

**GREATER BUFFALO-NIAGARA
REGIONAL TRANSPORTATION COUNCIL**



**PUBLIC
PARTICIPATION
PLAN**

MAY 2009



**GREATER BUFFALO-NIAGARA
REGIONAL TRANSPORTATION COUNCIL**

City of Buffalo
City of Niagara Falls
County of Erie
County of Niagara
New York State Thruway Authority
Niagara Frontier Transportation Authority
New York State Department of Transportation

RESOLUTION 2009-7

APPROVAL OF GBNRTC PUBLIC PARTICIPATION PLAN

WHEREAS, the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) is the designated Metropolitan Planning Organization for Erie and Niagara Counties; and

WHEREAS, the GBNRTC recognizes the need for effective public participation in development of plans and programs, and

WHEREAS, GBNRTC maintains a Public Participation Plan indicating involvement techniques and process to effectively engage the public in the planning process, and

WHEREAS, the Safe, Accountable, Flexible, and Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) legislation requires further definition of public participation practices and constituencies, and

WHEREAS, SAFETEA-LU legislation defines specific language to be used to discuss modification procedures to transportation plans and programs, and

WHEREAS, the GBNRTC Public Participation Plan has been amended to fully incorporate SAFETEA-LU requirements and Federal Highway Administration and Federal Transit Administration recommendations as attached, and

WHEREAS, all public notifications and outreach procedures related to updating the Public Participation Plan have been observed, and

WHEREAS, the GBNRTC Public Participation Plan supersedes the previous Public Participation Plan adopted in January 2007, and


NOW, THEREFORE BE IT RESOLVED, that the Greater Buffalo Niagara Regional Transportation Council formally adopts the revised Public Participation Plan reflected in the attached for use in the metropolitan planning process.

Resolved this day, May 28, 2009.

BY:

Chairman, GBNRTC Policy Committee

Recommended by the Greater Buffalo-Niagara Regional Transportation Council Planning and Coordinating Committee (GBNRTC-PCC) on May 6, 2009.

BY: 

Chairman, GBNRTC-PCC

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INTRODUCTION

The Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) is the designated Metropolitan Planning Organization (MPO) for Erie and Niagara Counties charged with encouraging the public to participate in setting priorities for transportation plans and programs in the region.

The GBNRTC public participation process is designed to provide complete information in a timely manner so that the community is fully engaged throughout the transportation planning and program development process. Means of notification, mechanisms for public input and appropriate feedback consideration to comments received are essential steps to building meaningful public relationships and eventual support for decision makers.

The purpose of this document is to outline public participation policies and procedures to be used by the GBNRTC in the development of transportation plans and programs for the Erie-Niagara Region.

GOALS AND OBJECTIVES

The goal of the GBNRTC Public Participation Plan is to ensure that the products of the metropolitan transportation process reflect the needs and concerns of Erie and Niagara Counties' residents by involving the public early and continuously throughout the transportation planning and programming process.

The objective of the GBNRTC's Public Participation Plan is to continue and expand its outreach program by:

