

BACTS

Bangor Area Comprehensive Transportation System

PUBLIC INVOLVEMENT IN METROPOLITAN TRANSPORTATION PLANNING

April 2015

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I. INTRODUCTION

Effective public participation is essential to the successful implementation of any public planning program or project. Without the involvement of local citizens, it is difficult to design a program that effectively meets the greater needs of the public. A proactive public involvement process leads to a transportation system that reflects the needs and values of the community; to that end, the Bangor Area Comprehensive Transportation System (BACTS) actively seeks to incorporate the involvement of the public in its planning efforts.

II. FEDERAL REGULATIONS

Under the Federal Highway (FHWA) and the Federal Transit Administration (FTA) Metropolitan Planning Regulations (23 CFR 450), all Metropolitan Planning Organizations (MPOs) are required to develop a Public Involvement Process for the development and update of Transportation Plans and Transportation Improvement Programs (TIPs). Section 450.316 (b) CFR mandates that the public involvement programs of metropolitan planning processes shall:

1. 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 transportation improvement programs (TIPs) and meets the requirements and criteria specified as follows:
 - a. Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;
 - b. 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 local jurisdiction);
 - c. 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;
 - d. Provide 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;
 - e. Demonstrate explicit consideration and response to public input received during the planning and program development processes;
 - f. Seek out and consider the needs of those traditionally under-served by existing transportation systems, including but not limited to low-income and minority households. Refer to the most recent BACTS Title VI Plan on the BACTS website at: www.bactsmpo.org for more details;

- g. When significant written and oral comments are received on the draft transportation plan or TIP 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;
- h. If the final transportation plan or TIP differs significantly from the one which was made available for public comment by BACTS 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;
- i. Public involvement processes shall be periodically reviewed by BACTS in terms of their effectiveness in assuring that the process provides full and open access to all;
- j. These procedures will be reviewed by the FHWA and FTA as necessary, to assure that full and open access is provided to MPO decision making processes;
- k. 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.

BACTS will utilize this list to review the public involvement process every three years from the date of endorsement, or as deemed necessary through the planning process.

III. STATE REGULATIONS

The “Sensible Transportation Policy Act (STPA),” approved by Maine voters in 1991 required MaineDOT to establish a public participation process that is effective, timely, and efficient. The Regional Transportation Advisory Committee (RTAC) process, created by the Transportation Policy Advisory Committee and STPA Rule, played an integral role in facilitating a higher degree of public participation during the formulation of transportation policy than ever before. While this method worked well and served its purpose for more than a decade, MaineDOT has broadened the scope of the statewide public outreach and involvement process. To that end, Maine DOT has partnered with Regional Planning and Development Organizations (RPOs) to develop public outreach strategies that:

- are tailored specifically to their region,
- are consistent with the requirements of STPA,
- encourage stronger regional partnerships,
- increase grassroots and local government involvement,
- provide opportunities for interested former RTAC members to participate, and
- develop a more consistent statewide approach.

RPOs are organized to represent each of Maine’s Economic Development Districts (EDDs). They have the expertise to develop broad based regional goals and integrate transportation planning with land use planning and economic development. RPOs must solicit direct input from the public and regional stakeholders on transportation, land use and economic development priorities in their

region, and synthesize that information into Regional Needs Assessments for consideration in Maine DOT's Long-Range Plan and the EDD's Comprehensive Economic Development Strategy.

BACTS will work with MaineDOT and the RPOs in the development and execution of the BACTS Public Involvement Process. Where a project has yet to be classified and where a project affects BACTS and the RPO, findings of Significant Highway Projects defined in Subchapter 1, Section 3(k) and Substantial Public Interest Projects described in Subchapter 1, Section 7 of the STPA rule will be determined cooperatively with the RPO and MaineDOT.

The BACTS Public Involvement Process will envelop all public participation requirements of the STPA.

IV. MPO COMMITTEE MEETINGS

1. Member Organizations

BACTS has a standing committee the Policy Committee . The Committee meets on a monthly basis unless more frequent special meetings are necessary. The Policy Committee, as the policy making body of BACTS, has the authority to develop, endorse and revise, when needed, the Transportation Improvement Program and Long Range Transportation Plan.

