



PUBLIC PARTICIPATION PLAN

*Prepared by the:
Tyler Area Metropolitan Planning Organization*

*In Cooperation with:
Texas Department of Transportation, Federal highway
Administration, and the Federal Transit Administration*

**Adopted by the
Tyler Area MPO Policy Committee**

Amended April 27, 2007

PUBLIC PARTICIPATION PLAN

GENERAL

The City of Tyler currently serves as the fiscal agent for the Tyler Area MPO, which represents the Tyler Metropolitan Study Area. The purpose of the MPO is to provide continuous, cooperative, and comprehensive transportation planning for the area. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and subsequent passage of the Transportation Equity Act for the 21st Century (TEA 21), emphasized the importance of a proactive public participation process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing participation of the public. This policy for public participation conforms to requirements addressed under 23 CFR 450.316.

Recognizing the importance of public participation, the Tyler Area Metropolitan Planning Organization uses procedures that:

- Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects;
- Provide reasonable public access to technical and policy information used in the development of plans and the Transportation Improvement Program (TIP) and open public meetings where matters related to the Federal-aid highway and transit programs are being considered;
- Require adequate public notice of public participation activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and programs;
- Demonstrate explicit consideration and response to public input received during the planning and program development processes; and
- Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to elderly, disabled, low-income and minority households.

Public Participation Plan procedures will be reviewed periodically by the Texas Department of Transportation, the Federal Highway Administration and the Federal Transit Administration to assure that full and open access is provided to MPO decision-making processes. It is the intent of the Tyler Area Metropolitan Planning Organization to fully comply with the procedures outlined in this policy.

SAFETEA-LU Requirements

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA –LU) was enacted on August, 10, 2005. With guaranteed funding for highways, highway safety, and public transportation totaling \$244.1 billion, SAFETEA-LU represents the largest surface transportation investment in our Nation's history.

SAFETEA-LU addresses the many challenges facing our transportation system today – challenges such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment – as well as laying the groundwork for addressing future challenges. The SAFETEA-LU Act requires the Metropolitan Planning Organization (MPO) to provide for consideration of projects and strategies that will serve to advance eight transportation planning factors identified under SAFETEA-LU as follows:

- A. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
- B. Increase the safety of the transportation system for motorized and non-motorized users
- C. Increase the security of the transportation system for motorized and non-motorized users
- D. Increase the accessibility and mobility of people and for freight
- E. Protect and enhance the environment, promote energy conservation, improve
- F. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
- G. Promote efficient system management and operation; and
- H. Emphasize the preservation of the existing transportation system.

Various provisions of SAFETEA-LU require expanded consultation and cooperation with Federal, State, Local and Tribal agencies responsible for land use, natural resources and other environmental issues. The following is a partial list of Federal, State, Local and Tribal agencies the State DOT or MPO may chose to consult with:

- Bureau of Indian Affairs
- Bureau of Land Management
- Forest Service (US Department of Agriculture)
- General Land Office
- Homeland Security
- Local Land Use Plans (County and City)
- Local Historical Agencies
- Local Parks and Recreation Departments
- National Marine Fisheries
- National Parks Service (Department of Interior)
- Texas Commission on Environmental Quality
- Texas Historical Commission

- Texas Parks and Wildlife
- US Army Corps of Engineers
- US Boarder Patrol
- US Coast Guard
- US Environmental Protection Agency
- US Fish and Wildlife Service
- US Geological Survey

SAFETEA-LU also expands the listing of “interested parties” to be engaged during the development of the Public Participation Plan, Statewide and MPO Transportation Plans and Statewide and MPO Transportation Improvement Programs to include:

- 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
- Other interested parties

Under SAFETEA-LU, the MPO is encouraged to consult with other planning officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements) via Section 6001(g)(3). In addition, the MPO’s metropolitan planning process will serve to promote consistency between transportation improvements and State and local planned growth and economic development patterns as part of the Long-Range Transportation Plan update.

As part of the development of a Long-range Transportation update, SAFETEA-LU requires that types of mitigation shall be discussed within the 20-year planning document along with potential sites to carry out the activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan. The discussion of potential environmental mitigation shall be developed by the MPO in consultation with Federal, State and tribal wildlife, land management, and regulatory agencies per Section 6001(i)(2)(B)(ii) of SAFETEA-LU.

