

**METROPOLITAN TRANSPORTATION COMMISSION**  
**PUBLIC PARTICIPATION PLAN**

for the SAN FRANCISCO BAY AREA

Metropolitan Transportation Commission  
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Approved: February 25, 2015

*Also available in Chinese and Spanish*  
*Other languages available upon request by calling 510.817.5757*

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# Metropolitan Transportation Commission

## Public Participation Plan

*I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion.*

— Thomas Jefferson

### I. Introduction

The Metropolitan Transportation Commission (MTC) is the transportation planning and financing agency for the nine-county San Francisco Bay Area. The Commission also serves as the Bay Area Toll Authority (BATA), with oversight of the toll revenue from the region's seven state-owned toll bridges, and the Service Authority for Freeways and Expressways (SAFE), with oversight of a region-wide network of freeway call boxes and roving tow trucks. MTC, through agreements with various state and local transportation agencies, also has responsibility to develop, operate, and finance an Express Lane Program.

The Metropolitan Transportation Commission's public involvement process aims to give the public ample opportunities for early and continuing participation in critical transportation projects, plans and decisions, and to provide full public access to key decisions. Engaging the public early and often in the decision-making process is critical to the success of any transportation plan or program, and is required by numerous state and federal laws, as well as by the Commission's own internal procedures.

This Public Participation Plan spells out MTC's process for providing the public and interested parties with reasonable opportunities to be involved in the regional transportation planning process.

## MTC'S COMMITMENT TO PUBLIC PARTICIPATION

### **Guiding Principles**

The Metropolitan Transportation Commission's public involvement procedures are built on the following guiding principles:

1. Public participation is a dynamic activity that requires teamwork and commitment at all levels of the MTC organization.
2. One size does not fit all — input from diverse perspectives enhances the process.
3. Effective public outreach and involvement requires relationship building — with local governments, with stakeholders and advisory groups.
4. Engaging interested persons in 'regional' transportation issues is challenging, yet possible, by making it relevant, removing barriers to participation, and saying it simply.
5. An open and transparent public participation process empowers low-income communities and communities of color to participate in decision making that affects them (adopted by the Commission in 2006).

MTC undertakes specific strategies to involve the public, including low-income persons and communities of color, in MTC's planning and investment decisions.

### **Strategy 1: Early Engagement Is Best**

MTC structures its major planning initiatives and funding decisions to provide for meaningful opportunities to help shape outcomes. For example, because MTC's Regional Transportation Plan (RTP) is the blueprint for both new policies and new investments for the Bay Area, updates to the RTP are one of the best places for interested persons to get involved.

### **Strategy 2: Access to All**

MTC works to provide all Bay Area residents opportunities for meaningful participation, regardless of disabilities or language barriers. Further, we recognize that one should not need to be a transportation professional to understand our written and oral communications. In this spirit, we:

- hold public meetings in facilities that are accessible under the Americans With Disabilities Act,
- provide auxiliary aids or interpreters to persons with disabilities or language translation barriers,
- strive to communicate in plain language and provide appropriate public education materials, and
- use visual tools to translate detailed data into information that is more readily understood.

**Strategy 3: Response to Written Comments**

MTC pays close attention to the views of the public. MTC is committed to responding to every letter and e-mail sent by individual members of the public.

**Strategy 4: Inform Commissioners and Public of Areas of Agreement and Disagreement**

MTC staff summarizes comments heard by various parties so that the Commissioners and the public have a clear understanding of the depth and breadth of opinion on a given issue.

**Strategy 5: Notify Public of Proposed or Final Actions**

MTC staff makes every effort to ensure that meeting minutes reflect public comments and document how comments are considered in MTC’s decisions. We strive to inform participants about how public meetings and participation are helping to shape or have contributed to MTC’s key decisions and actions. When outcomes don’t correspond to the views expressed, every effort is made to explain why not.

**FLAG AREAS OF AGREEMENT AND DISAGREEMENT**

MTC staff summarizes comments heard by various parties so that the Commissioners and the public have a clear understanding of the depth and breadth of opinion on a given issue.

**FEDERAL AND STATE REQUIREMENTS**

**MAP 21**

Federal surface transportation legislation, known as MAP-21 (Moving Ahead for Progress in the 21st Century Act) and signed into law in 2012, underscores the need for public involvement. The law requires metropolitan planning agencies such as MTC to “provide citizens, affected public agencies, representatives of public transportation agency 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 a reasonable opportunity to comment” on transportation plans and programs.

