addition, rural customers face barriers, including: lack of infrastructure such as broadband access that is necessary to implement advanced energy savings opportunities; reluctance to engage in unfamiliar programs; and shortage of trained, qualified, and available contractors to do agreed-upon work. Yet nationwide, rural households are shown to have a higher median energy burden than their surrounding areas, meaning they generally have greater energy efficiency needs.

- The August 2018 Better Building Summit Energy Exchange presentation on “[Energy Strategies for Rural Communities](#)” noted that rural America has a greater proportion of low-to-moderate-income families who may have problems financing energy efficiency investments, consumes energy at rates about 10% higher than urban areas, and includes agricultural businesses that consume significant amounts of energy.
- The [Targeted Process Evaluation of the Local Government Partnership Program](#), a 2016 report evaluating the utilities’ Local Government Partnership (LGP) programs, validates the RHTR Working Group’s concerns regarding service delivery challenges across multiple utilities in geographically isolated partnership areas, saying:

[o]ur findings suggest that partnerships with low population density and far from urban centers experience marketplace barriers that make municipal retrofits challenging. These partnerships are found within PG&E, SCE, and SCG territories. Some... experienced a lack of trained local contractors available within their communities to perform energy efficiency retrofit work, difficulty attracting out-of-area contractors, and a lack of energy efficient equipment available locally for comprehensive retrofits.

In addition to national and statewide assessments, RHTR has observed a variety of programmatic barriers at the regional and local levels, such as:

- Programs are designed to deliver cost effective savings, so by default they tend to target areas with the highest potential to meet program Total Resource Cost (TRC) requirements; these often are the more urban, affluent, and energy-dense areas, leaving out the more dispersed, lower-income rural and hard-to-reach communities.
- Custom projects often do not move forward because of: (a) industry standard practice definitions geared towards urban affluent communities; or (b) project scale that is not sufficient to advance through a statewide Custom Retrofit Incentive pathway.
- 3rd party implementers do not have a financial incentive to serve rural or hard-to-reach communities; in effect, current and projected implementation environments will continue to disincentivize service to those communities through: (a) unachievable cost effectiveness requirements, and (b) pay-for-performance contracting.
- There is great potential for a massive loss in capacity should rural implementer budgets collapse – this holds true for all local government partner implementers.

A Rural REN is needed to bridge these gaps while identifying and deploying a suite of high-quality services as cost-effectively as possible in areas that: (a) share similar geographic/demographic characteristics; (b) share similar program design and delivery challenges; and (c) lack other regional

partnership vehicles, such as Councils of Governments, to meet local and statewide energy efficiency and emission reduction goals.

PROGRAM

RHTR proposes a rural-focused REN to design programs that will leverage economies of scale and situational similarity to provide services that are additive, rather than duplicative or competitive, with utility programs. **By establishing such a Rural REN now, the CPUC will insulate rural ratepayers from future program contractions and other disruptions resulting from the financial liability challenges facing California's three primary IOUs.**

RHTR Working Group Jurisdictions



The Rural REN will address hard-to-reach markets with a range of support, marketing, outreach, training and technical assistance services, including pilot programs to build both capacity and infrastructure development. The Rural REN will take a portfolio approach, offering a mix of flexible and innovative resource and non-resource programs customized to a community's specific needs. For example, a Rural REN will:

