



# Public Participation Plan

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Development Procedures

Approved by the Policy Board

On

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Oahu Metropolitan Planning Organization

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## I. Overview

The Public Participation Plan is a Federal requirement for all metropolitan planning organizations (MPOs), per 23 Code of Federal Regulations ("CFR") §450.316. Moreover, it is an important component to ensuring that the tax-paying public is given ample opportunity to access, review, and comment on plans, studies, and other documents as they are being developed. The OahuMPO Public Participation Plan will help members of the public and affected organizations understand: 1) the OahuMPO transportation plan development process for major planning products (including the Oahu Regional Transportation Plan ["ORTP"] and the Transportation Improvement Program ["TIP"]), and 2) how to participate effectively in that process. The procedures outlined in the Public Participation Plan will be reviewed periodically and updated as necessary to ensure a full and open participation process.

## II. Federal Requirements

23 CFR §450.316 states:

*"(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process."*

*"(1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:*

- i. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;*
- ii. Providing timely notice and reasonable access to information about transportation issues and processes;*
- iii. Employing visualization techniques to describe metropolitan transportation plans and TIPs;*

- iv. *Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;*
- v. *Holding any public meetings at convenient and accessible locations and times;*
- vi. *Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;*
- vii. *Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;*
- viii. *Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;*
- ix. *Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and*
- x. *Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.*

*(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.*

*(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.*

*(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including*

State and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, metropolitan transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.

### **III. Scope**

OahuMPO's PPP shall apply to the OahuMPO planning process and its products, which includes, but is not limited to:

- The Oahu Regional Transportation Plan (ORTP);
- The Transportation Improvement Program (TIP);
- The Overall Work Program (OWP);
- The Congestion Management Process (CMP);
- The Public Participation Plan (PPP); and
- Corridor, sub-area, and other planning studies completed by the OahuMPO

In those cases when a participating agency is using funding provided by OahuMPO for a planning process or product, the agency may use OahuMPO's PPP or it may use its own documented public participation process provided it is consistent with applicable Federal requirements as shown in Section II above.

#### **IV. Funding**

Eighty-percent of the funding for the maintenance and updating of the OahuMPO Public Participation Plan ("PPP") is provided through Federal planning grants from the Federal Highway Administration ("FHWA") and Federal Transit Administration ("FTA"), with the remaining twenty-percent provided by non-Federal dues paid by the OahuMPO participating agencies.

Routine maintenance and updating of the PPP is handled by OahuMPO staff and is authorized, annually, within the Overall Work Program ("OWP") as a task within work element 301.04 – Support for Citizen Advisory Committee & Additional Public Outreach.

When more comprehensive updates to the PPP are required, a separate, more comprehensive and more detailed work element with an associated budget will be vetted and approved as part of the OWP.

#### **V. Planning Priorities**

The solicitation, collection, and consideration of public input are foundational elements of public planning. Whether it is the Oahu Regional Transportation Plan ("ORTP"), the Transportation Improvement Program ("TIP"), or a regional plan or corridor study, it is essential that the public be provided opportunities for early and frequent public input as the plans are developed. This helps ensure that the public is informed of the plan's contents and that the plan's analyses and recommendations address issues of critical importance to the public. While it is impossible to generally prioritize the importance of receiving input from one stakeholder or group over another, it can be said that engaging as many different stakeholders and groups as possible during the development of every plan is vitally important.

#### **VI. PPP Development Process**

The development of the PPP shall follow this basic process:

