

ATRC

PUBLIC PARTICIPATION PLAN



October 13, 2015
Revised: May 24, 2018

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I. Introduction

A public participation plan 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 participation plan 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 Participation plan on September 30, 1992. ATRC's Public Participation plan 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.

This document is intended to give ATRC committee members and staff guidance in providing for public participation in its transportation planning and programming processes and other transportation documents to include additional requirements under the 1990 Americans with Disabilities Act and the recent federal transportation reauthorization known as the Moving Ahead for Progress in the 21st Century (MAP-21).

An effective public information process not only serves ATRC by meeting state and federal requirements, but also encourages greater participation in the development of programs or projects that may be controversial.

ATRC provides access to plans and programs through the internet. An e-mail address will be presented and made available for the public to make and receive comments. ATRC maintains a website at www.ATRCMPO.org. Using this medium, transportation planning documents and programming documents, meeting locations and agendas, meeting minutes contact information and a variety of other information such as traffic data are made available to the general public who have access to the internet.

ATRC has expanded the interactive nature and content of the website over time. Draft documents are provided to the public online and the public has an opportunity to comment on projects via e-mail or by other means. Comments will be received, answered by project staff, and become part of the public record. Final documents are posted on the website providing efficient access. Special sections of the website are dedicated to ongoing studies or processes to keep relevant information current, upfront, and available for efficient and timely comment to the public.

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 Participation Plan 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 Participation Plan should be administered and evaluated.

A minimum public comment period of 45 days must be provided before the Public Participation Plan is initially adopted or revised.

Timely information regarding transportation issues and processes must be provided to:

- citizens,
- affected public agencies,
- representatives of public transportation agency employees,
- private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program),
- representatives of users of public transportation,
- representatives of users of pedestrian walkways and bicycle transportation facilities,
- representatives of the disabled,
- segments of the community, including underserved populations, affected by transportation plans, programs, and projects,
- providers of freight transportation services,
- freight shippers,
- public ports, and
- other interested parties.

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 is being considered.

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.

Demonstrate explicit consideration and response to public input received during the planning and program development process.

Seek out and consider the needs of those traditionally underserved by existing transportation systems including, but not limited to, low-income and minority households.

When significant written and oral comments are received on either the draft transportation plan or TIP as a result of the public participation plan 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.

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).

The Public Participation Plan will be periodically reviewed by ATRC in terms of its effectiveness in assuring that the process provides full and open access to all.

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.

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.

MAP-21 further provides that MPOs, to the maximum extent practicable: "(i) hold any public meetings at convenient and accessible locations and times; (ii) employ visualization techniques to describe plans; and (iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information." ATRC will utilize its website (www.atrcmpo.org) to host all of its policies, maps, plans, studies, and transportation documents to be publicly available.

A. 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. All publications from ATRC will include language such as: "In accordance with the Civil Rights Act of 1964, ATRC does not discriminate on the basis of race, color or national origin. For more information about these protections or to file a complaint, please contact ATRC, 125 Manley Road, Auburn, ME 04210."

III. State Regulations

On September 10, 2008, the Sensible Transportation Policy Act rule was adopted pursuant to the Sensible Transportation Policy Act, 23 Maine Revised Statute §73. The decisions made in the transportation sector are of critical importance to the people of Maine. The field of transportation is diverse ranging from pedestrian to motorized vehicles to telecommunications. This rule reflects the diversity in the decision-making which occurs in the planning and development of Maine's transportation network.

The rule provides a framework for examining a range of choices. It recognizes there are benefits and costs (social, financial, energy, and environmental quality) to transportation decisions. The safety of the traveling public is of paramount importance, but transportation as a resource needs to be both supplied as well as conserved. The livability of a community can be significantly influenced by transportation and land use decisions. The rule identifies policies and management strategies for the analysis of these diverse issues.