All Committee meetings will open to the public. Procedures and protocol for BACTS Committee meetings can be reviewed in the latest copy of the Bylaws of the Bangor Comprehensive Transportation System (BACTS) on the BACTS website at: www.bactsmpo.org. Opportunity for public input on each agenda item will be given after the committee discussion but before the vote. A limit of five minutes for public input will be granted. Public input may continue at the discretion of the committee chair. Input will be limited to the subject of the agenda item.

Meeting Notices and Agendas will be placed on the BACTS website at least seven (7) days prior to a scheduled meeting.

Meeting Notices and Agendas will be sent to all voting and non-voting members of the BACTS Policy Committee at least seven (7) days prior to a scheduled meeting. Committee meeting minutes will be available on the BACTS website.

2. Interested and Affected Parties

In order to promote active, informed public participation in the transportation planning process, a broad range of organizations and individuals are included on the list of *Interested and Affected Parties*. This list will be maintained within our agency database. This list will remain open to any new agencies or individuals interested in the BACTS planning process. Any of these agencies or individuals requesting additional informational materials will be kept informed of BACTS planning activities including meeting notices, agendas and minutes. This information will also be available on our website.

BACTS has and will continue to identify and include agencies and individuals traditionally underserved by existing transportation systems.

V. ACCESS TO TECHNICAL AND POLICY INFORMATION

FHWA and FTA regulations specify that the public must be granted access to technical and policy information and assumptions underlying the planning and emissions models used to carry out transportation decision-making and air quality conformity determinations. BACTS will satisfy this requirement in four ways:

1. **BACTS Website** – The BACTS website at: www.bactsmmpo.org provides public access to a variety of committee documents, containing both policy and technical information used in the transportation decision-making process. The site also contains information relating to the Transportation Improvement Program, current studies, and other relevant transportation issues. It allows public review and promotes comment on various BACTS documents and studies.
2. **Designated Newspaper** – The designated newspaper for BACTS legal ads and required postings is:

Bangor Daily News
PO Box 1329
Bangor, ME 04402-1329

3. **BACTS Meetings** - All underlying assumptions regarding the BACTS Traffic Forecasting Model and MDOT/BACTS conformity determinations are discussed in BACTS Committee Meetings which are open to the public.
4. **Transportation Plan and TIP Development** - The public will have ample opportunity to review technical and policy information and assumptions through the public involvement process outlined in Section VII and VIII below. Additionally, BACTS will document the project selection procedures used to develop every TIP. The TIP process document is made available to the public for review and comment along with the DRAFT TIP document.

VI. DEVELOPMENT OF THE UNIFIED PLANNING WORK PROGRAM (UPWP)

To ensure that the BACTS Unified Planning Work Program provides for effective public involvement, BACTS will solicit comment on proposed planning activities through:

- (1) a direct mailing to the *Interested and Affected Parties*; and
- (2) a public notice will be posted on the BACTS website.

Comments received will be made available to the BACTS Policy Committee before they begin the development of the UPWP. Copies of the draft final UPWP and approved UPWP will be available to the general public upon request.

VII. UPDATING THE 20-YEAR TRANSPORTATION PLAN

BACTS shall maintain and update the *Interested and Affected Parties* list so that the individuals, groups and agencies who are stakeholders in the region's long-range transportation plan can be notified and become actively involved in the plan update.

1. Public Notification of Transportation Plan Development

BACTS shall provide notice to the public of the intent to develop or update the Plan at the start of the development process. This notice shall be posted on the BACTS website and sent to those interested groups and agencies included on the list of *Interested and Affected Parties*. BACTS shall also attempt to reach those interested in the Plan's development by using various public outreach strategies which may include, but are not limited to: newsletters, news releases, newspaper inserts, bulletin boards, and public service advertisements.

