



BI-STATE MPO BOARD RESOLUTION

ADOPTING THE

BI-STATE PUBLIC PARTICIPATION PLAN

FOR THE

BI-STATE METROPOLITAN PLANNING ORGANIZATION

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires transportation plans and programs for metropolitan areas be developed through a continuing, cooperative and comprehensive transportation planning process carried out by the metropolitan planning organization in concert with the state and transit operators; and

WHEREAS, The Bi-State MPO is the officially designated metropolitan planning organization (MPO) for the Fort Smith/Van Buren metropolitan area in Arkansas and Oklahoma; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires that each MPO prepare and adopt a Public Participation Plan outlining the techniques and methodologies that will be employed to engage the general public in the planning process and in the development of plans and other products; and

WHEREAS, the Bi-State MPO Staff has prepared a Public Participation Plan in accordance with the requirements of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and has presented the Plan to the public in accordance with the Bi-State Public Involvement Procedures.

NOW, THEREFORE, BE IT RESOLVED, that the Bi-State Metropolitan Planning Organization Board hereby approves and adopts the Bi-State MPO Public Participation Plan.

Adopted May 31, 2007

Signed May 31, 2007

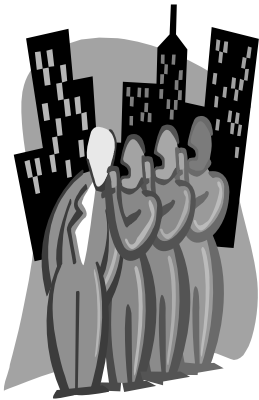
David Hudson, Sebastian County Judge
Chairman, Bi-State MPO

Attest:

Signed May 31, 2007

Ken O'Donnell, Director
Bi-State MPO

The Bi-State Metropolitan Planning Organization



Public Participation Plan

Advancing Participation Through Outreach and Innovation

May 31, 2007





The Bi-State Metropolitan Planning Organization

Public Participation Plan

May 31, 2007

Introduction

The Bi-State Metropolitan Planning Organization Public Participation Plan has been developed to assure that the transportation planning process conducted by the Bi-State Metropolitan Planning Organization (BSMPO) complies with Federal requirements for public involvement and participation. This Document presents the goals of the BSMPO for public participation and 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 early and 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).

The BSMPO will, to the extent reasonable and practical, ensure that the BSMPO Public Participation Plan will address the requirements for MPO public involvement as identified in 23 CFR 450.316 Metropolitan Planning Process: Elements. A copy of these requirements is found in **Appendix A** of this Document.

Federal Planning Requirements for an MPO

As delineated in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), federal law and regulations require each MPO to conduct a planning process that must consider projects, planning strategies, and implementation methods that will:

- (A) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (B) Increase the safety of the transportation system for motorized and nonmotorized users;

- (C) Increase the security of the transportation system for motorized and nonmotorized users;
- (D) Increase the accessibility and mobility of people and freight;
- (E) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- (F) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- (G) Promote efficient system management and operation; and
- (H) 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 Code Annotated, 25-19-101 and the Oklahoma Annotated Statutes, 25-301-314.

Public Notification and Participation

BSMPO 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 BSMPO 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 BSMPO 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 posted on the BSMPO website and will be provided for posting at the following locations and other locations identified by BSMPO 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 regional web sites.

All BSMPO 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 reasonable period of time (15 – 20 minutes) 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 BSMPO staff is available during normal business hours to discuss technical and policy information with citizens and other interested parties. The BSMPO offices are located at 11090 South 16th Street in Fort Smith, Arkansas. BSMPO 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 BSMPO promotes Environmental Justice in all aspects of the Bi-State transportation planning process. These procedures augment and reaffirm the BSMPO 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, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), 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 BSMPO staff during normal business hours at least five (5) business days prior to the meeting. BSMPO 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 BSMPO will assist any and all public transit providers in their respective outreach programs that have developed to advance participation by transit users. The

BSMPO 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 BSMPO 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

Metropolitan Transportation Plan (MTP)

Major updates of the Long Range Transportation Plan will be conducted every five years. The BSMPO will host at least one (1) public meeting in each BSMPO member county to involve interested parties in the early stages of the plan development. Notices of public hearings for the MTP will be published and posted as stated in the Public Notification and Participation section above. After a draft MTP has been developed, the BSMPO 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 MTP will be presented to the Technical Committee and any appropriate focus group for review and comment prior to recommendation to the BSMPO Board for adoption. All public comments received will be made a part of the final adopted document. If the final MTP differs significantly from the draft presented to the public, then another opportunity for public review will be provided. The MTP will then be published, place on the BSMPO website, and made available to the public.