1. **Review of the Existing PPP.** The contents and processes of the current PPP will be evaluated against relevant State and Federal requirements, taking note of any deficiencies and any opportunities for improvements.<sup>1</sup>
2. **Review the PPPs of Participating Agencies.** To the extent possible, OahuMPO's PPP should coordinate with the PPPs of its participating agencies.
3. **Engage Stakeholders.** OahuMPO staff will conduct extensive investigations and outreach to identify:
  - a. Non-MPO agencies and officials who are affected by transportation, including, but not limited to public agencies and officials responsible for:
    - i. Planned growth
    - ii. Economic development
    - iii. Environmental protection
    - iv. Airport operations
    - v. Harbor operations
    - vi. Freight movement
  - b. Private providers of transportation
  - c. Freight shippers and providers of freight transportation services
  - d. Title VI and Environmental Justice ("T6/EJ") populations and those who are traditionally underserved by existing transportation systems, and representatives of groups, non-profits, and other entities that deal with T6/EJ populations
  - e. Native Hawaiian populations and representatives of Native Hawaiian populations
  - f. Federal public land management agencies
  - g. The extent to which the general public, non-MPO agencies and officials affected by transportation, T6/EJ populations, representatives of public transportation employees, freight shippers, providers of freight transportation, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, Native Hawaiian populations, managers of Federal public lands, those who are traditionally underserved by existing transportation systems, and others know about existing opportunities to provide their input, and
    - i. Preferences among all of these populations and stakeholders for:
      1. "Adequate" public notices of input opportunities, both in terms of the amount of advanced warning provided and the details and clarity provided in the notice;

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<sup>1</sup> Cf.23 CFR 450.316(a)

2. The amount of time needed to review and meaningfully comment on planning document elements or drafts;
  3. Accessing information about transportation issues and processes;
  4. Holding public meetings at convenient and accessible locations and times
  5. Providing material for non-English speakers and/or persons for whom English is a second language, utilizing non-English language media to advertise input opportunities, and making translators available during presentations and at meetings, as appropriate.
4. **Best Practice Review.** OahuMPO staff will research and review public outreach and involvement procedures and best practices use in other planning activities by comparable public agencies.
  5. **Documentation and Evaluation.** All input, feedback and ideas gathered under Steps 2 and 3 above will be documented and evaluated against the following criteria:
    - a. Does it help OahuMPO address a Federal or State requirement?
    - b. Does it help OahuMPO address an existing deficiency in the PPP as identified in Step 1 above?
    - c. Does it help provide open, timely, and meaningful input and feedback on OahuMPO's planning products?
    - d. What are the life-cycle costs in terms of staff time and financial resources to develop, implement, and maintain the method or strategy?
    - e. Is it cost effective?
  6. **Development of First Draft.** OahuMPO staff will develop a first draft PPP that, at a minimum, addresses all State and Federal requirements, to include the most cost effective methods, ideas, and strategies identified in Step 4. If a requirement or regional goal is left unaddressed by steps 2 – 4, OahuMPO will develop and propose methods and strategies to help ensure all requirements and goals are met. The First Draft may propose methods or strategies that go beyond meeting the minimum Federal and State requirements.
  7. **Review of Draft Document.** The First Draft will be presented to the CAC, TAC, and Policy Board for discussion and feedback. Comments will be documented and evaluated as part of the development of the Public Review Draft of the PPP.
  8. **Public and Intergovernmental Review.** The Public Review Draft PPP will be released for a public and intergovernmental review comment period of at least 45 days. The Public Review Draft will be posted on the OahuMPO website for all of the comment period, and notices will be sent to OahuMPO's

stakeholder list regarding the availability of the draft. The CAC, TAC, and Policy Board will be notified when the comment period begins.

9. **Approval.** Public and intergovernmental comments received will be evaluated and considered. All public and intergovernmental comments will be documented in the Final Draft PPP, along with their disposition. The Final Draft will be developed and presented to the CAC and the TAC for their recommendation to the Policy Board. The Policy Board will then consider approval. If in the development of the Final Draft, based on the comments received, the document changes significantly from the Public Review Draft, the Final Draft will be released for another 45 day public and intergovernmental comment period prior to consideration by the CAC, TAC, and Policy Board.

