

The Bi-State Metropolitan Planning Organization **Public Involvement Procedures**

August 4, 2005

Introduction

The Public Involvement Procedures document has been developed to assure that the transportation planning process conducted by the Bi-State Metropolitan Planning Organization (MPO) complies with Federal requirements for public involvement and participation. This Document presents the goals of the MPO for public involvement, as well as the public involvement procedures designed for various MPO activities. These procedures will provide opportunities for citizens to contribute ideas and opinions at every stage of the planning process. Efforts will be made to assure participation in the transportation planning and programming process by traditionally underserved individuals, including elderly, low income and minority individuals, persons with disabilities, and persons with Limited English proficiency (LEP).

Public Involvement Requirements

As delineated in the Transportation Equity Act for the 21st Century (TEA-21), federal law and regulations require each MPO to conduct a planning process that must consider projects, planning strategies, and implementation methods that will:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency,
2. Increase the safety and security of the transportation system (which includes road, highway, transit, bicycle, pedestrian, rail and aviation components) for motorized and non-motorized users,
3. Increase the accessibility and mobility options available to people and for freight,
4. Protect and enhance the environment, promote energy conservation, and improve quality of life,
5. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight,
6. Promote efficient system management and operation, and
7. Emphasize the preservation of the existing transportation system.

Freedom of Information Act

In order to ensure adequate public notice and provision of timely information, all meetings of the Bi-State Metropolitan Planning Organization Policy Board and all subcommittee and focus groups are subject to the provisions of the Arkansas Freedom of Information Act, Acts 1967 No. 93, as amended.

Public Notification and Participation

Policy Board meeting and Technical Committee meeting notices will be provided to local newspapers of general circulation sufficiently in advance of a meeting to meet newspaper guidelines for publication during the week of and prior to the meeting. When, and if, non-English newspapers of general circulation are initiated in the Bi-State region, the MPO Staff will work with these newspapers to have the above meeting notices printed in the appropriate language in their publications. These notices do not need to be paid notices.

Notices of public hearings will be paid notices in local newspapers of general circulation. When, and if, non-English newspapers of general circulation are initiated in the Bi-State region, the MPO Staff will work with these newspapers to have the above meeting notices printed in the appropriate language in their publications. These notices do not need to be paid notices. The notice of public hearing will be published at least (10) working days prior to the meeting date. A copy of paid newspaper publications shall be retained in the Bi-State MPO files for a period of three years after the end of the Fiscal Year.

Official notification of Public Meetings, Public Hearings, and Public Review and Comment periods will also be provided for posting at the following locations and other locations identified by MPO staff in order to encourage minority and other underserved populations to participate in the process:

- The Administrative Offices of each local member jurisdiction,
- Departments of Human Services,
- Regional Library,
- Bi-State/WAPDD office, and
- Appropriate web sites.

All Policy Board and Technical Committee meetings are open to the public and will be conducted in a location that complies with the Americans with Disabilities Act (ADA). A period for comments from members of the public will be provided prior to the adjournment of said meetings.

Reasonable Public Access to Technical and Policy Information

The Bi-State MPO staff is available during normal business hours to discuss technical and policy information with citizens and other interested parties. MPO staff is also available to meet with outside groups after normal business hours. Arrangements for staff to attend meetings after normal business hours must be made at least one (1) week in advance of the meeting. Copies of all available documents and other materials are available for the cost of postage.

Environmental Justice

Pursuant to Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, dated February 11, 1994, and the subsequent U.S. Department of Transportation Order 5680.3, issued April 15, 1997, the Bi-State Metropolitan Planning Organization promotes Environmental Justice in all aspects of the Bi-State transportation planning process. These procedures augment and reaffirm the Bi-State Metropolitan Planning Organization's policy to adhere to and advance the principles of the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964 (Title VI), the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as amended, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Transportation Equity Act for the 21st Century (TEA-21) as amended, and other statutes, regulations and guidance that address or affect infrastructure planning and decision making; social, economic, or environmental matters; public health; and public involvement. To these ends, notices of meetings and public hearings will be specifically provided in minority and ethnic gathering places to promote participation in the transportation planning process. Minority and ethnic communities will be monitored through census data to guarantee their inclusion in the process as populations fluctuate over time. Special accommodations (e.g. interpreter, sign language interpreter, large print copy, etc.) may be requested of the Bi-State MPO staff during normal business hours at least five (5) business days prior to the meeting. MPO staff will attempt to accommodate all such requests.

