



**MEMORANDUM**

**TO:** Southwest Washington Regional Transportation Council Board of Directors  
**FROM:** Dean Lookingbill, Transportation Director  
**DATE:** September 24, 2013  
**SUBJECT:** **RTC's Public Participation Plan Update: Regulatory Basis and Process**

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***AT A GLANCE – DISCUSSION***

*The purpose of this memorandum is to present to the Board introductory information regarding RTC's Public Participation Plan update focusing on the regulatory basis that requires RTC to update the Public Participation Plan update and on the update process.*

**BACKGROUND**

Public participation is an important part of the regional transportation decision-making process carried out by RTC. Policies and guidance for public outreach and participation are outlined in RTC's Public Participation Plan. The existing version of the Public Participation Plan is available to read on RTC's website. Periodic review and update of RTC's Public Participation Plan is a requirement of the federal metropolitan transportation planning process. At the outset of the update process, RTC Board members are asked for any input they may have.

RTC's existing Public Participation Plan was adopted by RTC Board Resolution 08-07-15 on August 7, 2007 to comply with the federal transportation act, SAFETEA-LU. RTC's initial Public Involvement Plan was adopted in July 1994 and updated in October 2001. There is a requirement in federal law that the MPO periodically evaluate the Public Participation Process and update the Public Participation Plan to reflect current practices. At RTC's last MPO Certification conducted by Federal Highway Administration and Federal Transit Administration staff, RTC was told to update the Public Participation Plan to add more specificity.

**REGULATORY BASIS FOR PUBLIC OUTREACH**

In summary, there are several key essentials for public outreach and participation as required by federal and state transportation laws. These essentials include the need for RTC to ensure early and continued public awareness of, and access to, the transportation decision-making process in the region and development of the Public Participation Plan update must involve stakeholders and the public. There must be commitment to publish, or make available for public view, transportation plans and Transportation Improvement Programs, to hold public meetings at convenient and accessible times and locations, to employ visualization techniques and to allow a minimum 45-day public comment period before Public Participation Plan update.

The federal requirements for public involvement are addressed primarily in 23 CFR 450.316(a)(1)(2)(3) and (b). The CFR addresses required elements of the metropolitan planning

process. Public involvement is also addressed specifically in connection with the Metropolitan Transportation Plan in 450.322(g)(1)(2), (i), and (j) and in connection with the Transportation Improvement Program in 450.324(b). Participation and consultation requirements, which pertain to the MTP and the TIP, also are included in 450.322 (f)(7) and (g)(1)(2), (i), and (j) and in 450.324(b).

General public participation requirements related to the transportation planning process are summarized in 450.316(a)(1)(2)(3) and (b) as follows:

- Development and use of a documented participation plan providing for reasonable opportunities to be involved in the metropolitan planning process.
- Adequate public notice of public participation activities and time for public review and comment at key decision points.
- Timely public notice and reasonable access to information about transportation issues and processes.
- Visualization techniques used to describe MTPs and TIPs.
- Public information and meeting notifications available in electronically accessible formats and means, such as World Wide Web.
- Public meetings held at convenient and accessible locations and times.
- Explicit consideration and response to public input received.
- Seek out and consider the needs of people traditionally underserved by existing transportation systems.
- Provide for additional opportunities for public comment if the final MTP or TIP differs significantly from the version that was made available for public comment.
- Coordinate with Statewide public involvement and consultation processes.
- Periodic review of the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
- Provide a summary, analysis, and report on the disposition of significant written and oral comments received.
- Provide a minimum public comment period of 45 days before adoption or revision of the Public Involvement Process.
- Consult with agencies and officials responsible for other planning activities that are affected by transportation or coordinate the planning process with such planning activities.

Federal requirements pertaining to the Metropolitan Transportation Plan addressed in CFR 450.322 also include provisions addressing public outreach [450.322(f)(7) and 450.322 (g)] as follows:

- A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities. The discussion shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies.
- Consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the MTP. The consultation shall involve, as appropriate (1)

comparison of MTPs with State conservation plans or maps, if available, or (2) comparison of MTPs with inventories of natural or historic resources, if available.

Federal requirements pertaining to the Transportation Improvement Program are addressed in CFR 450.324(b):

- All interested parties shall have a reasonable opportunity to comment on the proposed TIP as required by 450.316(a). In addition, in nonattainment TMAs, an opportunity for at least one formal public meeting during the TIP development process; the circumstances of the public meeting should be addressed through the participation plan described in 450.316(a).

The updated Public Participation Plan will cover both federal and state requirements for public participation in the transportation planning activities of RTC as the designated Metropolitan Planning Organization for the Clark County region and as state-designated Regional Transportation Planning Organization for the Clark, Klickitat and Skamania County region.