## VII. Agency Responsibilities

The primary interaction between the participating agencies and the development of the PPP by OahuMPO staff will be in the review opportunities for the TAC and Policy Board, as shown below:

1. First Draft PPP
  - a. TAC reviews and comments;
  - b. Policy Board reviews and comments
2. Public Review Draft
  - a. Agencies review and comment
3. Final Draft PPP
  - a. TAC reviews and makes recommendation to Policy Board
  - b. Policy Board considers approval

OahuMPO's participating agencies may further assist in the development and approval of the PPP by:

- Providing to OahuMPO staff known contacts to help identify or reach stakeholder groups
- Helping to advertise or spread the word about the public and intergovernmental review and comment period by posting the notice on their agency webpage or making an announcement in other meetings where the public is present, for examples

## VIII. Performance Metrics and Status Reporting

The regional goals and objectives approved by the OahuMPO Policy Committee on June 19, 2014 include the following goal and objective:

*Goal: "Human Environment and Quality of Life - Develop, operate, maintain, and improve Oahu's transportation system in a manner that supports community-wide values related to health, safety, culture, and civil rights."*

*Objective: "Support community and cultural values in the development of plans and projects."*

Public participation in the development of plans and projects is how those community and cultural values are identified and supported. The following are the metrics by which OahuMPO will measure attainment of the Federal requirements shown in Part II, and attainment of the goal and objective above:

**PPP Performance Metric 1: Notification of plans and studies**

*Description:* This indicator tracks the agency's public notification efforts. If the agency has provided proper public notification and has made information available through the direct mail and other methods to those potentially affected by the plan or project, then the percentage of those aware of the plan or project should be relatively high. This indicator encourages efforts to ensure advance public awareness of a wide-range of plans and projects, from regional plans to corridor studies.

*Data and Measurement:* To track this indicator the agency first must identify the subset of the population most directly affected by each transportation action. With corridor studies, for example, this would include those who live or operate businesses or service agencies within the study area, as well as those who commute regularly on the affected roadway from outside the study area. Data could be collected through a representative survey of the study area collected by mail or telephone. Alternatively, the agency could focus the survey effort on specific sites along the corridor with high numbers of employees or shoppers (major employers, grocery stores, major retail, etc.). To include regular commuters in the analysis, an option is to do a random sample of households within the appropriate traffic analysis zones (TAZs). The appropriate TAZs may be determined through professional judgment or in some cases, may require a more specific select link analysis. For regional transportation plans, the affected population would include the entire community. In such cases, a representative subset of the affected community will need to be identified. This may include key community organizations (e.g., Chamber of Commerce, Rotary Club, other), neighborhood boards, local elected officials, and local special interest groups (e.g., bicycle advocates, environmental organizations, other).

*Assessment Period:* Annually; the data will be provided in OahuMPO's Annual Progress Report.

**PPP Performance Metric 2: Clarity and adequacy of plan or study information provided**

*Description:* This indicator helps to inform the agency as to the clarity and adequacy of public information. It also addresses whether the information was sufficiently informative and that the appropriate level of detail was provided.

*Data and Measurement:* The primary data source would be responses to questionnaires that are distributed to participants at meetings, via the web or by mail. Questions could assess public reaction to the clarity and completeness of information provided on public notices, fliers, newsletters, and agency presentations. This data could be used to determine if improvements need to be made in various forms of agency communications with the public.

*Assessment Period:* Annually. Data will be provided in OahuMPO's Annual Progress Report.

**PPP Performance Metric 3: Affected parties feel that ample notice was provided of public meetings**

*Description:* This indicator seeks to identify whether affected parties feel that they had adequate notice of a public meeting or input opportunity. The indicator could be tracked island-wide, or tailored to focus on specific types of meetings (e.g., work program, long range planning, transportation improvement program, other).

*Data and Measurement:* The primary data source would be responses to questions in a follow-up survey that is distributed to affected parties, which could be defined as those who were previously notified or otherwise requested information on the meeting or plan at issue. The survey could be administered at meetings, via the web, or by mail. It may be difficult to track the notice given for long-term projects. Therefore, notices should be focused on key steps, meetings, and hearings.

*Assessment Period:* Results should be aggregated to an island-wide level on an annual basis.