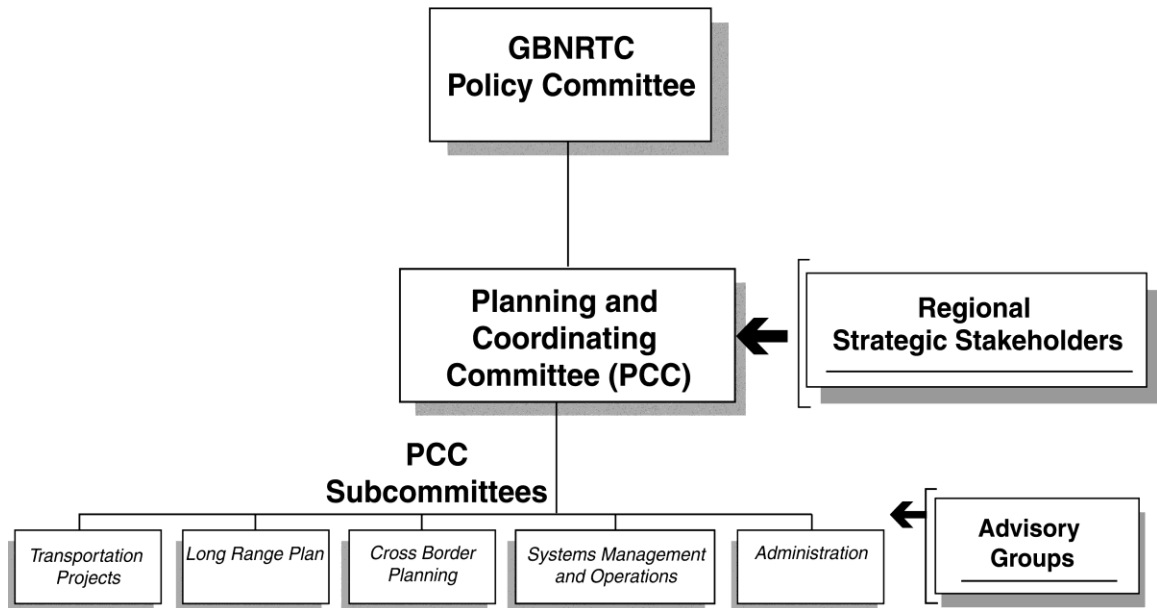
- Identifying ways to more effectively involve the community, including those who have been traditionally underserved and underrepresented, such as minority and low-income populations.
- Educating and informing the community about transportation planning issues and processes.
- Establishing effective means of obtaining feedback from the community at all stages of the transportation planning process.

GBNRTC STRUCTURE

In 2002-2003 the GBNRTC conducted a comprehensive review of its 1975 operating procedures and by-laws. A result of that review process is a more inclusive organizational structure aimed at building better partnerships with associated groups, agencies, and governments.

The document entitled, *A Framework for Governance* established the roles and responsibilities of those involved in the Greater Buffalo-Niagara Regional Transportation Council. It also formalized the communication networks between the GBNRTC and its partners, identifying how various groups interact with the organization as a whole.

Greater Buffalo-Niagara Regional Transportation Council Structure



Policy Committee

The GBNRTC Policy Committee meetings are held at least twice a year. All regular Policy Committee meetings are open to the public and include an opportunity for public comment. Meetings may also include a public forum. Advance notice of meetings and agendas are sent no later than ten (10) calendar days prior to the meeting to any interested members of the public and news media as requested. Meeting information including date, time, location and meeting minutes can also be accessed from the GBNRTC website.

Planning and Coordinating Committee

The GBNRTC-PCC meetings are regularly held on the first Wednesday of every month. An annual schedule is established at the first meeting of each year and is listed on the GBNRTC website. All regular meetings of the PCC are open to the public and include time for public comment. Advance notice of meetings and agendas are sent no later than ten (10) calendar days prior to the meeting to any interested members of the public and news media as requested. Meeting information including date, time, location and meeting minutes can also be accessed from the GBNRTC website.

Regional Strategic Stakeholders

Regional Strategic Stakeholders attend and participate in GBNRTC-PCC meetings offering recommendations and positions on transportation plans, projects, and processes. The purpose of Regional Strategic Stakeholders is to provide the opportunity for greater participation of interested organizations or governments in the development of transportation plans and programs. The development of major GBNRTC products (LRTP, TIP, etc.) will include a

stakeholder involvement statement. Organizations may request Regional Strategic Stakeholder designation in writing to the PCC Chair.