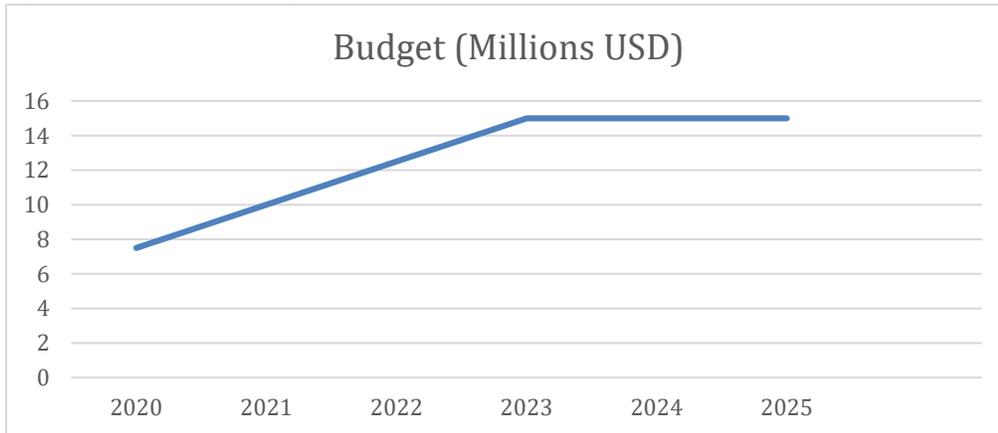
- Ensure that rural ratepayers do not get left behind as California aggressively pursues a new energy future through the next five years of the rolling portfolio.
- Accelerate achievement of statewide efficiency and emission reduction goals through use of emerging technology and commitment to transformative policies, such as zero net energy.
- Deliver rural resource-based energy services to the Residential, Commercial, Public, Industrial, and Agricultural sectors.
- Ensure more equitable service delivery through increased customer education and assistance.
- Provide resources and trainings to improve knowledge of and compliance with California's energy codes and standards.
- Offer accessible and customized workforce trainings that foster and improve home performance practices and knowledge of building science, thereby increasing energy savings and code compliance.
- Help rural leaders better understand and embrace advanced energy efficiency goals.
- Pilot new innovative program and/or delivery concepts specific to rural or hard-to-reach regions as well as geared toward scaling to areas beyond RHTR.

While the RHTR Working Group acknowledges that under a Rural REN, resource programs will not be governed by the same TRC considerations as IOU program activities, per D.12-11-015, the Rural REN will be committed to developing programs that enhance services, cost savings, and energy savings, and provide value to the CPUC, California ratepayers, and the RHTR Working Group's represented jurisdictions and stakeholders.

BUDGET

Budgets are dynamic and largely dependent on RHTR partners' varying implementation capacities; but we believe the following figure presents a feasible ramp-up curve.

Figure 1: Proposed Budget



CONCLUSION

While state regulators and utilities may theoretically offer or even encourage energy efficiency programs in rural areas, we know from experience that the higher costs associated with such programs drag down the overall cost-effectiveness of the energy efficiency portfolio at a time when there is increased demand for greater cost-effectiveness to benefit ratepayers statewide. California's rural communities may comprise only 20% of the state's population; but cover half the state's land area, making it very difficult for urban-centered utilities to deliver adequate services while meeting these cost-effectiveness mandates. A rural-focused REN will provide a more workable and effective delivery model to build a pipeline and implement projects, ensuring that all constituents and ratepayers, whether urban or rural, are receiving the promise envisioned by and the services supported by their contributions to the Public Purpose Program fund.

###

2022 MCOG BOARD MEETING CALENDAR

1st Monday at 1:30 pm, 9-10 months per year
By Remote Teleconference until further notice

As of 11.22.2021 – subject to change

Date	Planned Highlights and Recurring Actions	Notes
January	No meeting this month	
February 7	Election of Officers and Committee Appointments <u>Social Services Transportation Advisory Council (SSTAC) Recommendations:</u> 2022/23 Unmet Transit Needs - Public Hearing Adoption of Final 2022 Regional Transportation Plan (RTP) – <i>if continued</i>	RTP adoption is scheduled for December 2021 or February 2022
March 7	Regular Business	
April 4	<u>Staff and Executive Committee Recommendations:</u> Draft 2022/23 Budget – No Action	
May 2	Virtual Transportation Tour of Plans & Projects – <i>TBD</i> Fiscal Year 2022/23 Budget Workshop Including: <u>Staff and TAC Recommendations:</u> Planning Overall Work Program <u>Transit Productivity Committee (TPC) Recommendations:</u> Unmet Transit Needs Reasonable-to-Meet Finding Funding of MTA's Annual Transit Claim	Virtual tour at regular meeting time by teleconference
June 6	<u>Combined Recommendations of Staff & Committees:</u> Adoption of 2022/23 Regional Transportation Planning Agency Budget <u>TAC Recommendations:</u> Adoption of 2022/23 Planning Overall Work Program	
July	No meeting this month	
August 15	Regular Business	Change to third Monday
September	No meeting this month	
October 3	Regular Business / Optional Virtual Tour of Plans & Projects – <i>TBD</i>	
November 7	Regular Business	
December 5	<u>Social Services Transportation Advisory Council (SSTAC) Recommendations:</u> 2023/24 Unmet Transit Needs - Public Hearing	