MAP-21 also requires MTC — when developing the Regional Transportation Plan and the Transportation Improvement Program (TIP) — to coordinate transportation plans with expected growth, economic development, environmental protection and other related planning activities within our region. Toward this end, this Public Participation Plan outlines key decision points for consulting with affected local, regional, state and federal agencies and Tribal governments.

### **Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 provides that no person shall, on the basis of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Therefore, Title VI prohibits MTC from discriminating on the basis of race, color or national origin in carrying out its transportation planning and programming activities, which receive federal funding. Title VI was further clarified and supplemented by the Civil Rights Restoration Act of 1987 and a series of federal statutes enacted in the 1990s.

### **Executive Orders**

An Executive Order is an order given by the president to federal agencies. As a recipient of federal revenues, MTC assists federal transportation agencies in complying with these orders.

- *Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*

Executive Order 12898 mandates that federal agencies make achieving environmental justice part of their missions. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and

- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.
- *Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency*

Executive Order 13166 states that people who, as a result of national origin, are limited in their English proficiency, should have meaningful access to federally conducted and federally funded programs and activities. It requires that all federal agencies identify any need for services to those with limited English proficiency and develop and implement a system to provide those services so all persons can have meaningful access to services. MTC's Plan for Special Language Services to Limited English Proficient Populations can be found in English, Spanish and Chinese on MTC's website at [http://www.mtc.ca.gov/get\\_involved/lep.htm](http://www.mtc.ca.gov/get_involved/lep.htm).
- *Executive Order 12372: Intergovernmental Review of Federal Programs*

Executive Order 12372 calls for intergovernmental review of projects to ensure that federally funded or assisted projects do not inadvertently interfere with state and local plans and priorities. The Executive Order does not replace public participation, comment, or review requirements of other federal laws, such as the National Environmental Policy Act (NEPA), but gives elected officials of state and local governments an additional mechanism to ensure federal agency responsiveness to state and local concerns.

### **2008 California Legislation**

State law (SB 375, Steinberg, Chapter 728, 2008 Statutes) calls on MTC and the Association of Bay Area Governments to develop a Sustainable Communities Strategy — a new element of the Regional Transportation Plan — to integrate planning for growth and housing with long-range transportation investments, to strive to reduce greenhouse gas emissions for cars and light trucks. The law also calls for a separate Public Participation Plan for development of the Regional Transportation Plan and the Sustainable Communities Strategy. Appendix A contains the Public Participation Plan for Plan Bay Area, the region's long-range transportation plan and Sustainable Communities Strategy.



**Other Requirements**

A number of other federal and state laws call on MTC to involve the public in or notify the public of its decisions. MTC complies with all other public notification or participation requirements of the state's Ralph M. Brown Act, the California Public Records Act, and the California Environmental Quality Act, the federal Americans with Disabilities Act, and other applicable state and federal laws.

## II. Continuing Public Engagement

MTC is committed to an active public involvement process that provides comprehensive information, timely public notice and full public access to key decisions. MTC provides the public with myriad opportunities for continuing involvement in the work of the agency, through the following methods:

### MTC'S POLICY ADVISORY COUNCIL

The Policy Advisory Council is a 27-member advisory panel that brings a range of interests to a single table to offer the Commission policy advice. Formed in 2010, the Policy Advisory Council builds on MTC's long tradition of advisory committees and reflects efforts to improve the effectiveness of advisors by merging what were previously three separate advisory committees. The members of the Policy Advisory Council reflect the "Three E's" of the Economy, The Environment and Social Equity.

The Council will be consulted during the development of MTC policies and strategies, and their recommendations on various issues will be reported directly to the Commission. The Council may pursue its own policy/program discussions and forward independent ideas to the Commission for consideration. The Council will address Commissioners directly at MTC committee and Commission meetings. MTC Resolution No. 3931 spells out the role and responsibilities of the Policy Advisory Council, including ways to encourage more dialogue between Commissioners and the Council.

All Policy Advisory Council meetings are audiocast and archived on MTC's website. Meetings are open to the public. In fact, tracking the agenda and discussions of MTC's Policy Advisory Council is one of the best ways for interested persons to engage early in the major policy and fiscal issues confronting MTC. Agendas are posted on MTC's website and persons can request to be placed on the mailing list.

In addition to the panels listed above, MTC facilitates policy and technical discussions through numerous ad hoc working groups, and serves on other multi-agency advisory committees.

