

PURPOSE

The Oregon Transportation Commission (OTC) establishes the following policy and core implementation expectations to guide Oregon Department of Transportation (ODOT) staff public involvement overall and specific to meet state and federal public participation requirements and agency objectives for statewide planning processes, the Capital Investment Plan (CIP), and Statewide Transportation Improvement Program (STIP) development.

POLICY

The OTC will make decisions in an open and transparent manner, considering public feedback and conducting outreach and engagement on policy and funding decisions. The OTC and ODOT are committed to implementing decision-making structures that build public trust.

OBJECTIVES

- a) Improve consistency of OTC and ODOT public involvement processes.
- b) Guide ODOT staff regarding public involvement processes, including coordination within the agency, and with partners.
- c) Ensure that all applicable state and federal public participation requirements for statewide planning and STIP development are met or exceeded.
- d) Solidify the OTC and ODOT's commitment to meaningfully engage the public during the creation and annual update of the CIP.
- e) Engage diverse voices across the state to create resilient and sustainable plans that consider the needs of all Oregonians.
- f) Ensure the Oregon Transportation Plan's outreach engagement policies and commitments are operationalized.

BACKGROUND

OTC and ODOT are committed to efforts aimed at achieving the vision of the Oregon Transportation Plan "Oregon's transportation system supports all Oregonians by connecting people and goods to places in the most climate-friendly, equitable, and safe way". Achieving this goal requires a unified transportation plan that considers all modes of Oregon's transportation system as integral parts of a single system.

The Oregon Transportation Plan (OTP), is a key component of the long-range transportation system plan for the state. It establishes a vision and policy foundation to

guide transportation system development and investment. The OTP and component statewide mode and topic plans guide decisions by the Oregon Department of Transportation and local partner transportation agencies and are reflected in the policies and decisions explained in local and regional plans.

The Capital Investment Plan (CIP) is the Oregon Department of Transportation's mid-range planning document for identifying planned investments over 10 years for all funding sources. Project concepts in the CIP will be refined as they move through the planning and scoping phases. Projects will have the opportunity for appropriate public involvement both in the CIP and when they are programmed in the Statewide Transportation Improvement Program. Involvement at both stages will be reflective of the purpose of the document.

The Statewide Transportation Improvement Program, or STIP, is the Oregon Department of Transportation's federally required programming document for statewide intermodal program of transportation projects. The document consists of projects funded with federal and state funding.

The OTC has final authority over these efforts, including adoption of statewide plans, as well as approval of the CIP and STIP. The Commission will deliberate and make decisions on these and other topics in public meetings, with materials posted prior to the meeting and opportunity for public comments to be submitted verbally or in writing at the meeting.

CONTEXT

ODOT recognizes public involvement is not a one size fits all approach. Each effort should engage meaningfully using a diverse use of engagement methods and tools that support meeting people where they are, building understanding for informed feedback, while also balancing efficient and effective use of OTC and ODOT resources.

ODOT's public involvement policy is applicable to all appropriate state and federal policies.

POLICY IMPLEMENTATION

The following implementation actions apply to all ODOT statewide plans and STIP development, and where specified, guide coordination with partner organizations including but not limited to Area Commissions on Transportations (ACTs), Metropolitan Planning Organizations (MPO) and local government agencies. The following implementation actions apply to the Capital Investment Plan when specifically noted to support public involvement in the annual development of the CIP.

GENERAL EXPECTATIONS

Processes

1. Abide by all applicable state laws referenced below, and federal laws¹ and rules in implementing public involvement processes for the development and update of statewide transportation plans and the development of the STIP.
2. Meet the State of Oregon's Statewide Planning Goal 1: Citizen Involvement – The purpose of Goal 1 (660-015-0000(1)) is “To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”
3. Meet the State of Oregon's Statewide Planning Goal 12: Transportation Planning (660-012-000(1)(g) which states "(g) Engage underserved populations in decision-making and prioritize investments serving those communities."
4. Ensure that all public meetings follow the Oregon Public Meetings Law (ORS 192.610 to 192.705), including holding meetings at locations and times that are convenient, accessible and transparent to the public.
5. Hold public hearings consistent with requirements under Oregon Revised Statute 192.
6. Apply the Americans with Disabilities Act lens to public involvement to ensure the Department of Administrative Services accessibility standards for communications and outreach.
7. Comply with Title VI of the Civil Rights Act of 1964 (49 CFR 21 and 23 CFR 200) to assure that no person shall, on the grounds of race, sex, and national origin be excluded from participation.
8. Comply with additional federal nondiscrimination authorities that prohibit discrimination based on sex, age, and disability.
9. Ensure meaningful access for persons with limited English proficiency (LEP).
10. Provide a minimum 45-day public review and written comment period for proposed statewide transportation plans and the STIP. Transportation facility plans will follow specific requirements provided in the State Agency Coordination Program (OAR 731-15-065).
11. Evaluate and incorporate public input into long-range statewide transportation plans, STIP, and CIP before their adoption by the OTC.

¹ 23 CFR Part 450.210 Interested parties, public involvement, and consultation.

