

ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL

SAFETEA-LU COMPLIANCE

Update

Public Involvement Procedures: Public Participation in Transportation Decision Making (PIP)

June 2007

Summary of Changes:

On June 17, 2003, the ITCTC published a document entitled *Public Involvement Procedures: Public Participation in Transportation Decision Making (PIP)*. The document summarizes the ITCTC’s goals and procedures for public involvement in the context of its meetings and required plans. The PIP document is formally required under the most recent federal transportation legislation: the *Safe Accountable Fair Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU, Public Law 109-59, August 10, 2005). On February 14, 2007, the FHWA and FTA promulgated new regulations in the Federal Register (Vol. 72, No. 30) pertaining to Metropolitan and Statewide Transportation Planning, including rules regarding MPO participation plans. **In order to comply with the current governing legislation and updated regulations, the ITCTC has amended the *Public Involvement Procedures*, so that it functions as the documented participation plan.** Below, the regulations are summarized, and the ITCTC’s updates are explained.

23 CFR § 450.316 – Interested parties, participation, and consultation. (Federal Register, February 14, 2007)

Regulatory Subpart (summarized)	<u>Existing Document</u>	<u>Update</u>
(a) Develop and use a documented plan that defines public participation process. [goes on to list stakeholders]	<i>ITCTC Public Involvement Procedures</i> (June 17, 2003), meets this requirement, though the document does not specifically address the needs of all stakeholders.	Added new Section: 5. Interested Parties and Agencies
(1) Plan shall be developed in consultation with all interested parties. Plan shall explicitly provide for the following: (i-x, below)	Any amendment to existing document subject to public review, comment period, and revision if necessary.	
(i) Provide notice of public review activities, including comment on TIP and LRTP.	Document includes procedures for public notice of meetings and public review of planning documents.	Language added to Section 3 (<i>Document Amendment Process and Public Participation</i>) to clarify public notice procedures.

Regulatory Subpart (summarized)	Existing Document	Update
(ii) Provide access to transportation information.	Document discusses the MPO process and associated documents and directs public to web site and/or public offices to access materials.	No change.
(iii) Employ visualization techniques.	No section devoted exclusively to visualization, but such techniques mentioned throughout.	Visualization paragraph added to Section 7 (<i>Getting Feedback from Participants</i>).
(iv) Make information available electronically available	Web site contents detailed.	No change necessary.
(v) Hold meetings at convenient and accessible times and locations.	Traditional and non-traditional meeting procedures included.	Language added to Section 3 (<i>Document Amendment Process and Public Participation</i>) to stress accessibility.
(vi) Demonstrate consideration and response to public input.	Covered in Section 7 (Record Keeping).	Record Keeping section renamed as <i>Consideration, Analysis, and Summary of Public Comments</i> with new paragraph.
(vii) Seek and consider input from traditionally underserved populations.	Covered in Introduction.	No change.
(viii) Provide additional public comment opportunity if a final plan differs significantly from what was made available to public initially.	Not included.	Language added to Section 3 (<i>Document Amendment Process and Public Participation</i>) to cover explain this requirement.
(ix) Coordinate with statewide transportation planning public involvement process.	Not included.	Covered in new Section 5 (<i>Interested Parties and Agencies</i>).
(x) Periodically review the participation plan.	Covered in Introduction and in Section 3.	No change necessary.
(2) Provide a summary, analysis, and report on disposition of comments received on TIP and LRTP during participation process.	Not covered.	Record Keeping section renamed as <i>Consideration, Analysis, and Summary of Public Comments</i> with new paragraph.
(3) Minimum 45-day public comment period for Participation Plan.	Covered in Section 3, part d.	No change necessary.

Further Parts of § 450.316 (not part of Participation Plan requirements)

Regulatory Subpart (summarized)	Existing Document	Update
(b) Coordinate planning with other agencies and officials responsible for planning in areas affected by planning. Process shall provide for design and delivery of transportation services provided by the following: (1-3, below)	Not explicitly covered.	Addressed in new Section 5 (<i>Interested Parties and Agencies</i>).
(1) Recipients of assistance under 49 USC 53 [federal mass transportation assistance].	Not explicitly covered.	Does not need to be addressed specifically, as long as process allows involvement.
(2) Agencies that receive federal assistance from a source other than USDOT.	"	"
(3) Recipients of assistance under 23 USC 204 [federal lands highways program].	"	"
(c) If MPA includes tribal areas, process should include tribal government(s).	Not applicable.	Not applicable.
(d) If MPA includes federal public lands, involve land management agencies in plan development.	Not included.	Involvement procedures developed on as-needed basis, separate from participation plan.
(e) MPO shall, to extent practicable, develop documented process(es) for involvement of parties defined in paragraphs (b), (c), and (d) of this section.	Not included.	"

Other Changes Made to *Public Involvement Procedures* Document

- All language and statutory references have been updated to reflect SAFETEA-LU (Public Law 109-59) and the pursuant changes to the U.S. Code (USC). Regulatory language and Code of Federal Regulations (CFR) references have been updated to reflect FHWA/FTA rules promulgated on February 14, 2007 in the Federal Register (Vol. 72, No. 30) regarding Statewide Transportation Planning and Metropolitan Transportation Planning.

- Two additional documents added to References Section:
 - FHWA Visualization in Planning (2007) <<http://www.fhwa.dot.gov/planning/vip/index.htm>>
 - FHWA/FTA Public Involvement Techniques for Transportation Decision-Making (1996)
<<http://www.fhwa.dot.gov/reports/pittd/cover.htm>>