### GET INVOLVED: SERVE ON MTC'S POLICY ADVISORY COUNCIL

A major recruitment is done periodically to fill advisory council seats. However, MTC may open recruitment to fill interim vacancies. Check MTC's website for current opportunities ([www.mtc.ca.gov/get-involved/](http://www.mtc.ca.gov/get-involved/)) or call MTC's Public Information Office at 510.817.5757.

## WORKING WITH NEIGHBORING REGIONS

MTC and its counterpart agencies in adjacent regions often coordinate with each other to identify transportation programs and projects of mutual interest for key travel corridors traversing both regions. While no formal agreements are in place, MTC works closely with the neighboring regions on a number of planning initiatives with the Sacramento, San Joaquin, Stanislaus, Santa Cruz and Monterey regions, among others. When updating long-range plans and Transportation Improvement Programs, the regions do keep each other informed and solicit input on planning and programming activities. For air quality planning purposes, MTC has an agreement with the Sacramento Area Council of Governments to detail agency responsibilities relating to transportation conformity and to coordinate the funding of certain projects receiving federal air quality funding in eastern Solano County, which is within the Bay Area but falls partly in the Yolo-Sacramento air basin.

## COMMISSION AND COMMITTEE MEETINGS

MTC encourages interested persons to attend MTC Commission and standing committee meetings to express their views. Items on the Commission agenda usually come in the form of recommendations from MTC's standing committees. Much of the detailed work of MTC is done at the committee level, and the Commission encourages the public to participate at this stage, either in person or by tracking developments via the web. At times it is necessary to impose a time limit on public comments in order to allow all attendees the opportunity to speak.

At times it may be necessary to call a special meeting of the Commission or one of its committee meetings – one that will be held on a different day of the week than called for in MTC's regular meeting schedule. A "Call and Notice of Special Meeting" will be distributed at least 72 hours in advance of the meeting, or in accordance with the Brown Act. The notice will be signed by the committee chair and posted on MTC's website, posted in the MTC Library, emailed to at least one newspaper of general circulation in each of the nine Bay Area counties, and emailed to any member of the news media upon request.

Current MTC standing committees are shown in the following table:

### GET INVOLVED: ACCESSIBLE MEETINGS

All Commission public meetings, workshops, forums, etc. are held in locations accessible to persons with disabilities. Monthly meetings of the Commission, and those of MTC standing committees and advisory committees, usually take place at MTC's offices.

Assistive listening devices or other auxiliary aids are available upon request. Sign-language interpreters, readers for persons with visual impairments, or language translators will be provided if requested through MTC Public Information (510.817.5757) at least three working days (72 hours) prior to the meeting (five or more days' notice is preferred).

***MTC Standing Committee Structure and Responsibilities***

<b>Administration Committee</b>	<b>Programming &amp; Allocations Committee</b>	<b>Planning Committee</b>	<b>Operations Committee</b>	<b>Legislation Committee</b>
<i>These committees regularly meet the second Wednesday of each month, in the morning, at MTC's offices. Meeting dates and times are tentative; confirm at <a href="http://www.mtc.ca.gov">www.mtc.ca.gov</a>.</i>		<i>These committees regularly meet the second Friday of each month, in the morning, at MTC's offices. Meeting dates and times are tentative; confirm at <a href="http://www.mtc.ca.gov">www.mtc.ca.gov</a>.</i>		
Oversight of Agency Budget and Agency Work Program  Agency Financial Reports/Audits  Contracts  Commission Procedures  Staff Salaries And Benefits	Annual Fund Estimate  Fund Allocations  State Transportation Improvement Program (STIP)  Federal Transportation Improvement Program (TIP)	Regional Transportation Plan  Other Regional Plans (airports, seaports)  State and Federal Air Quality Plans  Corridor Planning Studies  Transportation and Land Use Initiatives	Transportation System Management and Operational Activities  Contracts Related to System Management and Operations  Service Authority for Freeways and Expressways (SAFE)	Annual MTC Legislative Program  Positions on Legislation & Regulations  Public Participation  Policy Advisory Council

In addition to the above committees, MTC has other committees dedicated to specific issues, such as the Bay Area Toll Authority Oversight Committee, regarding toll-bridge accounts and improvement projects, the Bay Area Infrastructure Financing Agency, regarding express lanes, and the Bay Area Headquarters Authority to discuss issues relating to the new regional headquarters building under construction in San Francisco.

