

PUBLIC PARTICIPATION PLAN

FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS

APPROVED JANUARY 17, 2013

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Section 1

Introduction

As the designated Metropolitan Planning Organization (MPO) the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) is a transportation policy-making organization as authorized under the Federal Surface Transportation Act of 1973. In July 2012, Moving Ahead for Progress in the 21st Century (MAP-21) was enacted into law as the most current transportation authorization. As with past transportation authorizations, MAP-21 continues the requirement for a continuous, cooperative, and comprehensive metropolitan transportation planning process for the plans and programs developed by Metro COG. Pursuant to 23 CFR 450.316 Metro COG is required to develop a Public Participation Plan (PPP) which sets the procedures by which Metro COG will engage the public including a broad list of interested and affected individuals in the development of the metropolitan transportation planning process for the FM Metropolitan area.

Metro COG's PPP establishes a transparent decision making process that provides detailed information in regards to how the public will be involved in the development of the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) for the FM Metropolitan area, and subsequent amendments thereof. Metro COG also applies the procedures outlined in the PPP to all metropolitan wide and/or subarea corridor level planning studies which serve to support its overall transportation planning program.

The current PPP was last adopted in June of 2009, and this update of the PPP was completed in advance of the next scheduled update of the Long Range Transportation Plan for the FM Metropolitan area, which was initiated in April of 2013. Future updates may occur as required by MAP-21 or future transportation authorizations, or if new regulations from the United States Department of Transportation are issued.

Objectives

Metro COG strives to provide a proactive public involvement process that ensures the distribution of complete information, timely public notices, transparency in program development and implementation, and supports early and continuing involvement of the public in Metro COG's transportation planning program. The principle objectives of Metro COG's public participation plan are outlined in detail below, and are generally set forth pursuant to the requirements outlined in 23 CFR 450.316:

- *To establish a consistent means of notification and involvement for the public;*
- *To actively seek input and involvement from a wide variety of individuals, groups, and organizations affected by the transportation system;*
- *To establish and facilitate effective public involvement early in the planning process, before key decisions are made and while there is ample opportunity to influence decisions;*

- *To promote informed and thoughtful public input in regards to the decision-making process by providing access to information in a timely manner;*
- *To fully consider and document public input;*
- *To utilize public involvement in the development of transportation plans, programs, and projects which are representative of local, regional, and state priorities/needs while incorporating a range of transportation options;*
- *To develop a public participation plan in consultation with interested parties and to update periodically as deemed necessary;*
- *To employ to the maximum extent practicable, visualization techniques, which may include: Artist renderings, computer modeled images, computer simulations, drawings, flowcharts, maps, models, photo manipulation, scenario planning tools, simulated photos, sketches, videos, or visual preference surveys.*
- *Require a minimum public comment period of forty-five (45) days before Metro COG's PPP is initially adopted, revised, or updated;*
- *Solicit and consider the needs of those who are commonly underserved by existing transportation systems, including households with low income, minorities and people with disabilities, and assure participation in compliance with Title VI of the Civil Rights Act and Executive Order 12898 - Environmental Justice;*
- *Provide for the early involvement of various transportation interest groups (i.e. traffic, bicyclists, pedestrians, rideshare, parking, transportation safety and enforcement agencies, rail operators, airport, toll authorities, private transportation providers, public officials, freight shippers, environmental resources, and permit agencies);*
- *Coordinate Metro COG's PPP with statewide public participation plans to enhance public consideration and understanding of the issues, plans, and programs as well as to reduce redundancies and costs;*
- *Evaluate, on a periodic basis, Metro COG's PPP to verify that the process is open to all individuals with interest and that the procedures of this policy are being implemented and followed in accordance with federal regulation and that the objectives/criteria set forth therein is administered appropriately by Metro COG.*

Section 2

Defining the Metropolitan Transportation Planning Process

As the designated Metropolitan Planning Organization for the FM Metropolitan area Metro COG is required to perform an explicit set of transportation planning and programming efforts which are more clearly outlined within 23 CFR 450. The requirements of 23 CFR 450.316 direct Metro COG to develop a Public Participation Plan to ensure the general public and relevant stakeholders are given reasonable opportunities to participate in the metropolitan transportation planning process. The Public Participation Plan requirements are specific to the Long Range Transportation Plan and the Transportation Improvement Program. However Metro COG strives to ensure that its entire transportation planning process encourages meaningful public input.

What follows is a general overview of the key elements of Metro COG's transportation planning process. Section 5 through 9 of the Public Participation Plan will outline the specific public involvement strategies and procedures utilized for each element of Metro COG's metropolitan transportation planning process.

Long Range Transportation Plan

Metro COG is required to adopt a Long Range Transportation Plan (LRTP) which outlines a short and long range list of transportation improvements (including policy considerations) regarding the surface transportation system for the FM Metropolitan area. The LRTP is updated every five (5) years, or more frequently if necessary. At minimum, the plan includes the following:

- Existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways/bicycle facilities, and intermodal connectors);
- Operational and management strategies;
- Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure;
- Environmental mitigation activities;
- Transportation and transit enhancement activities;
- Financial plan and coordinated implementation matrix.