This rule has been developed in response to the Sensible Transportation Policy Act, as amended. There are other state and federal statutes that significantly affect the Maine Department of Transportation's activities. These statutes (e.g. 23 USC §101 *et seq.*, Intermodal Surface Transportation Efficiency Act of 1991, ((ISTEA)) Pub. L. No. 102-240, 105 Stat 1914 and its subsequent authorizations, the National Environmental Policy Act, 42 U.S.C. §4321 *et seq.*; Clean Air Act, 42 U.S.C. §7401 *et seq.* and the Clean Water Act 33 U.S.C. §1251 *et seq.*) and others have specific processes and evaluations which may require a substantial commitment of resources by the Maine Department of Transportation (MaineDOT). To the extent possible MaineDOT shall avoid duplication when utilizing the processes and evaluations set forth in this rule to meet its obligations under other state and federal laws.

Transportation planning within Maine's Metropolitan Planning Areas is the responsibility of each respectively designated Metropolitan Planning Organization (MPO). MPOs carry out their planning activities in cooperation with MaineDOT, and are subject to the same state and federal planning policies, processes and requirements as MaineDOT.

The transportation plans and transportation improvement programs developed by the MPOs are incorporated into MaineDOT's long-range plans and capital improvement plans. The MPOs are responsible for self-certifying to MaineDOT and FHWA that the MPO planning process conforms to both State and Federal rules for transportation planning.

When developing or updating MPO long range plans, MPOs in cooperation with MaineDOT and the Regional Councils will develop and maintain an inventory of existing and proposed transportation systems. This inventory will be comprehensive and will include such elements as system usage, system characteristics and system condition.

MPO long-range plans should also include consideration of municipal or multi-municipal land use development patterns and management efforts within the MPO planning area. MPO long-range plans may include transportation and land use planning policies that guide MPO and MaineDOT capital investment decisions and planning processes. MPOs may also include recommendations to MaineDOT and MPO area municipalities for land use and transportation goals, policies, objectives and strategies that assure the long-term benefits of the regional transportation system.

When an MPO Long-Range Plan includes recommendations for projects which add new highway capacity, the MPO long-range plan may document existing land use conditions in the area(s) affected by the proposed project(s) and include land use policy recommendations to municipalities to preserve any added capacity.

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. Policy Committee meetings are typically held on the 4th Thursday of the month at 10:00am, and Technical Committee meetings are typically held on the 2nd Thursday of the month at 10:00am, unless a meeting cancellation is distributed seven (7) days prior to the meeting date.

Meeting notices and agendas 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. 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 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:

A. Voting Members

- City of Auburn - (2 voting members)
- City of Lewiston - (2 voting members)
- Town of Lisbon - (2 voting members)
- Town of Sabattus - (1 voting member)
- Maine Department of Transportation (MaineDOT) - (1 voting member)
- Androscoggin Valley Council of Governments (AVCOG) - (2 voting members)
- Maine Turnpike Authority (MTA) – (1 voting member)

B. Non-Voting Members

- L/A Metro Chamber of Commerce
- Lewiston-Auburn Transit Committee (LATC)
- Western Maine Transportation Services (WMTS)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Federal Railroad Administration (FRA)
- 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 last amended December 22, 2005.

Meeting notices and agenda will be sent out to all "interested and affected parties". 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). Member communities are encouraged to post these notices and announcements on their respective municipal websites as well.

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. Anyone can be put on the email notification list by contacting avcog@avcog.org requesting so.

C. How to Connect with Us

ATRC is committed to a public participation plan that includes opportunities for interaction with the Policy Committee, other elected officials, local planning and public works directors, business, community, and education leaders, and other key stakeholders. Public workshops, meetings, and other outreach efforts provide forums for input and feedback on ATRC policy, program, project, and funding decisions.

Get on Our Contact Lists

ATRC maintains email and mailing lists so we can provide information to those who request it. Contact ATRC at avcog@avcog.org or (207) 783-9186 and let us know when and how you want to hear from us.

Visit www.ATRCMPO.org

The comprehensive ATRC website is your resource for regional information, project updates, traffic data, meeting schedules, agendas and minutes, and reports and other publications.

View Our Calendar

Visit www.ATRCMPO.org/mpocalendar for a comprehensive calendar of all Technical and Policy Committee meetings, planning study meetings, public meetings, and more. These meetings are open to the public and agendas are typically posted seven days in advance of the meeting.

