

ATRC

Androscoggin Transportation Resource Center

**** PUBLIC INVOLVEMENT PROCESS ****

February 26, 2004

TABLE OF CONTENTS

I.	Introduction.....	1
II.	Federal Regulations	1
III.	State Regulations	3
IV.	MPO Committee Meetings	4
	- Member Organizations	4
	- Interested and Affected Parties.....	5
V.	Development of the UPWP.....	5
VI.	Access to Technical and Policy Information	5
VII.	Updating the 20-Year Transportation Plan.....	6
	A. Public Notice of Plan Development.....	6
	B. Public Forums/Workshops	7
	C. Public Hearing.....	7
	D. Preparation of Final Plan	8
VIII.	Development of the TIP.....	8
	A. Updating Project Section Formula.....	9
IX.	Plan and TIP Amendments	9

I. INTRODUCTION

A public involvement process needs to be proactive and inclusive in order to effectively integrate the concerns of a wide variety of affected parties. Therefore, Androscoggin Transportation Resource Center's (ATRC) goals, objectives, policies and programs are created in direct response to the needs of the citizens of Lewiston, Auburn, Lisbon and Sabattus. The Intermodal Surface Transportation Efficiency Act, or ISTEA, mandated that each Metropolitan Planning Organization (MPO) develop a comprehensive public involvement process to enhance the interaction between ATRC and the public, to be more inclusive in transportation planning and projects and to include the public much earlier in the process.

In response to ISTEA's mandate ATRC endorsed its first Public Involvement Process on September 30, 1992. ATRC's Public Involvement Process has been revised and updated several times to include changes in the guidance received from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as well as to reflect changes in the ATRC communities.

II. FEDERAL REGULATIONS

Under the United States Department of Transportation's (USDOT) 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 their Transportation Plan and Transportation Improvement Program (TIP).

The Metropolitan Planning Regulations contain the criterion listed below by which ATRC's Public Involvement Process should be administered and evaluated. ATRC will utilize this list to review its public involvement process every three years from the date of endorsement or, as deemed necessary, through the planning process.

- (1) A minimum public comment period of 45 days must be provided before the Public Involvement Process is initially adopted or revised.
- (2) Timely information regarding transportation issues and processes must be provided to:
 - citizens,
 - affected public agencies,
 - representatives of transportation agency employees,
 - private providers of transportation,
 - other interested parties
 - segments of the community affected by transportation plans, programs and projects including, but not limited to, central city and other local jurisdiction concerns.
- (3) Reasonable public access will be granted to technical and policy information used in the

development of plans, TIPs, and open public meetings, where matters related to the federal-aid highway and transit programs are being considered.

- (4) Provide adequate public notice of public involvement activities and time for public review and/or comments at key decision points including, but not limited to, approval of plans and TIPs.
- (5) Demonstrate explicit consideration and response to public input received during the planning and program development process.
- (6) Seek out and consider the needs of those traditionally underserved by existing transportation systems including, but not limited to, low-income and minority households.
- (7) When significant written and oral comments are received on either the draft transportation plan or TIP as a result of the public involvement process or the interagency consultation process required under the U.S. Environmental Protection Agency's (EPA) conformity regulations, a summary, analysis and report on the disposition of comments will be made part of the final plan and TIP.
- (8) If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the ATRC 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 will be made available (not less than 10 days).
- (9) The Public Involvement Process will be periodically reviewed by ATRC in terms of its effectiveness in assuring that the process provides full and open access to all.
- (10) These procedures will be reviewed by both FHWA and FTA to assure that full and open access is provided to ATRC's decision-making process.
- (11) Metropolitan public involvement processes will be coordinated with the statewide public involvement process, wherever possible to enhance public consideration of the issues, plans and programs and reduce to redundancies and costs.

III. STATE REGULATIONS

On December 20, 1992, the rule pursuant to the Maine Sensible Transportation Policy Act (MSTPA) was adopted by the Maine Department of Transportation. This rule created Regional Transportation Advisory Committees (RTACs) encompassing the entire state. RTACs, which have between 16 to 21 members, were created to provide MDOT with early and effective input on its plans and programs.

The rule also stipulates "In the MPO areas, the MPOs will perform all functions of the regional transportation advisory committees set out in this rule." ATRC's Public Involvement Process will envelop all public participation requirements of the MSTPA Rule.

ATRC will incorporate the RTAC that surrounds it into the Public Involvement Process directly. 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 MSTPA Rule will be determined jointly with the RTACs and MDOT where the project has yet to be classified and whereby the project would affect ATRC and the associated RTAC.