In an effort to ensure a multimodal transportation planning process, Metro COG maintains modal sub elements of the LRTP consisting of the Bicycle and Pedestrian Plan, Transit Development Plan, and Intelligent Transportation System Plan. These modal sub elements of the LRTP each have a five (5) year planning horizon and are updated accordingly. The procedures outlined in Section 6 regarding the LRTP apply equally to each of its modal sub elements.

Transportation Improvement Program (TIP)

Metro COG is required to adopt a transportation improvement program (TIP) which schedules and programs Federal aid for surface transportation projects in the FM Metropolitan area. The TIP is also inclusive of projects determined to be of Regional Significance. The TIP has a four (4) year programming horizon. While required to be updated at least once every four years, Metro COG typically updates the TIP annually. In order for a project to be in the TIP and be eligible for Federal aid, it must be derived from the LRTP, or one of its modal sub elements. At minimum, the TIP shall include the following:

- A list identifying all regionally significant projects requiring action by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) within the defined four year period after the initial adoption of the TIP;
- A financial plan demonstrating how the approved TIP can be implemented and an indication of resources (public or private) that can be reasonably expected to be available in order to finalize the project;
- Identification of other financial alternatives/strategies to implement projects;
- A list identifying additional projects that would be included in the approved TIP if reasonable additional resources beyond the funds recognized in the required financial plan were available; and
- An outline of project descriptions and applicable project phases.

Metropolitan wide/Subarea/Corridor Planning Studies

In order to support the overall metropolitan transportation planning program Metro COG completes a number of metropolitan wide, subarea, and corridor level planning studies. These studies are considered critical to ensuring that detailed area wide or corridor level transportation planning is done on issues considered to be of significance to the metropolitan transportation planning process.

Imminent Corridor Studies/Cooperative Project Concept Reports

Metro COG and its state and Federal partners are committed to ensuring that certain planning processes developed by Metro COG are compliant with the National Environmental Protection Act (NEPA). Metro COG initiates *Imminent Corridor Studies* or *Cooperative Project Concept Reports* to assist with linking planning and NEPA. These studies are related to projects currently programmed within the TIP or projects for which programming is considered *imminent*. This is typically accomplished by having Metro COG conduct the required planning elements of the project development process. In these cases Metro COG develops subarea corridor level planning studies to ensure conformance with NEPA so that planning products of Metro COG can be directly integrated into NEPA required documents. The public outreach that has been identified for these projects has been developed so that it is compliant with NEPA.

Unified Planning Work Program (UPWP)

In order to ensure the timely implementation of the metropolitan transportation planning process, Metro COG is required to adopt a Unified Planning Work Program (UPWP). The UPWP is a 24 month work program and is reflective of the actions and activities to maintain a comprehensive, continuous, and coordinated transportation planning process. The UPWP represents the planning priorities to be carried out within the FM Metropolitan area. Public involvement in the development for the UPWP is not explicitly required of Metro COG.

Section 3

Identification of Interested Persons

Metro COG maintains an extensive database of *interested persons*. This list is a culmination of individuals and groups Metro COG has determined to be relevant to the metropolitan transportation planning process. A number of individuals or groups have specifically requested inclusion as an *interested person* so as to remain informed regarding Metro COG's transportation planning process.

There are currently over 1250 individuals and organizations included in Metro COG's *interested persons* list. Metro COG maintains this list internally, with a periodic review and update of the individuals and organizations to ensure the list is current and active. Any interested individual(s), groups, organizations or associations can be added to Metro COG's interested persons list by simply contacting Metro COG at either 701.232.3242 or via email at metrococg@fmmetrococg.org.

Metro COG's *interested persons* list is the backbone of its public involvement efforts, and serves as the primary target of Metro Connection. Metro Connection is Metro COG's newsletter which is distributed three to four times annually. Metro Connection serves as the primary tool to notify Metro COG's *interested persons* list regarding public input opportunities which support the metropolitan transportation planning process. Metro COG's *interested persons* list is inclusive of the following individuals and groups who have been determined to have an interest or who have expressed an interest in Metro COG's transportation planning process:

- Elected officials of cities, counties, and townships from within Metro COGs study area;
- State and local agencies responsible for land use management;
- City and County planning commissions;
- Formal and informal traffic safety committees, transportation and transit advisory committees;
- Bicycle and pedestrian users and affiliated interest groups;
- State and local environmental agencies/groups;
- State and local resource preservation and conservation agencies/groups;
- Freight generating businesses and freight hauling businesses;
- Public and private transit and taxi operators, including public and private demand responsive operators;
- Non-profit and human service transportation agencies with low income, minority, elderly, disabled, and refugee clients;

- Neighborhood associations, citizens advisory committees, environmental organizations, historical/archeological preservation groups, parking authorities, park districts, school boards, etc.;
- Traffic safety and enforcement agencies;
- Chambers of commerce; economic development organizations; business representatives, including private developers;
- Members of each State Legislature representing the study area;
- Appropriate state and federal agencies (E.g. modal divisions of MnDOT and NDDOT, Minnesota Pollution Control Agency and ND Department of Health, FHWA, FTA, etc.);
- Members of Metro COGs Transportation Technical Committee and other interested local staff from within the study area;
- Contacts with local and regional print and broadcast media outlets;
- Outreach to traditionally underserved groups (Title VI, Affirmative Action, Environmental Justice).