Transit Projects

The public involvement procedures outlined in these Procedures serve as the public participation process required for the development of transit projects as per FTA Circular 9030. The Bi-State MPO and any and all public transit operators will address the Program of Projects requirements as per Federal Transit Administration Circular 9030. Additionally, any and all public transit operator's capital projects and operational costs are included in the Bi-State MPO Transportation Improvement Program which is developed through a cooperative and collaborative process with interested parties and other private and public transportation providers.

MPO Work Products

Long Range Transportation Plan

Major updates of the Long Range Transportation Plan will be conducted every five years. The MPO will host at least one (1) public meeting in each Bi-State MPO member county to involve interested parties in the early stages of the plan development. Notices of public hearings for the LRP will be published and posted as stated in the Public Notification and Participation section above. After a draft Long Range Transportation Plan has been developed, the MPO will host at least one (1) formal public meeting to solicit comments on the draft plan. The public comment period will be 15 working days.

A final draft Long Range Transportation Plan will be presented to the Technical Committee and any appropriate focus group for review and comment prior to recommendation to the Policy Board for adoption. All public comments received will be made a part of the final adopted document. If the final LRP differs significantly from the draft presented to the public, then another opportunity for public review will be provided. Plan will be published and made available to the public.

Transportation Improvement Program (TIP)

The Transportation Improvement Program will be updated biennially and maintained annually. MPO staff will work directly with the MPO member local governments and with the Arkansas State Highway and Transportation Department and the Oklahoma Department of Transportation to identify proposed projects for inclusion in the Transportation Improvement Program. After all proposed project requests are identified, MPO staff will, in conjunction with the Technical Committee, prepare a draft Transportation Improvement Program for public review. Notices of public review and comment period for the TIP will be published and posted as stated in the Public Notification and Participation section above. The public comment period for the draft Transportation Improvement Program will be 10 working days. Upon resolution of public comments, the Technical Committee will review the TIP and a recommendation to adopt will be made to the Policy Board. If no adverse public comments are received, recommendation may be adopted by mail-out, fax or e-mail ballot. Final TIP will be published and made available to the public.

Public Involvement Procedure

Review of the Public Involvement Procedures will be conducted periodically and updates will be adopted as necessary. The MPO will hold at least one (1) public meeting to involve interested parties in the Procedures update process. The public comment period will be 45 calendar days. Notices of public review and comment period for the PIP will be published and posted as stated in the Public Notification and Participation section above. The Public Involvement Procedures will be presented to the Technical Committee for review and recommendation and to the Policy Board for adoption.

Regional Transportation Improvement and Mobility Studies and Corridor Plans

Notices will be distributed to the citizens who live in the specific study areas in order to obtain the input of persons or interests who would be most likely to be affected by any proposed improvements. After consideration by the Technical Committee and at least one public meeting at a location convenient to the affected citizens, regional studies and corridor plans will be presented to the Policy Board for adoption.

Amendments to Adopted Documents

Whenever proposed amendments to adopted non-administrative documents such as the Long Range Transportation Plan and Transportation Improvement Program are necessary, the Bi-State MPO will notify members of the Technical Committee by mail, facsimile or by e-mail to initiate the amendment process, and post notification that the amendment is available for public review. This notification will serve as the 10-day public notice of the upcoming meeting. Notices of public review and comment period for proposed amendments will be published and posted as stated in the Public Notification and Participation section above. The proposed amendment will be stated on the posted notice.

Mail-out, e-mail, or faxed ballots may be used for amending the Unified Planning Work Program, Transportation Improvement Program, and other time sensitive MPO business matters on a case-by-case basis. Copies of the ballots will become a part of the record of Bi-State activities and a summary of the vote will be included as an addendum to minutes of the previous meeting.

The public comment period for document amendments will be 10 working days. Proposed documents, amendments, and public comments will be referred to the Technical Committee for review and recommendation and to the Policy Board for adoption. The following amendments to adopted documents are entirely exempt from the public involvement process:

- Emergency transportation improvement projects that are identified as necessary for the public safety and welfare of the citizens of any Bi-State MPO member government or jurisdiction.
- Minor technical, editorial, or otherwise non-substantive revisions including the following:
 - Minor cost changes
 - Changes in cost shares
 - Splitting or phasing of projects
 - Other administrative changes such as in the lead agency or funding source

Approved: _____, 2005

Chairman, Bi-State Policy Board

Attest:

Ken O'Donnell, Bi-State MPO Director