The public notice shall include at least the following information: a brief description specifying what changes were made from the original plan; a brief description of the planning process tied to a schedule for when decisions will be made; how the Plan may affect the region; what opportunities exist for public participation; and BACTS contact for obtaining further information.

2. Public Forums/Workshops

At appropriate points during the development of the Plan, BACTS will hold public forums to discuss the various components of the Long-Range Transportation Plan.

A public informational meeting will then be held to discuss the development of the entire Plan including transportation system deficiencies, alternative solutions, project priorities and other issues deemed appropriate.

Public Notices for these meetings shall be posted on the BACTS website and shall be sent to those interested groups and agencies included on the list of *Interested and Affected Parties* at least ten days prior to the meeting. BACTS shall endeavor to identify neighborhoods readily affected by system deficiencies and attempt to involve them as an "interested or affected party."

3. Public Hearing on Draft Transportation Plan

Upon completion of the Draft Plan, BACTS shall schedule a public hearing on the document. Individuals and organizations identified on the *Interested and Affected Parties* list shall be notified and offered the opportunity to participate in and/or offer comment. The purpose of the hearing will be primarily for BACTS to collect comments regarding the content of the Draft Plan.

A Public Notice shall be posted on the BACTS website and will encourage submission of written comments by those unable to attend the hearing. A comment period of 30 days beginning from the date of the hearing notice (and at least ten days beginning from the date of the hearing) shall be provided during which comments may be submitted for consideration by the BACTS Policy Committee. The Draft Plan shall be made available for inspection at the time of

the hearing notice. Copies of the Plan shall be made available in the BACTS office, website, and the municipal offices of the BACTS communities.

At the hearing, BACTS shall present pertinent information contained in the Draft Plan and receive comments from the public. If a “Major Investment Study” is identified or a “Significant Highway Project” is determined under STPA, the BACTS Policy Committee will tailor a specific public involvement strategy after the required interagency consultation process is accomplished. This strategy will engage the public in the consideration of the purpose and need for the major investment as well as development and evaluation of all "reasonable" alternatives.

A summary document of the Transportation Plan will be made available to the attendees at the meeting. All substantive comments received during the proceedings will be documented by BACTS.

4. Preparation of Final Transportation Plan

BACTS will prepare the Final Transportation Plan after carefully considering all of the comments and input received from the public process. All relevant written or oral comments received on the Draft Plan will be included in the Final Plan.

If the Final Plan contains substantive changes from the one that was made available for public comment, or raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts, then BACTS shall provide an additional duly noticed public comment period on the revised Draft Plan of not less than 10 days.

The Final Transportation Plan shall contain BACTS responses to all relevant comments received on the Draft and if necessary, the Final Plan. BACTS shall provide one copy of the Final Transportation Plan to each Town or City Hall in BACTS area. As the Plan is updated these copies shall also be updated.

VIII. DEVELOPMENT OF THE TIP

When developing the TIP, BACTS will follow the same public involvement procedures as described for updating the Transportation Plan in Section VII A-D above. Public notices relating to the TIP (and significant amendments of the TIP) shall say, in part, “public notice of public involvement activities and time established for public review and comment on the TIP will satisfy the program-of-projects requirements of the Urbanized Area Formula Program.” Any substantive change in BACTS' TIP project rating criteria is subject to public review and comment. Amendments to the TIP rating criteria shall be accomplished before the initiation of the Biennial TIP development process. BACTS shall notify the public of its intent to update the TIP rating criteria and make said material available to the public for comment.

IX. SIGNIFICANT AMENDMENTS TO THE TRANSPORTATION PLAN AND TIP

In general, the Transportation Plan is updated every five years and a TIP is developed every two. Whenever significant action is taken at the project level by the BACTS Policy Committee between these time periods, an amendment is necessary. BACTS will publish the proposed amendment to the Plan or TIP with a brief description or summary of the amendment(s) included. All technical analysis in support of the amendment including any air quality/conformity analysis will be

referenced in the public notice and made available to the public for review and comment. A comment period of 10 days beginning from the date of the public notice will be provided during which comments may be submitted to BACTS for consideration.