Targeted Outreach to Key Stakeholders

Based on guidance from state and Federal agencies, as well as Policy Board expectations, Metro COG strives to ensure special effort is undertaken to maintain outreach to several groups, individuals, and organizations considered critical to its transportation planning process. Metro COG intends to specifically maintain outreach to the following individuals, groups, organizations or populations. These groups are specifically identified and grouped in Metro COGs list of *interested persons*, and are specifically targeted for input as part of the metropolitan transportation planning process.

- Freight Industry: Metro COG works to ensure the coordinated involvement of freight representatives in the development of the LRTP and TIP through the inclusion of numerous freight and freight related stakeholders within the *interested persons* list. Metro COG continues to include a representative from the Greater Fargo-Moorhead Economic Development Corporation (GFMEDC) on its Transportation Technical Committee.
- Public Transportation and Human Service Transportation: Metro COG utilizes the Metropolitan Transportation Initiative (MTI) to oversee and facilitate discussion in regards to the LRTP and TIP with agencies that represent low income, minority, elderly, disabled and refugee clients. In addition Metro COG maintains a grouping of individuals who are specifically targeted for transit and transit related planning studies, and who generally represent the needs of transit dependent individuals and agencies.
- Environmental Justice Groups (Including ADA & Title VI): To support Metro COG's overall Title VI Plan and to ensure compliance with Executive Order 12898, Metro COG ensures the interests of low income, minority, individuals with disabilities, senior citizens, and other traditionally underserved individuals are taken into consideration by including them as a part of its overall *interested persons* list. Individuals and groups representative of these populations are grouped together and notified of all metropolitan transportation planning studies, specifically any special purpose or corridor level studies which may be shown to have a possible impact on these populations.

- **Environmental Interests:** Metro COG will utilize the already established Environmental Review Group to oversee and facilitate a discussion in regards to the LRTP and TIP. This group includes representation from the following industries/interests: land use management, natural resources, conservation, environmental protection, recreation and agricultural.

Committees Internal to Metro COG

Metro COG has five (5) internal standing committees which serve to oversee the planning and technical operations of Metro COG. With the exception being the MAT Board, these internal standing committees work at the behest of the Metro COG Policy Board which is responsible for the administrative and policy decisions of the metropolitan transportation planning process. The MAT Board advises the Moorhead City Council and Fargo City Commission, and does not directly report to the Metro COG Policy Board.

Figure 1 demonstrates committees internal to Metro COG, and provides a summary of the composition of each committee, when they meet, and how materials are distributed and made available to the public. A number of interested persons and targeted stakeholder groups receive committee mailings and related information.

Figure 1 – Summary of Metro COG Standing Committees

	Membership	Responsibilities	Meeting Frequency	Meeting Materials (hard copy)	Meeting Materials (electronic copy)	Information on Website	Past Meeting Minutes
Policy Board	Appointed representatives from local units of government	Administrative leadership with authority on budget, policy, and planning activities	3rd Thursday (Monthly)	Members only	Email list	Full agenda packet	Available on website
Transportation Technical Committee	Technical staff from local units of government and cognizant agencies	Advise Policy Board on planning and policy activities	2nd Thursday (Monthly)	Members only	Email list	Full agenda packet	Available on website
Metropolitan Transportation Initiative	Human and Social Service Agencies, Transit Providers	Issues and programming regarding human service public transportation	As needed	Members only	Email list	Full agenda packet	Available on website
Bicycle & Pedestrian Committee	Technical staff and citizen members	Bicycle and pedestrian issues	Quarterly	None	Members and email list	Full agenda packet	Available on website
MAT Board	Elected representatives from local units of government, area colleges, and a jointly appointed chairperson	Coordinate MATBUS operations between the City of Moorhead and City of Fargo and key stakeholders/partners	Monthly	Members only	Members and email list	Full agenda packet	Available on website
Geographic Information Systems (GIS)	Technical staff from local units of governments	GIS data needs, sharing, and standardization issues	As needed	Members only	Members	Full agenda packet	Available upon request

Notes: Metro COG typically distributes committee materials one week in advance of the scheduled meeting; all meeting minutes are posted to the web page once approved

Section 4

Special Accommodations

Metro COG is committed to ensuring all individuals regardless of race, color, sex, age, national origin, disability/handicap, sexual orientation, or income status have access to Metro COG's programs and services. Metro COG will make a good faith effort to accommodate requests for translation services for meeting proceedings and related materials. All meeting notices distributed by Metro COG include a standard disclaimer notifying the public regarding the options available to request special accommodations to participate in a specific meeting or to review specific documents. As part of Metro COG's approved Title VI Plan, Metro COG maintains a list of auxiliary aids and services. All Metro COG meetings are held in handicapped accessible locations and are accessible to mobility impaired individuals; and in locations considered generally served by public transportation.