Transportation Improvement Program (TIP)

The Transportation Improvement Program will be updated every four years and maintained annually. BSMPO 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, BSMPO 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 BSMPO 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 Participation Plan Amendment Procedures

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

Public Transit/ Human Services Coordination Plan

The “Coordination Plan” must be updated every five years in concert with the Bi-State Metropolitan Transportation Plan. The procedures used in this update will build upon the procedures utilized in the development of the 2007 Coordinated Plan which included an expansive public outreach program within the BSMPO area. Existing public and private transit providers will be invited to coordination meetings at the Fort Smith Transit offices where needs will be discussed and actions to satisfy these needs identified. The River Valley Transportation Providers, an organization established in 2004 to coordinate transit services within the BSMPO area, will be the driving force behind the “Coordinated Plan” Update. The public outreach/involvement procedures of each organization as well as those of the Fort Smith Transit Department and the BSMPO will be utilized in preparing the Update. The various public participation techniques that will be employed in the Update are listed in **Appendix B** of this document

Amendments to Adopted Documents

Whenever proposed amendments to adopted non-administrative documents such as the Metropolitan Transportation Plan and Transportation Improvement Program are necessary, the BSMPO 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 BSMPO business matters on a case-by-case basis. Copies of the ballots will become a part of the

record of BSMPO 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 BSMPO 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 BSMPO 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

Activities to Enhance Public Participation and Involvement

The following activities and initiatives will be incorporated into the BSMPO public involvement and outreach programs as well as into the overall planning process and MTP development.

1. **On-line Surveys**. The BSMPO will have an annual work element in its Unified Planning Work Program that will enable the BSMPO to offer on-line survey capabilities for MPO planning activities as well as for planning activities of BSMPO member jurisdictions. A reputable web-based survey vendor will host this service. “Hard Copy” survey forms of the on-line surveys will be distributed to the appropriate and or affected populations within the BSMPO area.
2. **Interactive BSMPO GIS Mapping** The BSMPO will offer an on-line GIS interactive map of the BSMPO Area that will have, among other capabilities, the capabilities of presenting all appropriate information pertaining to MTP elements and proposed amendments, TIP projects and proposed amendments, traffic related data elements that are considerations for individual project selection. The BSMPO will present this function under a subcontract with the City of Fort Smith. The interactive mapping function will provide the BSMPO with numerous opportunities to present information on a wide range of planning activities and specific projects to the general public as well as to targeted underserved groups.
3. **Visualization Techniques** In addition to the on-line surveys and the web-based GIS program, the BSMPO will incorporate numerous visualization techniques into the planning process and public involvement activities, These will include:

Short informative television commercials, produced in concert with appropriate public entities such as Fort Smith Transit, Fort Smith Regional Airport, and other public and private, non-profit organizations

Utilization of the City of Fort Smith's dedicated television channel for public notices and MTP/TIP proposed amendments and revisions.

A coordinated and comprehensive campaign to elevate the regional awareness of the BSMPO planning activities and functions of the BSMPO through the development of a BSMPO Banner, billboards, speaker bureaus, transportation fairs, BSMPO logo utilization in BSMPO sponsored events, and articles of interest prepared by the BSMPO staff for local newspapers and regional magazines.

Increased circulation of BSMPO products and proposed documents through the use of the Fort Smith Multi-Cultural Center, the Fort Smith Ministerial Alliance, and the League of United Latin American Citizens (LULAC)

Annual productions of maps presenting the Annual Listing of Projects.

The expanded use of digital photography and photographs in BSMPO public meetings, advertisements, and publications.