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 email to the affected and interested parties listed above; and
- (2) a solicitation on the ATRC website (www.atrcmpo.org)

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 and on the ATRC website. A 21-day public notice period will be provided for comment on this document.

VI. Access to the ATRC Committees

ISTEA and the subsequent Transportation Efficiency Act for the 21st Century (TEA-21)

and MAP-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 five ways:

Public Notice for ATRC Meetings

A notice for all ATRC meetings will be made available to the media for publication in the local paper as well as in the ATRC web page. Meeting notices will be given a minimum of a week in advance.

The Androscoggin Valley Council of Governments' Newsletter

The AVCOG provides staff time to ATRC under contract. AVCOG publishes a quarterly 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. Traffic data for the state and MPO area such as road counts, vehicle classification, turning movement counts, and high crash locations are available as interactive maps on the ATRC website (www.atrcmpo.org).

Information Center

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. ATRC takes care to keep its online traffic data maps updated for public use on demand.

Transportation Plan and TIP Development

The public will have ample opportunity to review technical and policy information and assumptions through the Public Participation plan 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. This document is available on the ATRC website (www.atrcmpo.org).

ATRC Informational Presentations and Brochure

Appearances may be done with an ATRC brochure and presentation 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 with a document explaining what ATRC is.

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.

Public Notification of Transportation Plan Development

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 local media; posted in the town offices and city halls of each community in the ATRC area, on the ATRC website, 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.

A. 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 as well as being on the ATRC website. 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.

B. 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 created and displayed using various media 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, at the town and city halls of the four ATRC communities, and 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.

C. 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 a copy of the final Transportation Plan to each Town Office or City Hall and library in the ATRC area electronically. As the plan is updated, so will these copies.

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. This notice will be posted in the town and city halls of each community in the ATRC area, posted to the ATRC website (<http://www.atrcmpo.org>), 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. Projects from the municipalities will be endorsed by their respective communities. A description of each proposed project will be placed on file at municipal offices at least 21 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 various media, on the ATRC website and the email lists to the Technical and Policy Committees. Further, a project that is submitted to ATRC for funding consideration must be certified by the municipality or organization that it has undergone a public participation process prior to its consideration by the ATRC. This certification will be noted in the written project information form provided by ATRC and filled out by each municipality.

C. MaineDOT STIP Process and Capital Work Plan

The Maine Department of Transportation develops an annual list of projects for funding to the State Legislature to secure state funding for capital projects. This document is, among statewide projects, a combination of MaineDOT and ATRC sponsored projects. Upon completion of the draft list of prioritized projects for submittal for funding in the MaineDOT Capital Work Plan, 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 posted on the ATRC website, ATRC community websites, and will encourage submission of written comments. A 21-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 (www.atrcmpo.org) 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.

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

E. 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 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. The ATRC TIP project selection criteria document is available on its website (www.atrcmpo.org).

F. 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 participation plan 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.

G. Transportation Plan and TIP Amendments

In general, the 20-Year Transportation Plan is updated every five years, and the TIP is developed every two years. For 2014, changes to MaineDOT transportation processes have a conversion to an annual calendar year process, which ATRC mimics by updating and confirming its 2-year TIP on an annual basis. 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 14-day comment period beginning from the date of the public notice will be provided in which comments may be submitted to ATRC for consideration.

Chart 1: Public Participation Comment Periods

<u>Program</u>	<u>Posting and Comment Period</u>	<u>Document Updated</u>
<u>Public Participation Plan</u>	<u>45 Days*</u>	<u>Periodically</u>
<u>TIP Publication</u>	<u>21 Days</u>	<u>2 Years</u>
<u>TIP Amendment</u>	<u>14 Days</u>	<u>As Needed</u>
<u>TIP Modification</u>	<u>N/A</u>	<u>As Needed</u>
<u>TIP Project Candidate List</u>	<u>21 Days</u>	<u>1 Year</u>
<u>UPWP</u>	<u>21 Days</u>	<u>2 Years</u>
<u>Long Range Plan</u>	<u>30 Days*</u>	<u>5 Years</u>
<u>Long Range Plan Amendment</u>	<u>14 Days</u>	<u>As Needed</u>

*Federal Mandated Time Period