Section 5

Outreach Strategies

Metro COG recognizes the importance of including a broad range of citizen participation and communication techniques into the metropolitan transportation planning process. Metro COG utilizes a variety of methods to inform and educate the public during transportation plan updates, transportation plan amendments or general planning studies. Figure 2 (page 17) demonstrates how specific outreach activities are used to support elements of the metropolitan transportation planning process. Metro COG generally utilizes the following methods and techniques to notify the public and gather input regarding the metropolitan transportation planning process:

- **Public Meetings:** These meetings generally function in coordination with transportation plan updates or planning studies with the overall intent of involving the public in the determination and consideration of identified issues and the development of project alternatives. All public meetings are announced to the public via those mediums outlined herein.
- **Advertising of Public Meetings:** Notice of public involvement opportunities may include posting of notices in public places, and direct notification of *interested persons* identified in the process. Metro COG utilizes both public legal notices and box (display) ads in local newspapers to advertise public meetings and public input opportunities.
- **Metro Connection:** Metro Connection is Metro COG's newsletter, which reports upon ongoing and time sensitive elements of the metropolitan transportation planning process. Metro Connection is distributed three to four times annually, and is sent directly to Metro COG list of *interested persons*. Metro COG uses Metro Connection to notify its list of *interested persons* regarding major project milestones and public input opportunities which support the metropolitan transportation planning process. Metro Connection is used specifically to notify the public and *interested persons* regarding development of the Long Range Transportation Plan (its modal sub elements), the Transportation Improvement Program, metropolitan wide plans, and subarea corridor planning studies.

- News Media (Radio, Television, Newspapers): Metro COG notifies media through general purpose meeting notifications and project specific press releases. Metro COG maintains a current list of media contacts.
- Web Based, Electronic Media, and Social Media (www.fmmetrocog.org): The Metro COG website is utilized to accommodate the timely delivery of information to the public. Information inclusive of meeting agendas, notices, announcements, draft/final plans, minutes, maps and studies are located on the web in accessible formats to the public. Metro COG uses a digital version of its *interested persons* list to provide electronic email notifications regarding various events or meetings and to make general or special purpose announcements.
- Interested Persons List: Metro COG maintains an extensive list of public participation contacts which includes representation as noted in Section 3. Metro COG uses its *interested persons* list to provide notification of input opportunities to support the metropolitan transportation planning process.
- Citizen Surveys: On a project specific basis citizen surveys will be used to collect data and other relevant information. This information is generally documented within the transportation plan or study.
- Focus Groups: This meeting format is utilized by Metro COG to facilitate discussion amongst a defined group of stakeholders in regards to a single topic.
- Visualization Techniques: This content focused technique utilizes graphics such as maps, charts, graphs, pictures and renderings to communicate relationships, trends, performance thresholds, deficiencies, issues, recommendations and considerations to the public.
- Study Review Committee: Study review committees are structured by Metro COG to oversee certain projects and typically represent a distinct segment of the community and/or interest groups. These are most often formed as a committee of affected technical staff and interested persons to oversee the implementation of metropolitan wide, sub area, or corridor level transportation planning studies. If a study review committee is established it shall be the responsibility of Metro COG to ensure that it includes balanced representation from a variety of transportation interests. Study review committees typically make recommendations to the Transportation Technical Committee and Policy Board. If a study review committee is not established the Transportation Technical Committee and Policy Board shall actively serve in an advisory capacity during the Plan's development.

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Section 6

Development of the Long Range Transportation Plan (Including Modal Sub Elements)

As discussed in Section 2 Metro COG is required to develop and maintain the Long Range Transportation Plan (LRTP) for the FM Metropolitan area. During the development or update of Metro COG's LRTP or any modal sub element thereof, the following outreach activities will be utilized as part of the public participation process. Each activity and the applicable plan related results will be incorporated within the appendices of the LRTP.

Public Notifications

Metro COG will provide notice to the public of its intent to develop or update the LRTP or any of its sub elements at the beginning of the plan development process. At critical points in the development of the LRTP, public input will be sought from the public and interested persons regarding identified needs/deficiencies, proposed strategies/policies, and identified projects/improvements. Notification regarding LRTP development or update activities will be announced through the Metro Connection, which is targeted to Metro COG's entire *interested persons* list. All public notices are subject to the special accommodations clauses outlined in Section 4 of this document.