IV. ATRC COMMITTEE MEETINGS

ATRC has two standing committees that meet on a regular basis throughout the year. The ATRC Policy Committee is the governing body of ATRC and responsible for developing the 20-Year Transportation Plan, the Transportation Improvement Program, and overseeing the management of the planning process. The Technical Committee is responsible for the technical input to the plans and programs. All committee meetings are open to the public. Meeting notices and agenda will be sent to the media sources listed below at least seven (7) days prior to a scheduled meeting.

Sun-Journal
104 Park Street
Lewiston, ME 04240

Meeting notices will be sent to all voting and nonvoting members of the ATRC Technical and Policy Committees at least seven (7) days prior to the scheduled meeting. Additionally, ATRC Policy Committee meetings are scheduled for the fourth Thursday of each month, unless a meeting cancellation is mailed seven (7) days prior to the meeting date. With seven (7) days prior notice, regular Policy Committee meetings can also be scheduled for other dates. A special meeting may be called by either the committee's chairperson or any three voting members at any time. Notification to members may be written, oral or via electronic means. Significant efforts to provide notification to the media and the public will be made. Representatives for both the Policy and Technical Committees are listed below:

VOTING

1. City of Auburn - (2 voting members)
2. City of Lewiston - (2 voting members)
3. Town of Lisbon - (2 voting members)
4. Town of Sabattus - (1 voting member)
5. Maine Department of Transportation (MDOT) - (1 voting member)
6. Androscoggin Valley Council of Governments (AVCOG) - (2 voting members)

NON-VOTING

1. Androscoggin County Chamber of Commerce
2. Lewiston-Auburn Transit Committee (LATC)
3. Maine Turnpike Authority (MTA)
4. Western Maine Transportation Services (WMTS)
5. Federal Highway Administration (FHWA)
6. Federal Transit Administration (FTA)
7. Federal Railroad Administration (FRA)
8. Federal Aviation Administration (FAA)

Procedures and protocol for ATRC's committee meetings can be reviewed by obtaining a copy of the Organizational Bylaws of the Androscoggin Transportation Resource Center adopted September 29, 1995, and amended February 27, 2003.

Meeting notices and agenda will be sent out to all "interested and affected parties" identified below. The list will remain open to any new agencies or individuals wishing to be notified of ATRC's activities. Meeting announcements are also available on the ATRC Web site: www.atrcmpo.org.

1. Bicycle Coalition of Maine
2. Cities of the Androscoggin Bicycle and Pedestrian Advisory Committee
3. Natural Resources Council of Maine
4. Maine Transit Association
5. TrainRiders Northeast
6. Sunday River Transportation, Inc.
7. Auburn-Lewiston Municipal Airport
8. St. Lawrence and Atlantic Railroad
9. Hudson Bus Lines, Inc.
10. Community Concepts, Inc.
11. Vermont Transit (Greyhound)
12. City Cab Company
13. Region 7 Transportation Advisory Committee (RTAC 7) Coordinator
14. Maine Department of Environmental Protection - Air Quality Control
15. Federal Environmental Protection Agency
16. MPO Community Planning Boards (Chairperson)
17. Human Service Agencies that provide transportation

ATRC has and will continue to identify and include agencies and individuals that represent the transportation needs of persons and groups who have been traditionally underserved by existing transportation systems into the transportation planning process.

ATRC will maintain and update the *affected and interested parties* list so that stakeholders in the region's planning process can be actively involved. The list will be used to keep individuals, groups and agencies informed regarding the development of the transportation plan and the TIP

and to notify them about specific opportunities for public involvement.

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

To ensure that the biennial ATRC Work Plan, the Unified Planning Work Program (UPWP), provides for effective public involvement, ATRC will solicit comments on proposed planning activities through:

- (1) a direct mailing to the *affected and interested parties* listed above; and
- (2) a public notice in the local daily newspaper.

Comments will be made available to the ATRC Technical Committee before they begin the development of the UPWP. Copies of the Draft UPWP and approved UPWP will be available to the general public upon request.

VI. ACCESS INFORMATION TO THE TECHNICAL AND POLICY COMMITTEES

ISTEA and the subsequent Transportation Efficiency Act for the 21st Century (TEA-21) each specifies that the public must be granted access information to the technical and policy committees and assumptions underlying the planning and emissions models used to carry out transportation decision-making and air quality conformity determinations. ATRC will satisfy this requirement in four ways:

- A. **Public Notice for ATRC Meetings** – A notice for all ATRC meetings will be made in the local paper as well as in the ATRC web page. Meeting notices will be given a minimum of a week in advance.
- B. **The Androscoggin Valley Council of Governments’ Newsletter** – The AVCOG provides staff time to ATRC under contract. AVCOG publishes a monthly newsletter, which has wide distribution throughout Androscoggin, Franklin and Oxford Counties. The newsletter contains a section on ATRC news. ATRC staff will continue to include timely articles on demographic and land use projections, transit fares, roadway levels of service, traffic model information, air quality information, etc.
- C. **Information Center** - ATRC staff responds to over 100 traffic, demographic and land use data requests from the general public on an annual basis. Service requests are handled expeditiously by staff and are seen as a real benefit to the individuals and organizations in the community who utilize the information.