In order to convey transportation plans to the general public, SAFETEA-LU also emphasizes the use of visualization techniques to depict transportation plans. Examples of visualization techniques may include charts and graphs, static maps, tables, artist renderings, computer simulation, physical models and photo manipulation. The intent for this technique is to better depict the programs and their impact on the public.

DEFINITIONS

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA): Federal law which restructured transportation planning and funding by requiring consideration of multimodal solutions, emphasis on the movement of people and goods as opposed to traditional highway investments, flexibility in the use of transportation funds, a greater role of MPOs, and a greater emphasis on public participation.

Metropolitan Planning Organization (MPO): The forum for cooperative transportation decision-making; required for urbanized areas with populations over 50,000.

MPO Policy Committee: A committee consisting of elected and appointed representatives of local governments and other entities involved in transportation planning or transportation development. The MPO Policy Committee oversees the metropolitan transportation planning process and is responsible for approving or disapproving the Metropolitan Transportation Plan , Transportation Improvement Program, and Unified Planning Work Program.

Metropolitan Transportation Plan (MTP): A long-range plan (20 years or more) to deal with major transportation needs in the Tyler Metropolitan Area. The metropolitan transportation plan must be reviewed and updated within five years from adoption.

Metropolitan Transportation Planning Process: A special intergovernmental planning process that considers the transportation needs of the Tyler Metropolitan Area as a whole. The metropolitan transportation plan and transportation improvement program are principal products of the metropolitan transportation planning process.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU): Legislation enacted on August 10, 2005, as Public Law 109-59. SAFETEA-LU authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.

Transportation Equity Act for the 21st Century (TEA-21): Federal Legislation authorizing funds for all modes of transportation and guidelines on the use of those funds. TEA-21 is a successor to ISTEA, the landmark legislation that clarified the role of the MPOs in the local priority setting process. TEA-21 emphasizes increased public participation, simplicity, flexibility, fairness, and higher funding levels for transportation.

Transportation Improvement Program (TIP): A three-year schedule of projects to improve or maintain the quality of public surface transportation. The TIP is normally updated yearly and must be updated at least once every two years. Any projects or programs which use money from the Federal Highway Administration or Federal Transit Administration must be contained in the TIP. The TIP referred to herein is the TIP for the Tyler Metropolitan Area.

Tyler Metropolitan Area: The area in and near Tyler, Texas, which is considered urbanized or is expected to become urbanized within twenty years. The Tyler Metropolitan Area is located in Smith County and includes the City of Tyler; the Cities of Lindale, New Chapel Hill, Nooday, Whitehouse, Hideaway, and the communities of East Texas Center, Flint, and Gresham.

Tyler Area Metropolitan Planning Organization (MPO): The organization designated by the Governor's Office of the State of Texas to conduct the metropolitan transportation planning process within the Tyler Metropolitan Area.

PROCEDURAL NOTICES AND PROCESSES

Transportation Policy Committee

The members of the MPO Policy Committee shall receive notification at least 72 hours prior to any public meeting or public review and comment period regarding actions required by the MPO Policy Committee.

Public Participation Plan

A minimum public comment period of 45 days will be established prior to Public Participation Plan adoption or revision. Public participation processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all. These processes shall be coordinated with statewide public participation processes wherever possible and in cooperation with the Texas Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration to enhance public consideration of the issues, plans, and programs and to reduce redundancies and costs.

Metropolitan Transportation Plan

Two or more public meetings shall be held to present new or major updates to the Metropolitan Transportation Plan prior to its adoption. At least one of these meetings shall be held a minimum of 30 days prior to adoption of the Metropolitan Transportation Plan to provide for a 30-day comment period.

At least six months prior to the adoption of a required update to the Metropolitan Transportation Plan, the MPO shall solicit from the public ideas for improvements to the transportation system to be considered as part of the new or updated Metropolitan Transportation Plan. Solicitation may be in the form of a survey, questionnaire, public meeting or other means.

Transportation Improvement Program

One public meeting shall be held to present the Transportation Improvement Program. The meeting shall be held a minimum of 10 days prior to the adoption of the program to provide for a 10-day comment period.

Amendments to the Transportation Improvement Program updating or adjusting amounts of listed projects, let dates, project numbers and similar amendments will not require approval by the MPO Policy Committee following concurrence by TxDOT.

Access to Minutes of Public Meetings

Persons desiring copies of minutes from public MPO meetings shall contact the MPO, currently officed in the City of Tyler Planning Department at 423 West Ferguson Street during normal business hours. Copies of minutes shall be provided according to the Open Records Act. Copies of draft or final minutes shall be provided only when available. Unless approved by the MPO Policy Committee, the minutes shall be considered draft.

