

## From the ODOT PTD State Management Plan

### Public Involvement

ODOT has an adopted Public Involvement Policy in conformance to the federal requirements. The Division's Public Involvement program is designed to meet the ODOT policy and several federal obligations:

- a. Title VI (Civil Rights) defined by FTA Circular 4702.1A, which states that "In order to integrate, into community outreach activities, considerations expressed in the DOT Order on Environmental Justice, and the DOT LEP Guidance, recipients and subrecipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. An agency's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions."

Additionally, PTD conforms to the requirements of the Americans with Disabilities Act.

- b. Statewide Transportation Planning, defined by:
  - ODOT 2010-2013 STIP Development Manual
  - Joint FTA/FHWA Planning Regulation: Planning Assistance and Standards, 23 CFR Part 450
  - Land Conservation and Development Division Transportation Planning Rule, Statewide Planning Goal # 1, Citizen Involvement
- c. Private Sector Participation requirements are found in many federal laws, regulations and circulars. Summarized, recipients and subrecipients are required to provide private sector providers with a reasonable opportunity to comment on plans, programs, and to be included in the Public Transit-Human Service Coordinated Plans. The rural and special transportation program circulars with references to private sector participation are:
  - Circular 9040.1F – Nonurbanized Area Formula Program Guidance and Grant Application Instructions, April 1, 2007.
  - Circular 9045.1 – New Freedom Guidance and Application Instructions, May 1, 2007

- Circular 9050.1 – Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions, May 01, 2007
- Circular 9070.1F – The Elderly and Persons with Disabilities Program Guidance and Application Instructions, May 1, 2007.
- Circular 9300.1A – Capital Program: Grant Application Instructions, October 1, 1998.

### **Public Transit Responsibilities:**

Public involvement will be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. The program will provide for:

- a. Early and continuing public involvement opportunities throughout the planning and programming process, and in the identification of social, economic, and environmental impacts of proposed transportation decisions;
- b. 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;
- c. Reasonable public access to technical and policy information;
- d. Adequate public notice of public involvement activities and time for public review and comment at key decision points;
- e. A process for demonstrating explicit consideration and response to public input during the planning and program development process;
  - e.i. A process for seeking out and considering the needs of those who may be underserved by existing transportation systems, including persons with low-income, minority populations and those with limited English proficiency (LEP).;
  - E.II. Periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary.

The following is a general description of division processes, which will vary from time to time depending on the subject, purpose and scope of the program, policy and funding decision:

- a. Encourage early and continuous input –

- a.i. The division invites public and stakeholder input through a variety of methods including, but not limited to:
  - i.i. public surveys
  - i.ii. stakeholder advisory committees
  - i.iii. technical work groups
  - i.iv. website
  - i.v. workshops
  - i.vi. annual stakeholder conference
  - i.vii. formal solicitation of comments
  - i.viii. rule making
  - i.ix. open public meetings
- a.ii. Encourage public input at all times. The public may contact "ASK ODOT", an ODOT communications initiative, or they may contact the division directly.
- a.iii. Develop an outreach program at beginning of each planning process.
- a.iv. Programs, policies and funding decisions are posted on division website; affected stakeholders are notified and invited to comment.
- a.v. The division actively encourages agencies who are, or who represent, minorities; people with low-income; and people with low English proficiency to participate in the division's programs.
- b. Provide timely information about transportation issues and processes—
  - b.i. Draft programs policies and funding decisions are posted on division website; affected stakeholders are notified and invited to comment.
  - b.ii. The Public Transportation Advisory Committee (PTAC) is an appointed representative stakeholder group that serves to advise the division. The PTAC meets every other month with special meetings as needed. Meeting agendas include time for public comment. The meetings are open to the public; the meeting schedule and agenda is published on the division website. Meetings are held in accessible locations and with appropriate notice; meeting materials are prepared in alternative formats for people with disabilities. Members represent people with disabilities, Indian tribes, people with low-income and seniors, as well as the transit community and local government.
  - b.iii. The division staff meets with state-level stakeholder advisory committees, such as Human Service local governments committee and the Indian Tribal Commission's transportation and human service clusters to discuss transportation issues affecting their constituents.