**PPP Performance Metric 4: Convenience of meeting or event location**

*Description:* This indicator tracks whether stakeholders feel that public involvement opportunities have been held at a convenient location.

*Data and Measurement:* The primary data source would be responses to questionnaires that are administered at the meeting or distributed via the web or by mail. Questions could assess public reaction to meeting or event location and the responses could be used to determine if changes need to be made. If only those attending the meeting (i.e., participants) are surveyed, then bias could result as

those not participating may have found the location to be inconvenient. Invitees would include those specifically notified or invited and whose name appears on the agency's mailing list. Identifying and surveying those invited through broader public notices would be impractical.

*Assessment Period:* Annually; data would be provided in OahuMPO's Annual Progress Report.

#### **PPP Performance Metric 5: Diversity of participants in public involvement events**

*Target:* Percent of participants by age, racial/ethnic, income, gender and employment characteristics reflects demographics of affected population.

*Description:* This indicator tracks progress in achieving participation by a cross section of individuals that are representative of the broader public. It also aims to promote greater involvement by those groups traditionally underrepresented in the transportation decision-making process, which would typically include persons of low income and minority status.

*Data and Measurement:* The indicator may be tracked by collecting information on the demographic characteristics of persons who attend transportation-related meetings, or otherwise participate in the transportation decision making process. The data source is information collected through collection instruments, such as in-person questionnaires or follow-up surveys. Important data to collect include race, ethnicity or national origin, age, gender, income, education, and occupation. A crucial piece of information is the participant's address or ZIP code. Geographic Information Systems can be used to compare Census data for each area to the characteristics of participants. Targets would focus on ensuring that participants adequately reflect the demographic makeup of affected communities and/or on achieving increased participation by groups that appear to be underrepresented in the process. This data can be challenging to collect, due to personal privacy concerns, and is best collected through anonymous survey methods and included as a subset of a broader survey. Results could be aggregated to the island-wide level to track progress for OahuMPO as a whole over the course of a year.

*Assessment Period:* Annually; data would be provided in OahuMPO's Annual Progress Report.

#### **Performance Metric 6: Availability of information in languages other than English**

*Target:* Information is provided in languages other than English where the affected population comprises a high proportion of non-English speakers

*Target:* Translators are available at public meetings in areas where a high proportion of the affected population comprises non-English speakers

*Description:* This indicator tracks the availability of information in languages other than English. It is particularly important in areas with large populations who speak English as a second language. In these populations, some persons may have little or no understanding of English.

*Data and Measurement:* This indicator first requires a determination of whether an affected area contains a high proportion of non-English speakers that will likely require information in another language or potentially need translation services. A general analysis of census demographic data can provide baseline data on demographics of affected populations and languages spoken by each group to aid in this determination. After a need is identified, it will be necessary to track whether written materials and media announcements related to transportation plans and studies in these areas were translated into languages other than English. The data would be aggregated annually and reported to illustrate efforts to provide information in other languages where a need has been demonstrated.

*Assessment Period:* Annually; data will be included in OahuMPO's Annual Progress Report.

## **IX. Revising the Public Participation Plan**

Revisions may be made to the OWP in one of two ways:

### ***Administrative Modifications:***

The PPP may be modified by means of an administrative modification if the changes are minor, non-substantive corrections such as punctuation, spelling, sentence structure, adding clarifying language, tense agreement, etc.

An Administrative Modification does not require Policy Board approval. Notification will be given FTA, FHWA, the Policy Board, and the advisory committees; and the changes will be incorporated into a new document that will be disbursed to those bodies.

No public, CAC, intergovernmental, TAC, or Policy Board reviews are required.

### ***Amendments:***

The PPP shall be amended if the changes being considered substantively change any of the agreed-to processes or procedures, including:

- Changing the objective and/or tasks of the process or procedure; and/or,
- Adding a new process or procedure; and/or

- Deleting a process or procedure.

An amendment to the PPP must go out for review by the CAC, general public, interested parties, intergovernmental review, and TAC. It must be approved by the Policy Board.