D. 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, ATRC documents the project selection procedures used to develop every TIP. This document will be made available to the public for review and comment, along with the Draft TIP document.

- E. **ATRC Informational Presentations and Brochure** - This will be done with an updated ATRC brochure and presentations before various groups. Because ATRC might be considered a unique organization, every effort will be made to provide as clear as possible information on what it does and what role citizens and public officials have in the area's transportation planning process. Information will be made available at city halls and public libraries as well as on the ATRC web page.

VII. UPDATING THE LONG RANGE TRANSPORTATION PLAN

ATRC is responsible for updating the Long Range Transportation Plan on a recurring basis as required by federal regulation 23 CFR Part 450. The Long Range Transportation Plan is required to look out a minimum of 20 years.

A. Public Notification of Transportation Plan Development

Line up margins ATRC will provide notice to the public of the intent to develop or update the transportation plan at the start of the development process. This notice will be published in the Sun Journal, the local daily newspaper; posted in the town offices and city halls of each community in the ATRC area; and sent to those interested groups and agencies included on the list of *interested and affected parties*. ATRC will also attempt to reach those interested in the development of the transportation plan by using various public outreach strategies, which may include, but are not limited to, newsletters, news releases, newspaper inserts, bulletin boards, transit distribution and public service advertisements.

The public notice will include at least the following information:

- a brief description of the planning process
- a schedule for when decisions will be made
- how the transportation plan may affect the region
- what opportunities exist for public participation and
- ATRC's contact for obtaining further information.

B. Public Forums/Workshops

At appropriate points during the development of the transportation plan, ATRC will hold separate public forums to discuss the **bicycle/pedestrian, transit, freight, highway and bridge** as well as any other components of the Long-Range Transportation Plan identified by the Technical or Policy Committees and/or other

interested parties.

A public informational meeting will then be held to discuss the development of the entire transportation plan, including transportation system deficiencies, alternative solutions, project priorities and other issues deemed appropriate. A 30-day public notice period will be provided for each of these meetings.

Public notices for these meetings will be published in the local daily newspaper, in the towns or city halls of each ATRC community and will 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. ATRC will endeavor to identify neighborhoods readily affected by system deficiencies and attempt to involve them as an "interested or affected party." ATRC may use a variety of approaches to foster effective public involvement.

C. Public Meeting on Draft Transportation Plan

Upon completion of the Draft Transportation Plan, ATRC will schedule a public meeting on the document. Individuals and organizations identified on the *interested and affected parties* list will be notified and offered the opportunity to participate in and/or offer comment. The purpose of the hearing will be primarily for ATRC to collect comments regarding the content of the Draft Transportation Plan.

A Public Notice will be published in the local daily newspaper 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 will be provided during which time any comments may be submitted for consideration by ATRC's Policy Committee. The draft transportation plan will be made available for inspection at the time of the hearing notice. Copies of the plan will be made available at AVCOG, 125 Manley Road, Auburn and at the town and city halls of the four ATRC communities as well as in an electronic format on ATRC's Web site: <http://www.atrcmpo.org>.

At the public meeting, ATRC will present pertinent information contained in the draft transportation plan and receive comments from the public. If a Significant Highway Project is determined under MSTPA, the ATRC 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.

An Executive Summary 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 ATRC. All written comments received will be acknowledged in writing.

D. Preparation of Final Transportation Plan

ATRC will prepare the final transportation plan after carefully considering all of the comments and input received from the public process. All substantive 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 which was made available for public comment, or raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, ATRC will provide an additional duly noticed public comment period on the revised draft plan of not less than ten days.

The final Transportation Plan will contain ATRC's responses to all comments received on the draft and, if necessary, the final plan. ATRC will provide one copy of the final Transportation Plan to each Town Office or City Hall and library in the ATRC area. As the plan is updated, so will these copies be updated.

VIII. DEVELOPMENT OF THE TIP

The biennial process of updating the TIP should, generally follow the same notification provisions as the Long Range Transportation Plan.

A. Public Notification of TIP Development

ATRC will provide notice to the public of the intent to develop or update the TIP at the start of the development process, or over a year from the expected date of final approval. This notice will be published in the local daily newspaper; posted in the town and city halls of each community in the ATRC area and sent to those interested groups and agencies included on the list of *interested* and *affected parties*. ATRC will also attempt to reach those interested in the TIP's development by using various public outreach strategies, which may include, but are not limited to, newsletters, news releases, newspaper inserts, bulletin boards, transit distribution and public service advertisements.