An upgrade of the BSMPO website to create a more user friendly and interactive experience for the visitor as well as to provide the BSMPO an improved platform for animations, digital presentations, and timely information regarding the performance of the region's transportation network and proposed improvements to the region's transportation network

4. **BSMPO Advisory Group** The BSMPO will work to establish a group of private citizens from the BSMPO area in Arkansas and Oklahoma representing a variety of constituents from corporate, small business, health and human services, financial, educational, and ethnic organizations. These individuals will represent numerous constituent bases either through employer-employee relationships, service provider-client relationships, community organizer- interest groups, or other constituency bases that have been otherwise underrepresented in the BSMPO process. It is envisioned that the BSMPO Advisory Group, '*Thought Leaders*' within the region, will be convened to advise the BSMPO Board, Staff and, from time to time, other BSMPO focus groups as to the grass root impressions of proposed transportation projects and improvements and the specific transportation needs of their individual community, business, or corporate functions. Members of the BSMPO Advisory Group will also serve as a two directional information conduit between the BSMPO staff and related planning functions and the individuals who will be most directly impacted by proposed plans and project implementation.

Appendix A

Public Involvement Federal Requirements **Excerpted from 23 CFR 450.316**

- Include a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs and meets the requirements and criteria specified as follows:
- Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;
- Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including but not limited to central city and other local jurisdiction concerns);
- Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open public meetings where matters related to the Federal-aid highway and transit programs are being considered;
- Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and TIPs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, TIP and major amendment(s));
- Demonstrate explicit consideration and response to public input received during the planning and program development processes;
- Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households;
- When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP;
- If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available;
- Public involvement processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all;
- These procedures will be reviewed by the FHWA and the FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision making processes; and,
- Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs.

Appendix B

BSMPO Planning Activity and Public Participation Technique Matrix

Planning Activity	Available Participation Techniques
BSMPO Board & Technical Committee Meetings	<ul style="list-style-type: none"> -Newspaper ads -Fort Smith Cable TV Dedicated Channel- -BSMPO website -BSMPO Advisory Group -10 Day prior legal notice in newspaper for Public Hearings
Public Access to Technical and Policy Information	<ul style="list-style-type: none"> -BSMPO online survey -BSMPO interactive website -TV short commercials -Increased circulation of BSMPO products -BSMPO awareness campaign i.e. articles in local magazines -Brochures
Environmental Justice	<ul style="list-style-type: none"> -BSMPO Advisory Group -TV short commercials -BSMPO online surveys -BSMPO awareness campaign -Multicultural Center, LULAC, Focus Groups -BSMPO interactive website and enhanced GIS Platform
Transit and Non-Traditional Transportation Projects	<ul style="list-style-type: none"> -Partnering with Fort Smith Transit -BSMPO website -BSMPO sponsored events -BSMPO online surveys -Visualization techniques such as digital photography, interactive mapping, short commercials, Cable TV dedicated Fort Smith City channel
Metropolitan Transportation Plan (MTP)	<ul style="list-style-type: none"> -BSMPO online surveys -BSMPO Advisory Group -Cable TV dedicated Fort Smith City channel -BSMPO interactive website -Multicultural Center, LULAC, Focus Groups -TV short commercials -15 day public review period -BSMPO awareness campaign i.e. articles in local magazines -BSMPO sponsored billboard Ads -Brochures
Transportation Improvement Program (TIP)	<ul style="list-style-type: none"> -BSMPO Advisory Group -Cable TV dedicated Fort Smith City channel -BSMPO interactive website -Multicultural Center, LULAC, Focus Groups -TV short commercials -10 day prior legal notice in newspaper for Public Hearings
Public Participation Plan Amendments	<ul style="list-style-type: none"> -45 day public review period -Cable TV dedicated Fort Smith City channel -BSMPO interactive website -Multicultural Center, LULAC, Focus Groups -TV short commercials

Appendix B (continued)

BSMPO Planning Activity and Public Participation Technique Matrix

Planning Activity	Available Participation Techniques
Mobility and Corridor Studies	-BSMPO Advisory Group -Cable TV dedicated Fort Smith City channel -BSMPO interactive website -Multicultural Center, LULAC, Focus Groups -TV short commercials -BSMPO Advisory Group -BSMPO online surveys -Visualization techniques such as; digital photography, interactive mapping, short commercials, Cable TV dedicated Fort Smith City channel -Brochures
Amendments to Adopted Plans & Documents	-10 day public review period -BSMPO interactive website -Multicultural Center, LULAC, Focus Groups