PCC Subcommittees

All regular meetings of the PCC Subcommittees are open to the public. Subcommittees may meet regularly or as required by the responsibilities assigned to the Subcommittee by the PCC. Meeting information including date, time, and location is posted and accessible from the GBNRTC website. Meeting summaries can be accessed from the GBNRTC website or by request. Current PCC subcommittees include the Transportation Projects Subcommittee, the Long Range Planning Subcommittee, the Cross Border Planning Subcommittee, the Systems Management and Operation Subcommittee, the Bicycle and Pedestrian Ad Hoc Subcommittee and the Administration Subcommittee.

Advisory Groups

GBNRTC Advisory Groups are comprised primarily of representatives of interest groups, advocacy groups, private citizens and/or others with a special interest or knowledge related to transportation. Advisory Groups provide unique community perspectives on regional transportation planning issues and provide the GBNRTC with yet additional community points of view.

CERTIFICATION DOCUMENTS

The GBNRTC is responsible for the metropolitan transportation planning process which allows Erie and Niagara County to receive federal transportation funding. This is accomplished primarily through three related activities - the Long Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP).

Long Range Transportation Plan (LRTP)

The long-range transportation plan (LRTP) addresses at least a twenty-year planning horizon and includes both long-range and short-range strategies and actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods. Updated every four years to reflect changing conditions and new planning principles, the LRTP is based on projections of growth and travel demand coupled with financial assumptions.

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is a regionally agreed upon list of priority projects, as required by federal law (SAFETEA-LU). Updated at least every four years, the TIP document lists all projects that intend to use federal funds, along with non-federally funded projects that are regionally significant.

Unified Planning Work Program (UPWP)

The Unified Planning Work Program (UPWP) is a one to two-year schedule of all urban transportation planning activities. Included in the UPWP are detailed descriptions of the transportation and air quality planning tasks and a summary of the amount and source of State and federal funds to be used for planning activities.

FEDERAL REGULATIONS

SAFETEA-LU

Public participation in the transportation planning and programming process is a priority for federal, state, and local officials. The current federal transportation legislation called the Safe, Accountable, Flexible, and Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) reflects this. SAFETEA-LU authorizes funding for Federal highway, highway safety, transit and other surface transportation programs and requires that MPOs establish, periodically review, and update public participation processes to assure early and continued public awareness of, and access to, the transportation decision-making process. The table on the following page outlines SAFETEA-LU requirements pertaining to the public participation processes of the MPO and the actions taken by the GBNRTC to meet these federal requirements.

| REGULATION | GBNRTC ACTION |
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| <p>Require a minimum public comment period of 45 days before the public participation process is initially adopted or revised.</p> | <p>Updates to the GBNRTC Public Participation Plan initiates a public notification and a forty-five (45) day public review and comment period before it is adopted. Copies of the document are made available in public libraries throughout the Erie-Niagara Region, on the GBNRTC website and by request.</p> |
| <p>Provide timely information about transportation issues and processes to citizens, affected public agencies, and representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects.</p> | <p>The GBNRTC utilizes a variety of public participation techniques to provide interested individuals, groups, and organizations with timely information about transportation issues and processes. The GBNRTC maintains a comprehensive mailing list including but not limited to government agencies and organizations, local elected officials, neighborhood groups, special interest groups, block clubs, private transportation providers and community service groups. The GBNRTC publishes a quarterly newsletter that provides readers with information on transportation issues, projects, and programs. The GBNRTC also sponsors and participates in community workshops, community forums, conferences and other events to keep the public informed and involved in various transportation projects and plans and to elicit feedback from the public and regional partners (<i>see Ongoing Public Participation Strategies pgs. 12-13</i>).</p> |
| <p>Provide reasonable public access to technical and plan information used in the development of plans and TIPs and open public meetings where matters related to the Federal-aid highway and transit programs are being considered.</p> | <p>The draft plans and TIPs are made available for public comment and review through distribution to public libraries throughout Erie and Niagara Counties and as requested through the GBNRTC office. Draft documents can also be downloaded and reviewed from the GBNRTC website. The public review and comment period is at least twenty (20) calendar days and is carried out prior to taking action on plans and programs.</p> |
| <p>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 TIPs.</p> | <p>Direct mailing, e-mailing, paid newspaper advertisements, and media coverage are used to promote plan and TIP development meetings. Notices and newspaper advertisements are published at least ten (10) calendar days prior to a scheduled public participation activity and include meeting information such as date, time, location, and description of the activity. Meeting information is also posted on the GBNRTC website.</p> |