The following parameters are used for noticing public input opportunities in support of the LRTP or one of its modal sub elements:

- Public notice is posted no less than seven (7) days prior to the public input opportunity (meeting);
- No less than a fifteen (15) day period is provided for which public comments can be submitted.

The public notice in the form of a box or display ad will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation in the region, posted prominently on Metro COG's website, and sent to those interested groups and agencies included on the *interested persons* list. Amendments to the LRTP require a legal public notice.

Metro COG will consider using other forms of public notice including press releases, letters to the editor, local access cable TV programming, email, etc. as deemed appropriate to disseminate public notice information regarding the LRTP development or update.

At minimum, the public notice will include the following information: a brief description of the anticipated planning process and actions to be taken; the Plan's purpose and affect on the region; a general schedule of the Plan's development or update; an explanation of the opportunities that will be available for public comment and participation, and Metro COG contact, if further information is desired.

Availability of Draft Plan (and Interim Support Materials)

Metro COG shall make all materials developed throughout the process of updating the LRTP, including the draft LRTP available to the public. Materials used in support of the LRTP development including the draft LRTP

will be posted to Metro COG's website. At such time as a draft LRTP is published, it will be available for public inspection at the Metro COG offices and on Metro COG's website.

Documenting Substantive Changes to a Draft Plan

With due consideration given to public comment or any other applicable information received from the previous procedural steps, Metro COG will prepare the final LRTP. If substantive written or oral comments are received on the draft LRTP, either through the public involvement process or through the interagency consultation process, a summary, analysis, and report of the disposition shall be included in the final LRTP.

If the final LRTP contains substantive changes from the one which was made available for public comment or if the plan includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts, Metro COG will provide an additional duly announced public comment period on the revised draft LRTP of not less than fifteen (15) days. A legal public notice will be published in The Forum of Fargo-Moorhead advertising this extended comment period and note where copies of the new information can be reviewed or obtained. The amended draft plan will be made available for review in electronic format via the Metro COG website. The final LRTP will document the public involvement process, present a summary of all public comments received and demonstrate Metro COG's consideration to these comments.

Amending the Long Range Transportation Plan

Changes or amendments to the LRTP are classified as either administrative modification or amendments. A description and discussion of the applicable public process for each follows.

- *Administrative Modifications:* Administrative modifications are tantamount to technical corrections that do not require a coordinated review by the MPO, FWHA and FTA or a determination of conformity by these entities. Administrative modifications shall be inclusive, but not limited to the following: descriptive material, forecasts, data bases, project costs (provided fiscal constraint is maintained), project descriptions, time frames, etc. No public notifications are required for administrative amendments. Administrative modifications may require coordination with the respective State DOT. Administrative modifications are approved by the Policy Board at the recommendation of the Transportation Technical Committee.
- *Amendments:* The addition or deletion of any project or group of projects constitutes an amendment. An amendment to the LRTP is subject to the requirements of the public involvement process outlined herein. The public notice requirements as outlined earlier this section (Section 6) are followed for amendments to the LRTP. Following the public input process, amendments are approved by the Policy Board at the recommendation of the Transportation Technical Committee.

Section 7

Development of the Transportation Improvement Program

As discussed in Section 2 Metro COG is required to develop and maintain the Transportation Improvement Program (TIP) for the FM Metropolitan area. During the development or update of Metro COGs TIP or any element thereof the following outreach activities will be utilized as part of the public participation process. Each outreach activity and the applicable plan related results will be incorporated within the appendices of the TIP.

Public Notifications

Metro COG will provide notice to the public of its intent to develop or update the TIP or any of its elements at the beginning of the TIP development process. At critical points in the development of the TIP, public input will be sought from the public and interested persons regarding identified needs/deficiencies, proposed strategies/policies, and identified projects/improvements. Notification regarding TIP development or update activities will be announced through the Metro Connection, which is targeted to Metro COG's entire *interested persons* list. All public notices are subject to the special accommodations clauses outlined in Section 4 of this document.

The following parameters are used for noticing a public input opportunities in support of TIP development:

- Public notice is posted no less than seven (7) days prior to the public input opportunity (meeting);
- No less than a fifteen (15) day period is provided for which public comments can be submitted.

The public notice in the form of a box or display ad will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation in the region, posted prominently on Metro COGs website, and sent to those interested groups and agencies included on the list of Interested Persons. Amendments to the LRTP require a legal public notice.

Metro COG will consider using other forms of public notice including press releases, letters to the editor, local access cable TV programming, email, etc. as deemed appropriate to disseminate public notice information regarding the TIP development or updates.

At minimum, the public notice for the TIP will include the following information: a brief description of the anticipated planning process and actions to be taken; the Plan's purpose and effect on the region; a general schedule of the Plan's development or update; an explanation of the opportunities that will be available for public comment and participation, and Metro COG contact, if further information is desired.