Involving Public Transportation and Freight Carriers

In order to better serve the needs of public transportation users and freight haulers, the MPO has added representatives of these groups to the Technical Committee. A member of the Tyler Bicycle Club also sits on the Technical Committee.

PUBLIC NOTIFICATION PROCESS

Public participation shall be available through the following formats: MPO Policy Committee, public notification, public meetings, public review and comment, public appearances, and project solicitation. Public information shall be requested through the Metropolitan Planning Organization located in the City of Tyler's Planning Department office.

Notification of all Public Meetings and Public Review and Comment Periods shall be placed at least 72 hours in advance in *or* at the:

- *Tyler Morning Telegraph*
- Tyler City Hall, 212 North Bonner Street
- Smith County Courthouse
- Local Public Access Cable Television (Channel 3)
- Community Minority-Focused Papers, including Spanish language papers
- Other groups or organizations that can be reasonably identified that may increase public participation, including low income and minority populations.].
- Press releases will be sent to all local media, including those focused on the minority community.
- The MPO will use the Metropolitan Planning Department website as it is available to display information about meetings, minutes, and other adopted documents (this page may be accessed through the City of Tyler's Website at www.cityoftyler.org or directly at <http://www.cityoftyler.org/Default.aspx?tabid=41>

The MPO shall maintain a correspondence roster of interested individuals and organizations, which shall be mailed notice of all MTP and TIP public hearings.

REQUIREMENTS FOR PUBLIC MEETINGS AND PUBLIC HEARINGS

- All meetings of the MPO Policy Committee shall be held in compliance with the *Texas Open Meetings Act* as amended.
- Minutes of public meetings shall be retained by the MPO for a period of three years.
- Certification of posting on official bulletin boards and/or a copy of newspaper publication shall be obtained and retained in the MPO files for a period of three years. In absence of a copy of newspaper or newspaper certification, where efforts are made according to the policies of the publisher to place announcements, there shall be determined that the MPO has met requirements for public notification.
- The MPO shall prepare minutes of meetings and shall submit the information to the Texas Department of Transportation after the completion of the public comment period.
- All attendees at public meetings and hearings will be provided an invitation to be placed on a correspondence roster to receive notice of future hearings and opportunities to comment on proposed documents and programs.

PUBLIC REVIEW AND COMMENT

In order to afford the public an opportunity to review major plans in detail and to solicit public opinion, a public review and comment period shall be provided according to the procedures contained herein.

- The MPO shall make available at its offices a copy of the documents proposed for adoption. The public may review the documents at the MPO offices during normal working hours. Where possible, staff will be available to discuss the document or answer questions. When possible, copies of the documents also shall be made available at the City of Tyler Library, City of Tyler City Clerk's Office, Texas Department of Transportation Tyler District Office and Tyler Transit Office as well as Tyler Transit buses or bus stops.
- When significant oral or written comments are received on the draft Metropolitan Transportation Plan or the draft Transportation Improvement Program during the public review and comment period, a summary, analysis, and report on the disposition of comments shall be made part of the final plans or programs.
- Oral and written comments shall be retained in the MPO files for a three-year period.
- Copies of the summary and analysis shall be sent to the Texas Department of Transportation.
- If the final plan or program differs significantly from the one which 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 participation efforts, an additional 10 day public review and comment period shall be afforded prior to the adoption of the revised Metropolitan Transportation Plan or Transportation Improvement Program.
- The MPO Policy Committee shall take an active role in soliciting suggestions from the public. All suggestions shall be reviewed by the MPO and considered for incorporation into the transportation planning process.

PUBLIC APPEARANCES

The MPO shall make every effort to comply with requests from civic or professional groups, organizations or committees to present or discuss information related to the responsibilities of the MPO. The organization should contact the MPO and allow ample time for the MPO to make arrangements to attend.

In the same manner, the MPO may schedule appearances at meetings of groups such as neighborhood organizations to gather input from residents or serve as members of other transportation-related committees (i.e., Chamber of Commerce Transportation Committee). Interaction with these groups shall be an avenue through which the MPO shall seek out and consider the needs of those traditionally under-served by existing transportation systems, including but not limited to the elderly, disabled, low-income and minority households.

OPTION TO USE ADDITIONAL PROCEDURES

Procedures and activities which may be used for public information or public participation are not limited to the procedures described above. Additional public information and public participation activities may be conducted without revision to the above procedures.