Related Meetings of Interest / Educational Options

Early 2022	23rd Annual CTF Transportation Forum – Sacramento http://www.transportationfoundation.org/	CA's leading charitable transportation organization
March 7-8	CALCOG Delegates: 2022 Annual Regional Leadership Forum – Riverside http://www.calcog.org/	Assn. of regional agencies; networking & current issues
Nov. 13–15	Self Help Counties Coalition: 33rd Annual Focus on the Future Conference, Newport Beach Marriott http://www.selfhelpcounties.org/focus/	25 local agencies with transportation sales taxes

(Blank Page)



**MENDOCINO COUNCIL OF GOVERNMENTS
STAFF REPORT**

Agenda # 12d
Reports
MCOG Meeting
12/6/2021

TITLE: Summary of Meetings

DATE PREPARED: 11.30.2021

SUBMITTED BY: Janet Orth, Deputy Director

BACKGROUND: Since our last regular MCOG meeting packet, MCOG Administration and Planning staff have attended (or will have attended) the following meetings on behalf of MCOG:

Date	Meeting/Event	Staff
Nov. 3	Local Road Safety Plans – Point Arena stakeholder workshop #2	Ellard, Barrett
Nov. 3	North State ZEV Working Group	Orth, Sookne
Nov. 3	SB 743 Vehicle Miles Traveled (VMT) Study - Caltrans consultant	Barrett, Ellard
Nov. 4	Joint CTC/CARB/HCD meeting	Barrett, Davey-Bates
Nov. 8	Local Partnership Program (LPP) workshop	Barrett, Casey
Nov. 9	Willits Local Assistance meeting	Casey
Nov. 9	Active Transportation Program (ATP) workshop	Barrett
Nov. 9	Covelo Trail Project Development Team (PDT) meeting	Barrett, Sookne
Nov. 10	Strategic Growth Council’s Regional Climate Collaboratives program kickoff	Orth
Nov. 12	Regional Transportation Plan (RTP) bi-weekly staff meeting	Barrett, Ellard
Nov. 15	Covelo Trail meeting with Caltrans District 1 management	Barrett, Sookne
Nov. 17	MCOG Technical Advisory Committee (TAC) meeting	Barrett, Ellard, Pedrotti, Casey, Sookne
Nov. 17	SGC’s Regional Climate Collaboratives rural listening session	Orth
Nov. 18	Regional Energy Network (REN) research with Humboldt County agencies	Barrett, Orth
Nov. 18	Blue Zones walking audit – Willits and Ukiah	Ellard
Nov. 19	Covelo Trail meeting with CTC staff	Barrett Sookne
Nov. 19	Blue Zones countywide summit	Barrett, Ellard
Nov. 19	Rural Counties Task Force meeting	Barrett, Davey-Bates
Nov. 22	Local Roads Safety Program (LRSP) monthly check-in with consultant TJKM	Ellard
Nov. 30	Regional Transportation Plan (RTP) staff meeting	Barrett, Davey-Bates, Ellard, Sookne, Casey
Dec. 1	Veloz Summit Series: Breaking Down EV Charging Barriers	Orth
Dec. 1	Active Transportation Program (ATP) guidelines development workshop	TBD

We will provide information to the Board regarding the outcome of any of these meetings as requested.

ACTION REQUIRED: None.

ALTERNATIVES: None identified.

RECOMMENDATION: None. This is for information only.