Engagement Methods

12. Work to create fair and meaningful public involvement by²:

- Leveraging data to inform and understand the community demographics.
- Building durable community relationships with community members outside of the project lifecycle to understand their transportation wants and needs.
- Involving a broad representation of communities by using community-preferred engagement techniques.
- Developing specific strategies that address specific barriers for underserved communities.
- Documenting how community input impacted the final projects, program, or plans, and communicating with the affected communities how their input was used.

13. For each decision-making process define the appropriate level of public involvement (e.g., inform, consult, involve, collaborate, or empower.)³

14. Provide early, continual, and inclusive public involvement opportunities for *transportation disadvantaged*⁴ groups.

15. Incorporate appropriate partners including but not limited to individuals and organizations that are interested in or affected by transportation decisions such as: interested members of the public; private providers of transportation; users of public transportation; users of pedestrian walkways and bicycle transportation facilities; seniors; representatives of people with disabilities; providers of freight transportation services; business interests; other interested parties; and organizations who are interested in or affected by transportation decisions.⁵

16. Actively seek out opportunities for public review and comment at the regional and local level through a variety of engagement practices, including in-person and virtual public meetings, public notices, online open houses, and other methods of outreach.

² U.S Department of Transportation. [Promising Practices for Meaningful Public Involvement in Transportation Decision-Making](#). October 2022.

³ U.S. Environmental Protection Agency. [Public Participation Guide: Selecting the Right Level of Public Participation](#).

⁴ The Oregon Transportation Plan defines Transportation Disadvantaged: Includes communities of color, people experiencing low income, older adults, youth, and people with disabilities, who are at a significant disadvantage without access to convenient, safe, well-integrated transportation alternatives. All of these groups are often without easy access to cars and live in locations without convenient, safe transportation alternatives.

⁵ Tribal Governments follow their own engagement process. Please refer to [ODOT's Tribal Consultation](#) process. Tribal Governments are not a part of the public involvement process.

17. Create a plan to share gathered feedback and commitments with planning and project teams during the project development or update of state transportation plans, the CIP, and the STIP.
18. Inform affected state and federal land use agencies such as; natural resources agencies and land management agencies; local agencies responsible for land use management, natural resources, environmental protection, conservation and historic preservation; and other partners including advisory committees formed under Oregon Revised Statutes or otherwise appointed by the Governor, the OTC or ODOT to assist with specific transportation issues during the development of statewide transportation plans, CIP, and the STIP.
19. Develop statewide transportation plans, the CIP, and the STIP in consultation and cooperation with the providers of transportation systems and services such as ACTs, MPOs, metropolitan and non-metropolitan area local governments, special districts such as transit and port districts, and others. Ensure statewide perspective from both urban and rural areas.
20. Work with MPOs to coordinate public involvement in the planning processes for statewide transportation plans and the STIP (CFR 405.208).
21. Notify impacted ACTs regarding significant amendments to the approved STIP. Significant changes to the STIP will follow the procedures in this policy and any other requirement in rule or statute.
22. Coordinate with the ODOT representatives of the ACT during the development and update of statewide transportation plans, the STIP, and CIP to ensure ACTs receive information at key milestones and public review.
23. Changes to a significant goal or policy in a plan should be completed only after meaningful engagement and input with the directly affected partners and advisory groups.
24. Promote transparency by being responsive to formal comments and providing information on outcomes.

Tools

25. Utilize tools from the Office of Engagement and Civil Rights including the Equitable Engagement Compensation Program (EECP), Community Impact Analysis, Equitable Engagement Guide, Index Map, Right to Access Plan, and community-based organizations to effectively identify and engage with diverse communities.

26. Utilize communication tools such as but not limited to: websites, email lists, newsletters, individual letters, press releases, and social media; advisory committees; online open houses; webinars; partner meetings and presentations; listening meetings; public hearings and meetings; hybrid and virtual meetings; and focus groups.

SPECIFIC GUIDELINES FOR THE CAPITAL INVESTMENT PLAN

1. Seek input from ACTs, the public, MPOs, and local governments on the goals which will be used to determine investment priorities every three to five years. The OTC will set priorities among the OTP goals.
2. Annually seek input from the public, MPOs, and local governments on potential investments being added to the CIP.
3. Annually seek input from ACTs on potential investments through an ACT identification of priorities from those investments under consideration. Constrain list to investments that could be reasonably funded.
4. Annually share finalized CIP list with ACTs, the public, MPOs, and local governments.

ASSESSMENT OF OUR PRACTICES

1. Review the effectiveness of this public involvement policy and implementation actions as needed to ensure that they provide full, meaningful and open access to all interested parties and revise the process as appropriate.
2. Solicit and review comments from local officials and other interested parties regarding the effectiveness of these consultation procedures through the federally-required Local Consultation Survey at least every five years, allowing at least a 60-day public review and comment period.
3. Provide a minimum 45-day public review and comment period for this proposed public involvement policy and implementation actions before adoption by the OTC. Any revisions to the adopted policy shall undergo a minimum 45-day public review and comment period.