**Access to MTC Meetings**

<b>Web Access to MTC Meetings</b> <a href="http://www.mtc.ca.gov">[www.mtc.ca.gov]</a>				<b>If You Have Limited or No Web Access *</b>
Meeting Materials	<i>WHAT ...</i> is available on the web?	<i>WHEN ...</i> is it posted on the web?	<i>HOW LONG...</i> is it available on the web?	<i>Contact the MTC Library or the Public Information Office to request meeting materials</i>
Meeting Agendas	<ul style="list-style-type: none"> <li>◆ MTC Commission</li> <li>◆ Standing committees</li> <li>◆ Advisory committees</li> </ul>	One week prior to meeting**	6 months	Mailed to interested public or available at meeting
Meeting Packets	<i>Same as above</i>	<i>Same as above</i>	6 months	<i>Same as above</i>
Audiocast of Meetings	<ul style="list-style-type: none"> <li>◆ MTC Commission</li> <li>◆ Standing committees</li> <li>◆ Policy Advisory Council meetings</li> </ul>	Listen to meeting live	6 months	Meeting minutes will be mailed to interested public; copies of electronic recordings are available
MTC Meeting Schedule	Schedule of all Commission and advisory committee meetings	Posted and updated continuously	Posted and updated continuously	Mailed to interested public or available at MTC

\*\* Final agendas are posted 72 business hours in advance of the meeting time in the MTC Library.

**DATABASE KEEPS PERSONS IN THE LOOP**

MTC maintains a database of local government officials and staff, and other public agency staff and interested persons. The database allows MTC to send targeted mailings to keep the public updated on the specific issues they have requested to be kept up to date on, including information on how public meetings/participation have contributed to its key decisions and actions.

**GET INVOLVED:  
SIGN UP FOR  
MTC'S DATABASE**

Stay informed by signing up to receive mailings or periodic emails concerning major MTC initiatives. Anyone may request to be added to MTC's database by calling MTC's Public Information Office at 510.817.5757 or e-mailing [info@mtc.ca.gov](mailto:info@mtc.ca.gov).

## PUBLIC MEETINGS, WORKSHOPS AND FORUMS

Public meetings on specific issues are held as needed. If statutorily required, formal public hearings are conducted, and notice of these public hearings is placed in the legal section of numerous newspapers in the MTC region, including newspapers circulated in minority communities of the Bay Area. Materials to be considered at MTC public hearings are posted on MTC's website, and are made available to interested persons upon request. In addition, materials are placed on file in the MTC Library.

MTC also conducts workshops, community forums, conferences and other events to keep the public informed and involved in various high-profile transportation projects and plans, and to elicit feedback from the public and MTC's partners. MTC holds meetings throughout the nine-county San Francisco Bay Area to solicit comments on major plans and programs, such as the long-range Regional Transportation Plan. Meetings are located and scheduled to maximize public participation (including evening meetings).

For major initiatives and events, MTC typically provides notice through posting information on MTC's website, and, if appropriate, through e-mail notices and news releases to local media outlets.

## MTC'S LIBRARY: INFORMATION FOR THE ASKING

The MTC Library, located in the Joseph P. Bort MetroCenter (the building that houses MTC offices) at 101 Eighth Street in Oakland, is open to the public week days. Check the website or call MTC Public Information (510.817.5757) for exact hours. This special library has an extensive collection of reports, books and magazines, covering transportation planning, demographics, economic analysis, public policy issues and regional planning in the San Francisco Bay Area. It is designed to meet the information needs of government agencies, researchers, students, the media and anyone else who is interested in transportation, regional planning and related fields. Special features include:

- Extensive reference assistance by telephone, e-mail, fax and in-person
- Two public access Internet terminals
- Newspaper and magazine reading areas
- Coin-operated copier
- Open stacks

### GET INVOLVED: ALTERNATIVE LANGUAGE TRANSLATIONS

If language is a barrier to your participation in meetings, MTC can arrange for an interpreter or translate meeting materials. Sign-language interpreters and readers for persons with visual impairments are also available. Please call MTC Public Information (510.817.5757) at least three working days (72 hours) prior to the meeting (five or more days' notice is preferred).

The commitment to using technology to extend public outreach continues with MTC Library staff posting on MTC's website the headlines of transportation and related stories from Bay Area daily newspapers as well as key statewide and national journals and other such publications. Readers can view the headlines each morning on MTC's website or subscribe to the service via e-mail or by RSS feed (a method of electronic notification of web updates).