### **RTC's PUBLIC PARTICIPATION PLAN UPDATE: PROCESS and TIMELINE**

To comply with federal and state requirements for periodic Public Participation Plan evaluation, review and update, RTC will conduct an update process that will include the following steps:

- Seek RTAC and RTC Board input at outset of update process
- Public Participation Plan update drafted by RTC staff (following federal guidance and examples from recently updated PPPs from Puget Sound Regional Council and Spokane Regional Transportation Council)
- Draft review by RTAC (*target date October 18, 2013*) and RTC Board (*target date November 5, 2013*)
- Consult with planning partners and key stakeholders
- Release draft PPP update for a minimum 45-day public comment period (*target date on or before November 13, 2013*)
- Post draft update to RTC's website
- Media release regarding availability of draft PPP for public comment
- Publish legal notices notifying the public of PPP update release
- Circulate notifications of PPP draft release to interested parties and consultation agencies
- Draft PPP to be made available at branches of the Fort Vancouver library system and at Camas library
- Seek approval of PPP update (*target date: January 7, 2014 RTC Board meeting*)
- Post finalized completed PPP update to RTC's website for public reference

### **RTC's PUBLIC PARTICIPATION PLAN UPDATE: DRAFT PLAN OUTLINE**

A draft Public Participation Plan outline is attached with this Memo.

## **NEXT STEPS**

RTC will draft a Public Participation Plan update to better reflect its current practices for public involvement, consultation with interested parties, interagency consultation, and RTC's existing governance and operations. The Board will be asked to offer comments on the Public Participation Plan draft at its November 5 meeting, the draft will be released to the public for comment and after a public comment period lasting 45 days, the RTC Board will be asked to take action to adopt RTC's Public Participation Plan update.

**Attachment:** Draft Public Participation Plan Outline

# **RTC, PUBLIC PARTICIPATION PLAN UPDATE: DRAFT OUTLINE**

## **I. INTRODUCTION**

- RTC as MPO/RTPO
- Importance of Public Input in the Transportation Planning Process
- Purpose of the Public Participation Plan - guiding principles, goals, audience, access to all, consultation
- Participation Plan Requirements and Desired Outcomes

## **II. WHO IS RTC? ORGANIZATION**

- Membership
- Governing Structure – Committees
- Planning Partners including bi-state coordination
- How to Access RTC Meetings and Related Information

## **III. WHAT RTC TRANSPORTATION PLANS AND PROGRAMS SHOULD THE PUBLIC BE AWARE OF?**

- Work Plan, Budget, and UPWP
- Metropolitan Transportation Plan
- Metropolitan Transportation Improvement Program
- Congestion Management Process
- Special Needs Transportation
- Transportation Management and Operations
- Transportation Data and Analysis (household travel survey, travel forecast modeling)

## **IV. PARTICIPATION, INVOLVEMENT, CONSULTATION AND COMMENT PROCEDURES**

- Public Meetings (forum for decision-making)
- Public Comment (how to offer comments)
- Access to All
- Tribal Government Consultation
- Other Consultation/Partnerships

## **V. PUBLIC NOTIFICATION METHODS and TECHNIQUES**

- Public notification (agendas etc.)
- Meetings held at convenient Times, Locations and Accessibility
- Public Meetings, Workshops, and Forums
- View Meetings Online
- E-Mail Distribution Lists and Databases
- Emergency/Urgent Meetings
- Web Site; [rtc.wa.gov](http://rtc.wa.gov)
- Social Media
- Media Outlets

- Media releases
- Presentation and Speaker's Bureau
- Local Libraries
- Visualization Techniques
- Environmental Justice and Title VI
- Access for all (low income and minority populations included)
- Alternative Formats and Limited English Proficiency
- Public Comment and Review Periods
- Summary of Public Involvement Activities for Key Decisions

**VI. PUBLIC PARTICIPATION IN RTC'S METROPOLITAN TRANSPORTATION PLAN AND TRANSPORTATION IMPROVEMENT PROGRAM: A GUIDE TO PROCEDURES**

- Metropolitan Transportation Plan
- Metropolitan Transportation Improvement Program

**VII. EVALUATION AND UPDATE OF THE PUBLIC PARTICIPATION PROGRAM**

- Public Participation evaluation of effectiveness - matrix
- Updating the Public Participation Plan - amendment to procedures, adoption

**APPENDICES**

**APPENDIX A: REQUIREMENTS FOR RTC'S PROCESS**

- Federal Requirements
- Washington State Law
- Other Requirements

**APPENDIX B: MENU OF PUBLIC PARTICIPATION TECHNIQUES**