- b.iv. The division consults with stakeholder organizations regarding transportation issues affecting their constituents. Examples include Association of Area Agencies on Aging; Vocational Rehabilitation; and Association of Oregon Counties.
- b.v. The division appoints technical advisory committees and task forces for special purpose projects to assure a variety of opinions and information.
- c. Offer reasonable access to information –
  - c.i. Program materials are posted on division website.
  - c.ii. New information is announced to participants and stakeholders by email and mail.
  - c.iii. All information is made available in alternative format for individuals with disabilities
  - c.iv. Provide opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
  - c.v. Tailored communications to the particular community or population by using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities.
- d. Provide adequate public notice –
  - d.i. Program/planning timelines includes public comment period and are published on web and email.
  - d.ii. Application materials are posted on web.
  - d.iii. Offer time for adequate review of material at key decision points
  - d.iv. Grant fund decisions are published on web, press release, to advisory committees (ACT, MPO, other stakeholders) and have a 45-day comment period.
  - d.v. Allow additional 45 day comment if substantive changes result.
- e. Demonstrate explicit and considered response to input -
  - e.i. PTD responds to all input
  - e.ii. Documentation of responses is maintained.
  - e.iii. Advisory meeting minutes are recorded and kept on website

- e.iv. Maintain a dispute resolution process for funding and policy decisions
- f. Seek out and consider needs of traditionally underserved populations - Division grant programs are primarily targeted to rural, low income, older adults, and people with disabilities.
  - f.i. The division requires that a Public Transportation/Human Services Coordinated plan to be adopted by every STF Agency.
  - f.ii. The division is currently identifying new mapping and planning tools that will better identify the needs for other underserved populations.
  - f.iii. Coordinates with individuals, institutions, or organizations and implements community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities.
  - f.iv. Holds meetings at locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities.
  - f.v. Implements USDOT's policy concerning recipients' responsibilities to LEP persons to overcome barriers to public participation.
- g. Provide periodic review of the public involvement process
  - g.i. ODOT completed review of the public involvement policy process in 2008.
  - g.ii. Public Transit Division has started the process for a new public transportation plan starting 2009. Input on the PTD public involvement process will be solicited as part of this activity.
- h. Oversee subrecipient implementation of public involvement
  - h.i. Define and publish requirements for public involvement generally, and more specifically when required for grant application processes.
  - h.ii. Review subrecipient policies and processes during period site reviews, and as required for grant programs.
  - h.iii. Provide technical assistance.

**Subrecipient Responsibilities:**

- a. Subrecipients will develop a public participation strategy that offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. Transportation decisions include and are not limited to: transportation development and Coordinated Plans, service

design changes, new services, fare changes, and changes of service policy that may limit access to service.

- b. Subrecipients who offer complementary paratransit services to a fixed route are obligated to involve consumers by soliciting participation in the development of its plan by the widest range of persons anticipated to use its paratransit service:
  - i.i. Each subrecipient shall develop contacts, mailing lists and other appropriate means for notification of opportunities to participate in the development of the paratransit plan, and provide continuing communication as to the implementation and updates to the plan.
  - i.ii. Consultation shall begin at an early stage in the plan development and should involve persons with disabilities in all phases of plan development. All documents and other information concerning the planning procedure and the provision of service shall be available, upon request, to members of the public, except where disclosure would be an unwarranted invasion of personal privacy;
  - i.iii. Opportunity for public comment. The subrecipient will make its plan available for review, including submission of the draft plan to PTD, before the plan is finalized. In making the plan available for public review, the subrecipient will ensure that the plan is available upon request in accessible formats;
  - i.iv. Public hearing. The subrecipients will sponsor at a minimum one public hearing and will provide adequate notice of the hearing, including advertisement in appropriate media, such as newspapers of general and special interest circulation and radio announcements. Records of the meeting must be maintained and available upon request.
- b.ii. Subrecipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities.
- b.iii. Subrecipients are required to provide private sector providers with a reasonable opportunity to comment on plans, programs, and to be included in the Coordinated Plans.
- b.iv. Subrecipients will comply with grant-related public involvement requirements as defined by grant application documents.