Consultation with Local, State, and Federal Agencies (Project Solicitation and Prioritization)

Development of the TIP is done under the guidance of 23 CFR 450.324, and follows a very detailed procedure. Specifics regarding the identification and prioritization of projects for purposes of TIP development are available within Metro COG's current approved TIP, which can be viewed on Metro COG's website at www.fmmetrocog.org, or by contacting Metro COG.

Availability of Draft Transportation Improvement Program (and Interim Support Materials)

Metro COG shall make all materials developed throughout the process of updating the TIP, including the draft TIP available to the public. Materials used in support of the TIP development including the draft TIP will be posted to Metro COG's website. The draft TIP will be available for public inspection at the Metro COG offices.

Documenting Substantive Changes to a Draft TIP

With due consideration given to public comment or any other applicable information received from the previous procedural steps, Metro COG will prepare the final TIP. If substantive written or oral comments are received on the draft TIP, either through the public involvement process or through the interagency consultation process, a summary, analysis, and report of the disposition shall be included in the final TIP.

If the final TIP contains substantive changes from the one which was made available for public comment or if the plan includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts, the Metro COG Policy Board may provide an additional duly announced public comment period on the revised draft TIP of not less than fifteen (15) days. A legal public notice will be published in The Forum of Fargo-Moorhead advertising this extended comment period and note where copies of the new information can be reviewed or obtained. The amended draft plan will be made available for review in electronic format via the Metro COG website. The final TIP will document the public involvement process, present a summary of all public comments received and demonstrate Metro COGs consideration and response to these comments.

Amending the TIP

Changes to the TIP are defined as either amendments or modifications. Modifications to the TIP do not require public notifications. Amendments to the TIP are required to follow the procedures outlined herein. The specific thresholds used to determine the variance between a modification and an amendment change periodically and are specifically listed in Metro COG's approved TIP. The current approved TIP is posted at www.fmmetrocog.org, or is available by contacting Metro COG. However to ensure transparency through this Public Participation Plan, Metro COG provides the following general parameters typically used to determine if a TIP amendment is required:

Amendments to the TIP are required when:

1. Adding a project or phase(s) not listed in the current, approved TIP;
2. An Illustrative Project (i.e. a project for which no Federal funding had previously been secured) included in the current approved TIP is Programmed;
3. A Project in the current approved TIP is moved or deleted;
4. There is a meaningful increase in the total cost of a project. (Reasonable judgment is needed for cost changes to transit projects);

5. A phase of work (preliminary engineering, right of way, construction, etc.) is added to the project and increases the project cost. No formal amendment (or administrative modification) is needed for adding a phase of work that does not increase project cost;
6. An additional source of Federal funds is added to a project;
7. The project scope is changed (e.g. for a bridge project – changing rehab to replace; e.g. for a highway project – changing resurface to reconstruct);
8. There is a major change to project termini (e.g. extending or shortening a roadway project);

Modifications are required when:

1. A project is moved into the current TIP year from a later year. Justification is needed under “comments” to explain which specific projects are deferred to maintain fiscal constraint;
2. Minor changes in scope, cost or description of a project;
3. Splitting and combining projects already in the program, with no change in overall project schedule or funding;
4. The source of funds is changed for the same project/mode (e.g. from Section 5307 to Section 5339 or FTA dollars to FHWA dollars);
5. Project number changes (TIP or STIP);
6. Administrative modification including technical corrections or administrative modifications that do not require a coordinated review by the MnDOT and NDDOT or a determination of conformity by these entities (i.e. re-demonstration of fiscal constraint). Technical corrections shall be inclusive, but not limited to the following: descriptive material, forecasts, databases, project costs, project descriptions, time frames or any other related administrative modification.

Section 8

Development of Metropolitan Wide/Subarea/Corridor Level Planning Studies

As discussed in **Section 2** Metro COG develops a series of metropolitan wide, subarea, and corridor level planning studies. These studies serve to support the LRTP, TIP, and the overall metropolitan transportation planning process.

During the development of metropolitan wide, subarea, and corridor level planning studies the following outreach activities will be utilized as part of the public participation process. Each outreach activity and the applicable plan related results will be incorporated within the appendices of the respective study.

Public Notifications

Metro COG will provide notice to the public of its intent to develop any metropolitan wide, subarea, or corridor level planning studies at the beginning of the preparation process. At critical points in the development of these plans, public input will be sought from the public and interested persons regarding identified needs/deficiencies, proposed strategies/policies, and identified projects/improvements.

If possible notification regarding development of these plans will be announced through the Metro Connection, which is targeted to Metro COG's entire interested persons list. At a minimum, Metro COG notifies adjacent residents, businesses, property owners, as well as groups from within Metro COG's *interested persons* list considered to be impacted by the specific study (E.g. Environmental Justice, Freight, etc.). All public notices are subject to the special accommodations clauses outlined in **Section 4** of this document.

The following parameters are used for noticing public input opportunities in support of metropolitan wide, subarea, and corridor level planning studies:

- Public notice is posted no less than seven (7) days prior to the public input opportunity (meeting);
- No less than a fifteen (15) day period is provided for which public comments can be submitted.