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| <p>Demonstrate explicit consideration and response to public input received during the planning and program development processes.</p> | <p>All public comments both written and verbal, received during a public review and comment period are addressed and included in the final Long Range Plan or TIP. Written comments are responded to in writing with copies forwarded to members of the Planning and Coordinating Committee. The GBNRTC Planning and Coordinating Committee are given a summary and/or presentation by GBNRTC staff of the public comments received prior to making an action recommendation to the Policy Committee.</p> |
| <p>Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households.</p> | <p>The GBNRTC works to identify traditionally underserved populations within the region, including but not limited to minority and low-income populations. Announcements are placed in publications serving minority communities to ensure there is notification of upcoming outreach activities to these communities. The GBNRTC initiates one-on-one interviews or small group discussions with community leaders and other identified members of the community to discuss the transportation planning process and identify key issues and concerns. The GBNRTC maintains and updates a demographic profile of the metropolitan planning area that includes identification of the locations of socio-economic groups, including low-income and minority populations.</p> |
| <p>When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public participation process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP.</p> | <p>All public comments both written and verbal, received during a public review and comment period are addressed and included in the final Long Range Plan and TIP document.</p> |
| <p>If the final transportation plan or TIP 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 opportunity for public comment on the revised plan or TIP shall be made available.</p> | <p>If the final Long Range Plan or TIP 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, the GBNRTC will initiate an additional twenty (20) day public comment and review period. A legal notice will be placed in local newspapers to inform the public of the review and comment period and a formal public meeting will be held on the revised Long Range Plan or TIP.</p> |

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| <p>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.</p> | <p>The GBNRTC Public Participation Plan will be reviewed periodically by the GBNRTC to determine its effectiveness in achieving its goals or objectives (see <i>Effectiveness Measures pgs. 13-14</i>).</p> |
| <p>These procedures will be reviewed by the FHWA and the FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision-making processes.</p> | <p>The GBNRTC Public Participation Plan is reviewed and submitted to FHWA and the FTA during certification reviews. Public meetings are scheduled specifically during recertification reviews to enable direct access to FHWA and FTA representatives on MPO outreach effectiveness.</p> |
| <p>Metropolitan public participation processes shall be coordinated with statewide public participation processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and cost.</p> | <p>As appropriate the GBNRTC coordinates public participation activities on specific plans, programs, and projects with the State Department of Transportation and the New York State Thruway Authority.</p> |
| <p>MPO's must develop and utilize a "Participation Plan" that provides reasonable opportunities for interested parties to comment on the content of the metropolitan plan and metropolitan TIP. Further, this "Participation Plan" must be developed "in consultation with all interested parties".</p> | <p>The GBNRTC utilizes the GBNRTC Public Participation Plan to direct public participation activities and provide reasonable opportunities for interested parties to comment on the content of the Long Range Plan and TIP. Such opportunities include but are not limited to GBNRTC public forums, monthly Planning and Coordinating Committee meetings, the GBNRTC website, and/or public meetings. As required, the GBNRTC holds a forty-five (45) day public review and comment period before the adoption of the Public Participation Plan. Copies of the document are made available in public libraries throughout the Erie-Niagara Region, on the GBNRTC website and by request.</p> |
| <p>As part of transportation plan and TIP development, MPO's shall employ visualization techniques to maximum extent possible to describe metropolitan transportation plans and TIPS.</p> | <p>The GBNRTC utilizes a variety of visualization techniques to describe plans and programs to the public including but not limited to GIS overlays, aerial photographs, photo simulations, and SYNCRO.</p> |
| <p>When the metropolitan planning area includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal governments in the development of the metropolitan plan and the TIP.</p> | <p>The Seneca Nation of Indians has committed to a stakeholder role in the MPO. As such, the Seneca Nation attends and participates in GBNRTC-PCC meetings offering recommendations and positions on transportation plans, projects, and processes. Outreach has also been made to other tribal governments in the planning area.</p> |
| <p>MPOs shall publish or otherwise make available</p> | <p>Transportation plans and TIPS are electronically available for public review</p> |