(Blank Page)



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 12e
Reports
MCOG Meeting
12/6/2021

TITLE: SR 162- Covelo Multi-Purpose Trail Project
Project Status and Right-of Way Update

DATE PREPARED: 11/29/21
MEETING DATE: 12/06/21

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND: The Covelo SR 162 Multi-Purpose Trail Project will construct a Class I multi-purpose trail parallel to State Highway 162, a distance of approximately 1.5 miles through the community of Covelo, plus an east-west portion of the trail approximately 0.5 mile in length.

There have been some unique challenges with this project from the beginning. We are currently nearing a critical point in the project, and new challenges continue to present themselves. In October, we submitted our allocation request to Caltrans and the California Transportation Commission for the Active Transportation Program grant funds designated for construction. This request will be on the CTC's January 26/27 agenda. The CTC and Caltrans require that right of way be certified for the project before the construction funds are allocated. Our right-of-way (ROW) consultant, BRI, has been moving things along as quickly as possible, while still allowing time for property owner review. After the board authorized the Approval to Acquire forms at the October meeting, appraisals have been finalized and first written offers have been going out. At this time, the only first written offer that has not been submitted is for one Bureau of Indian Affairs owned parcel due to additional requirements (see below). Unfortunately, the delays earlier in the ROW process due to Caltrans' enhanced role in the process, and resulting additional requirements from them before appraisals began, significantly set back the start of acquisitions. These previous problems with ROW, in addition to some new hurdles, are making it difficult to certify ROW prior to the CTC meeting.

Over approximately the last month, we've had three new challenges present themselves. We had previously been advised by Caltrans that we could pursue a ROW Certification Level 3 or 3W, which allow certification even if not all acquisitions are complete or properties are in contract. However, only about a month before our allocation request for construction was due, we were told by Caltrans ROW staff that we could not pursue either of those. We've relied heavily on guidance from Caltrans throughout this project, so this change came as a shock. Our ROW consultant has concerns about the ability to achieve that level of certification prior to the January CTC meeting, particularly when considering the other recent complications.

Very recently, our ROW consultant has learned that on at least two of the properties involved in acquisition, one of the title interest owners has passed away. In one case, the owner died intestate so it will take the title company some time to determine the correct way to change the vesting. Once it is known how the new vesting will be, the Easement Deed will be revised accordingly, and notarized signatures obtained. The signed ROW contract was submitted to Caltrans, however, it is Caltrans standard procedure to wait until all of the title vesting corrections are completed before counter signing. However, this could be weeks or even months. Similarly, with some of the other transactions, owners are very reluctant to provide notarized signatures on fee or easement deeds, without having a fully executed Right of Way Contract first. Our ROW consultant suggested some alternatives that would allow ROW to proceed more expeditiously, however, the ROW staff at Caltrans was not comfortable with these alternative approaches. We continue to move forward "by the book," but with great concern that we can achieve certification in time.

The newest surprise with the project is that we likely need some kind of NEPA clearance. This project has been entirely funded with State and local funding. Because of this, it was our understanding, confirmed by both Caltrans environmental staff and our own environmental consultants, that we were subject to CEQA review only. It has never been suggested previously that NEPA clearance would be required. However, within the last month we've learned that the Bureau of Indian Affairs will require NEPA clearance as part of the documents that are submitted to them for ROW. Initially we believed that a Categorical Exclusion would be appropriate for the project, but BIA has just informed us that the project does not qualify for the CE. Even without the NEPA requirement, we've learned that the BIA approval process could extend beyond the timeframe allowed by the allocation deadline.

We, along with BRI and Caltrans, continue to push for timely ROW certification. However, we've also been working with Caltrans and CTC staff to determine alternatives in case that's not possible. One possible alternative is a deferment of the allocation deadline, which has been allowed in extreme cases, including for tribal projects. Although this project is not tribally administered, over half of the project lies within tribal boundaries and BIA plays a significant role in ROW acquisition. Another option that we will pursue is the possibility of a resolution from the Tribal Council that, if accepted by BIA, would allow us to move forward while still working through the BIA process. Fortunately, both Caltrans District 1 management and CTC staff recognize the importance of the project and, I believe, will support these efforts to keep the project moving forward.

ACTION REQUIRED: None, informational only.

ALTERNATIVES: None, informational only.

RECOMMENDATION: None, informational only.