The public notice will be published in The Forum of Fargo-Moorhead the newspaper of general circulation in the region, or other publication if the study is relevant to another publication (E.g. Hawley Herald, Barnesville Record Review, Cass County Recorder, etc.), posted prominently on Metro COGs website, and sent to those interested groups and agencies included on the list of Interested Persons.

Metro COG will consider using other forms of public notice including press releases, letters to the editor, local access cable TV programming, email, etc. as deemed appropriate to disseminate public notice information regarding the development of metropolitan wide, subarea, or corridor level planning studies.

At minimum, public notice for the development of metropolitan wide, subarea, and corridor level planning studies will include the following information: a brief description of the anticipated planning process and actions to be taken; the Plan's purpose and effect on the region; a general schedule of the Plan's development or update; an explanation of the opportunities that will be available for public comment and participation, and Metro COG contact, if further information is desired.

Availability of Draft Plan (and Interim Support Materials)

Metro COG shall make all materials developed throughout the process of developing metropolitan wide, subarea, and corridor level planning studies, including the draft plan available to the public. Materials used in support of the plan development including the draft plan will be posted to Metro COG's website. At such time as a draft plan is published, it will be available for public inspection at the Metro COG.

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Section 9

Public Notice Requirements for Imminent Corridor Studies/Cooperative Project Concept Reports

Metro COG adheres to the general procedures outlined for metropolitan wide, subarea, and corridor level planning studies (as discussed in Section 8) when developing imminent corridor studies/cooperative project concept reports. However, to ensure compliance with NEPA related requirements for public participation, Metro COG adheres to the following public notification timelines and procedures for imminent corridor studies/cooperative project concepts reports:

- Public Meetings: Public Meetings are noticed by legal ad no less than 15 to 21 days in advance of the meeting. Press releases are sent out to media contacts regarding the public meeting 5 to 7 days in advance of the meeting. The comment period for a public meeting must extend 15 days beyond the public meeting.
- Public Hearings: Public hearings are noticed no less than 15 to 21 days in advance of the hearing. Press releases are sent out to media contacts no less than 5 to 7 days in advance of the meeting. Public hearing transcript prepared within 30 days following the public hearing.
- Public Informational Meetings: Informational meetings are noticed with a legal ad no less than 15 to 21 days in advance of meeting. Press releases are sent out to media contacts no less than 5 to 7 days in advance of the meeting.

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Figure 2 – Public Participation Matrix: Procedures by Program Element

	Public Meeting Notification Requirements	Length of Notice Prior to Public Meeting	Comment Period	Metro Connection	Other Considerations	Environmental Justice/Title VI
Long Range Transportation Plan (LRTP) or Modal Sub Elements (E.g. Transit Development Plan)	Require box ad.	7 days	15 days	All public input meetings notified through Metro COG Connection; or sent to entire Interested Persons list.	Press release. Materials posted to website.	Notified as part of interested persons list.
LRTP Amendment	Require a legal ad (both ND and MN).	7 days	15 days	Not applicable	Press release. Materials posted to website.	Direct notification required if project(s) shown to have potential impact; or if a transit or bike/pedestrian related issue.
Transportation Improvement Program (TIP)	Require box ad.	7 days	15 days	All public input meetings notified through Metro Connection; or sent to entire Interested Persons list.	Press release. Materials posted to website.	Notified as part of interested persons list.
TIP Amendment	Require a legal ad (both MN and ND).	7 days	15 days	Not applicable	Press release. Materials posted to website.	Direct notification required if project(s) shown to have potential impact.
Area Wide Study	Require a box ad.	7 days	15 days	Notification provided in Metro Connection as scheduling permits.	Press release. Materials posted to website.	Direct notification required if project(s) shown to have potential impact; or if a transit or bike/pedestrian related issue.
Sub Area/Corridor Study	Require a box ad.	7 days	15 days	Notification provided in Metro Connection as scheduling permits.	Press release. Materials posted to website. Direct notification to adjacent and/or affected businesses and property owners.	Direct notification required if project(s) shown to have potential impact; or if a transit or bike/pedestrian related issue.
Imminent Corridor Studies/Cooperative Project Concept Reports	Legal Notice	15 to 21 days	15 days beyond meeting date	Notification provided in Metro Connection as scheduling permits.	Press release 5 to 7 days before meeting. Hearing transcript prepared within 30 days following hearing.	Direct notification required if project(s) shown to have potential impact.
Unified Planning Work Program (UPWP)	Legal notice (though not required) (both MN and ND).	7 days (though not required)	15 days (though not required)	Notification provided in Metro Connection as scheduling permits.	Press release. Materials posted to website.	Direct notification.
Public Participation Plan (PPP)	Legal notice (both ND and MN).	public meeting not required	45 days	Notification provided in Metro Connection as scheduling permits.	Press release. Materials posted to website.	Direct notification.