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| <p>for public review transportation plans and TIPs including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.</p> | <p>on the GBNRTC website.</p> |
| <p>MPOs shall consult as appropriate with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation in developing metropolitan transportation plans.</p> | <p>The GBNRTC consults with Federal, State and Tribal agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation in developing transportation plans. Consultation activities involve, as appropriate, comparisons of resource maps and inventories and discussions on potential environmental mitigation activities.</p> |
| <p>MPOs shall hold public meetings at convenient and accessible locations and times.</p> | <p>The GBNRTC makes every effort to hold public meetings in locations that are ADA compliant and located on transit routes. Public meetings are held at various times during the day and early evening.</p> |

Modifying/Amending Plans and TIPS

Amendments involve a major change to the Long Range Transportation Plan or TIP including the addition or deletion of a project or a major change in project cost, project phase initiation dates, or a major change in design concept or design scope as defined by the Operational Plan of the Transportation Projects Subcommittee. Amendments require Policy Committee approval and are subject to a public review and comment period of at least twenty (20) calendar days. Informational notices and/or newspaper advertisements are released to inform the public of any proposed amendment. At the request of the public, the GBNRTC will hold a public meeting.

Administrative modifications are minor revisions to the Long Range Transportation Plan or TIP including minor changes to project phase costs, minor changes to funding sources of previously included projects, and minor changes to project phase initiation dates as defined by the Operational Plan of the Transportation Projects Subcommittee. The GBNRTC-PCC, or its designee, approves administrative modifications. An administrative modification does not require public review.

National Environmental Plan Act (NEPA)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) regulations implementing the National Environmental Plan Act (NEPA) of 1969 outline requirements to go through an environmental review process for implementing projects from a TIP. NEPA has its own set of public participation requirements for review period and notification of interested parties basis. These requirements are not substitute for earlier involvement at the planning and programming stages.

American with Disabilities Act (ADA)

The American with Disabilities Act (ADA) of 1990 encourages the involvement of people with disabilities in the development and improvement of transportation and paratransit plans and services. In accordance with ADA guidelines, all meetings conducted by the GBNRTC take place in locations that are accessible to persons with mobility limitations. Also, auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result must be furnished to allow a person with a disability to participate. "Auxiliary aids" include such services or devices as qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunication devices for deaf persons (TDD's), videotext displays, readers taped text, brailled materials, and larger print materials. GBNRTC public meeting notices specify that special accommodations will be provided upon request.

Title VI/Environmental Justice

The 1994 Environmental Justice Executive Order 12898 supplements the existing requirements of Title VI of the Civil Rights Act. Title VI states that each Federal agency is required to ensure that no person on grounds of race, color, or national origin is excluded from participation in, denied the benefits of, or in any other way subjected to discrimination under any program or activity receiving Federal assistance. Supplemental legislation provides these same protections from discrimination based on sex, age, disability or religion.

The concept of environmental justice is intended to ensure that procedures are in place to further protect groups that have been traditionally underserved. The fundamental principles of environmental justice are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

ONGOING PUBLIC PARTICIPATION OPPORTUNITIES

MPO website: The GBNRTC website (www.gbnrtc.org) gives basic information about the MPO process, members, meeting times, and contact information. The website allows users to download meeting minutes, maps, reports, and studies produced by the GBNRTC and is updated regularly to ensure timely information is available to users.