The public notice will include at least the following information: a brief description of the planning process tied to a schedule for when decisions will be made; how the TIP may affect the region; what opportunities exist for public participation; and ATRC's contact for obtaining further information.

B. Project Selection at ATRC Technical Committee Meetings

Recommendations for potential TIP projects will be solicited from member organizations. The Cities of Lewiston and Auburn and the Towns of Lisbon and Sabattus will be endorsed by their respective communities. A description of each proposed project will be placed on file at municipal offices at least 30 days prior to proceeding with the ATRC Project Selection Process. Notification that this list is available to be reviewed by the general public at AVCOG or municipal offices will be made in the local daily newspaper.

C. Maine Biennial Transportation Improvement Program Process

The Maine Department of Transportation develops a Biennial Transportation Improvement Program (BTIP) for the State Legislature to secure state funding for capital projects. Upon completion of the draft list of prioritized projects for submittal for funding in the Maine BTIP, ATRC will make that list available to the public. Individuals and organizations identified on the *interested and affected parties* list will be notified and offered the opportunity to comment.

The Public Notice will be published in the local daily newspaper and will encourage submission of written comments. A 30-day comment period begins the date of the notice will be provided during which time comments may be submitted for consideration by the ATRC Policy Committee. Copies of the list will be made available at AVCOG, 125 Manley Road, Auburn, and at the town office and city halls of the four ATRC communities as well as in electronic format on ATRC's Web site. All substantive comments received during the comment period will be documented by ATRC. All written comments received will be acknowledged in writing.

D. Preparation of Final TIP

ATRC will prepare its final TIP after receiving an updated list of projects scheduled for funding from the Maine Department of Transportation. This will normally be done as part of the Statewide Transportation Improvement Program (STIP) process and will include those projects selected for inclusion in the BTIP as well as projects not yet completed.

The final TIP will contain ATRC's responses to all comments received on the draft TIP. The ATRC will provide one copy of the final TIP to each town and city hall and libraries in the ATRC area. As the TIP is updated, so will these copies be updated.

Updating Project Selection Criteria/Formula

Any substantive change in ATRC's TIP project selection criteria or formula is subject to public review and comment. Amendments to the TIP selection criteria and formula will be accomplished before the initiation of the Biennial TIP development process. ATRC will notify

the public of its intent to update the TIP selection criteria and/or formula and make said material available to the public for comment.

FTA Public Hearing Requirements

Both the Lewiston-Auburn Transit Committee and Western Maine Transportation System (WMTS), FTA Section 5307(c) applicants have consulted with ATRC and concur that the public involvement process adopted by the ATRC for the development of the TIP satisfies the requirements that pertain to the development of the Program of Projects for Section 5307, Urbanized Area Formula Program, grant application including the provision for public notice and the time established for public review and comment.

For FTA projects that are not routine, such as Section 5307 applications that require an environmental impact statement, the public involvement provided for herein for TIP review is not sufficient. Any additional public involvement as present in the joint FHWA/FTA environmental regulations 23 CFR part 771 will be required by FTA for grant approval.

IX. TRANSPORTATION PLAN AND TIP AMENDMENTS

In general, the 20-Year Transportation Plan is updated every three years, and the TIP is developed every two years. Whenever action is taken by the ATRC Policy Committee at the project level and is between these time periods, an amendment is necessary. ATRC will publish the proposed amendment to the Transportation 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 30-day comment period begins from the date of the public notice will be provided in which time comments may be submitted to ATRC for consideration.

An exemption from the Public Involvement Process may be granted by the governing federal agency, where proposed projects are ones determined to be exempt from air quality conformity determination under the provisions of the Clean Air Act Amendments (CAAA) of 1990 and 40 CFR 93.134. For purposes of the 20-Year Transportation Plan or TIP, these projects would be considered minor in nature with limited potential negative impacts to existing conditions. ATRC will consult FHWA and EPA in the determination as to whether an amendment requires public involvement.

X. TITLE VI/ENVIRONMENTAL JUSTICE NON-DISCRIMINATION PLAN

ATRC is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to our programs and services.

To that end, no person will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any ATRC program or activity on the grounds of race, color, national origin, income, sex, age, disability, or limited English proficiency. ATRC assures that all its programs and activities will be free from discrimination, whether those programs and activities are federally funded or not.

ATRC conducts its Title VI/Environmental Justice Program in a team approach involving all ATRC personnel. The Director of ATRC is responsible to ensure ATRC's compliance with the Title VI/Environmental Justice implementing regulations.