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Section 10

Approvals Process for Plans and Programs Prepared by Metro COG

The following procedures shall be followed by Metro COG to ensure uniform review and adoption procedures for the LRTP, TIP, and all metropolitan wide, subarea, or corridor level planning studies. It is understood the approvals processes outlined below shall occur in coordination with or immediately following the public involvement procedures outlined within the Public Participation Plan for each respective plan or study.

Adoption/Approval of LRTP and Metropolitan wide Planning Studies

The draft LRTP (its modal sub elements) or metropolitan wide plans shall be referred to each appropriate elected body and (planning commission if necessary), with reasonable time permitted for local review, comments, and action. Any comments from the local unit of government should be in writing, and represent the policy position of the governing body. If no written comments are received within the established timetable it will be assumed that the jurisdiction has no comments. Metro COG staff shall make every attempt to respond to local input regarding the draft document, and shall prepare necessary revisions to the draft document. Metro COG may request a resolution from the local unit of government in support of the plan or study.

Following review and action of its local units of government, Metro COG staff shall present the draft document to the appropriate Metro COG Committee(s) for a recommendation to the Policy Board. The revised draft document, with a summary abstract and any Committee recommendations, shall be forwarded to the Policy Board with sufficient time for their review.

The Policy Board shall review the draft document, and in consideration of the above process shall make a decision to adopt, adopt with amendments, request additional revisions, request additional public input or deliberation, or disapprove the draft document. Approvals and adoption shall be by resolution and decided by majority vote.

Amendments to the LRTP are approved by the Policy Board upon the recommendation of the Transportation Technical Committee.

Adoption of the Transportation Improvement Program

The Metro COG Policy Board acting upon the recommendation of the Transportation Technical Committee will adopt the Transportation Improvement Program by resolution. Amendments to the Transportation Improvement Program are approved by the Policy Board upon the recommendation for the Transportation Technical Committee. Metro COG's adopted TIP (and amendments thereof) is also approved by MnDOT and NDDOT.

Adoption of Plans or Programs Developed for Individual Governmental Units

The Metro COG Policy Board and all relevant subcommittees shall be given a briefing on the content and recommendations of the plan to ensure consistency and compliance with Metro COG's transportation

planning process, including the LRTP, TIP, and other metropolitan wide plans of relevance. All concerns expressed by the Metro COG Policy Board and its subcommittees shall be forwarded to the affected local units of government for consideration in advance of final consideration.

The draft plan or study shall be presented to the affected governmental entities elected body (and planning commission if deemed necessary) for final approval. In some instances, Metro COG may request a resolution from the local governmental unit in support of the plan.

Section 11

Environmental Justice Impact Assessment

In 1994 President Clinton signed Executive Order 12898 which effectively secured Environmental Justice as federal policy. In the years since Metro COG's state and Federal agencies have provided guidance and direction on how to integrate environmental justice principles into its metropolitan transportation planning process. In 2012, the Federal Transit Administration (FTA) issued the Environmental Justice Circular 4703.1 which provided updated and clarified guidance on how to incorporate principles of environmental justice into the metropolitan transportation decision making process.

Current guidance directs MPOs to seek and consider the needs/interests of individuals, groups and communities that are traditionally underserved by the transportation system (highway & transit), policies and financial investments. The following is representative of public involvement procedures utilized by Metro COG to facilitate this critical component:

- Provide ample opportunity through effective public notices and outreach activities to engage this segment of the population or their respective representation in the early planning phases of a project which may include direct notification to environmental justice stakeholders to provide input on the development of transportation plans;
- Utilize the *interested persons* lists to identify all interest groups with the intent to foster relationships with relevant agencies and to establish direct contact for feedback on federally funded transportation projects/programs from these agencies;
- Identify concentrations of low income and minority populations by geographically mapping demographic data to reflect environmental justice populations for use in the metropolitan transportation planning process;
- Utilize geographical information systems (GIS) to map all federally funded and regionally significant projects in relation to low income and minority areas with an intent to identify, highlight and analyze projects within these areas; respective to the MTP or TIP;
- Investigate the impacts of transportation projects on these populations and work with interest groups and/or neighborhood organizations to explore alternatives;

- Incorporate environmental justice considerations into LRTP and TIP criteria to ensure these issues are addressed in the early phases of the planning process.

Section 12

Public Participation Plan Assessment & Process for Updates

Metro COG completes an annual assessment of its public participation program during the Transportation Improvement Program's self-certification process. The assessment reviews the level of public participation in Metro COG modal plans or major Metro COG transportation studies completed during the year. The assessment is accomplished by providing quantitative and qualitative data on the measures taken to reach target populations to promote participation.

Metro COG will update its Public Participation Plan no less than every five (5) years so as to coincide with an update to the LRTP. Updates or amendments to the Public Participation Plan will be made as needed based on guidance from state and Federal agencies. Updates will be done in consideration of any findings or recommendations developed as part annual assessments. Updates or amendments to the Public Participation Plan require a forty five (45) day comment period.