MPO Master Mailing List: GBNRTC maintains a master list of all contacts, which is updated on a continuous basis. Contact information includes address information, telephone and fax numbers, and e-mail addresses. The list includes committee members, government and public officials, and interested individuals, groups, and organizations. The list is used to provide information on public meetings and other transportation issues via e-mails and direct mailings.

MPO Newsletter and Brochures: The GBNRTC develops a number of informational resources to educate and inform interested individuals, groups, and organizations on transportation issues and processes. A quarterly newsletter is produced and distributed to approximately 1,700 residents, municipalities, media and other agencies in Erie and Niagara Counties. Individuals, groups or agencies may request newsletters through our GBNRTC office, GBNRTC public meetings or events and through the GBNRTC website. Brochures are also available and distributed and include basic information on the MPO and the transportation planning process.

MPO Public Meetings, Workshops, and Public Hearings: The GBNRTC conducts a number of regularly scheduled meetings that are open to the public including a monthly Planning and Coordinating Committee meeting and a semi-annual Policy Committee meeting. Formal public hearings on plans and programs are held as required by Federal Regulations. As appropriate the GBNRTC uses a “workshop” format at public meetings to facilitate a better exchange of ideas and provide participants with a greater sense of involvement in the planning process.

MPO Press Releases, Formal Announcements, Notices and Radio/Television Interviews: The GBNRTC utilizes local media outlets including newspapers and television and radio stations to advertise and promote public meetings, area transportation projects and community events.

MPO Awareness Campaigns And Community Events: The GBNRTC is involved in a number of community activities and special events that assist in providing a community involvement base such as:

- Pedestrian Road Shows
- Community Fairs
- Career Days in Public High Schools
- Walk Your Children to School Day
- Alternative Transportation Day
- Public Forums
- Small Group Discussions

Community Outreach Coordinator

The GBNRTC employs a Community Outreach Coordinator whose primary charge is to seek out contacts with members of the community and initiate discussions on transportation topics. Discussions with key members of the community help the GBNRTC to identify issues, concerns and desired agendas, and has been particularly useful in engaging traditionally underserved and underrepresented populations. The Community Outreach Coordinator with the assistance of the GBNRTC staff is available to communities in Erie and Niagara Counties to conduct one-on-one meetings and small group presentations.

Surveys

The GBNRTC utilizes surveys to gauge the public's opinions, priorities, and needs. Data obtained by surveys serve as input into transportation plans and programs.

EFFECTIVENESS MEASURES

The GBNRTC will continue to expand and improve upon its public participation process to provide greater opportunities to participate in the transportation planning process. The GBNRTC Public Participation Plan will be reviewed periodically to determine its effectiveness in achieving its goal to ensure that the products produced by GBNRTC's metropolitan transportation process reflect the needs and concerns of the Erie-Niagara region. Methods established to measure effectiveness include but are not limited to:

- Level of attendance at event meetings
 - Map origin of participants coming to public meetings
- Number of newsletters distributed quarterly
 - Map area of distributed newsletters
- Feedback from comment cards
 - Ask participants to provide information on GBNRTC sponsored events or workshops (for example, adequacy of materials and time allowed for discussion, etc).

- Number of hits or visits to the GBNRTC website
 - Note number of visits to the webpage and information requested through the GBNRTC website
- Number of newspaper advertisements and public notices placed
 - Keeping note of area serviced by these publications
- Number of public meetings, workshops or community events sponsored by or participated in by GBNRTC
 - Map area of public participation activities to establish areas that are unrepresented
- Number of one-on-one interviews or small group presentations conducted throughout the review period
 - Maintain a record of the input gained through one-on-one interviews and small group presentations

All information collected through the evaluation process will be analyzed for use in developing public participation performance goals.