The library makes public resource materials available for download by posting on the MTC website: <http://www.mtc.ca.gov/library/pub.php> and including URLs whenever available for all materials in our publicly available catalog <http://slk060.liberty3.net/mtc/opac.htm>.

## SOCIAL MEDIA

Another way to keep abreast of hot topics, events and comment opportunities is to follow MTC on social media, including Facebook, twitter, Instagram and YouTube. Likewise you can be notified when web content is updated by subscribing via RSS feed or through a service known as GovDelivery. All of MTC's social media platforms are accessible via the home page of MTC's web site: [www.mtc.ca.gov](http://www.mtc.ca.gov).

## GET INVOLVED: THE FACTS AT YOUR FINGERTIPS

MTC's publications listed on MTC's website can be ordered by phone (510.817.5836), e-mail ([library@mtc.ca.gov](mailto:library@mtc.ca.gov)) or by completing an online form. The entire Library collection can be searched using the online catalog. A wide range of MTC publications are available for downloading.

## GET INVOLVED: KEEP ON TOP OF TRANSPORTATION NEWS

MTC's Library compiles an electronic news summary with links to transportation-related articles appearing in major Bay Area and national news outlets. To subscribe, visit MTC's website: [www.mtc.ca.gov/news/headlines.htm](http://www.mtc.ca.gov/news/headlines.htm).

## WEBSITE: WWW.MTC.CA.GOV

MTC's website — [www.mtc.ca.gov](http://www.mtc.ca.gov) — is targeted to audiences ranging from transit riders seeking bus schedules to transportation professionals, elected officials and news media seeking information on particular programs, projects and public meetings.

Updated daily, the site provides information about MTC's projects and programs, the agency's structure and governing body and upcoming public meetings and workshops. It contains the names, e-mail addresses and phone numbers for staff and Commission members; all of MTC's current planning documents, publications located in the MTC Library, data from the U.S. Census as well as detailed facts about the region's travel patterns. It also includes important links to partner government agencies as well as to other sites such as the Bay Area's 511.org for traveler information and the FasTrak®.org site for users of the region's automated toll system.

Interested persons also may access a wealth of data on Bay Area travel and commute patterns online at: [www.mtc.ca.gov/maps\\_and\\_data/](http://www.mtc.ca.gov/maps_and_data/). Included is access to maps, census data, transit operator statistics, background on travel models, and research papers.

## MEDIA OUTLETS HELP ENGAGE MORE PERSONS

MTC regularly issues news releases about Commission programs and actions of interest to the public. These include announcements of public workshops and hearings, recruitment for positions on MTC's advisory committees, and employment opportunities through MTC's high school and college internship programs. News releases are sent to regional, state and national media — including minority print and broadcast outlets — and some are translated into Spanish, Chinese and other languages. In addition to news releases, MTC staff and Commissioners also host press events and news conferences (often in conjunction with other transportation agencies), visit newspaper editorial boards, and conduct briefings with Bay Area reporters and editors to discuss key initiatives such as the Regional Transportation Plan. These briefings provide an opportunity for both print and broadcast journalists to learn about MTC programs that may not immediately produce traditional hard news stories, thus providing background

## GET INVOLVED: TRACK MTC VIA WEB

Log onto MTC's website — [www.mtc.ca.gov](http://www.mtc.ca.gov) — for meeting agendas and packets. Live and archived audiocasts of meetings make it possible for interested parties to “tune in” at their convenience to all Commission and standing committee meetings.



context for subsequent articles or radio/TV pieces. A list of media outlets can be found at this project website: [www.PlanBayArea.org](http://www.PlanBayArea.org).

## STAFF DEDICATED TO ASSISTANCE AND OUTREACH

In addition to the components of MTC's public outreach program detailed above, MTC's commitment to public participation includes staff dedicated to involving the public in MTC's work. Public Information staff provides the following materials and services:

- Public Information staff can make available to the public any item on the MTC website (including meeting notices, agendas, and materials that accompany agenda items for meetings of the Commission and its committees and advisory panels) if a person does not have Internet access.
- Public Information staff works with interested organizations to arrange for MTC staff and commissioners to make presentations to community groups.
- MTC staff participates in region-wide community and special events, especially events in targeted ethnic and under-represented communities.
- Public Information staff will respond by telephone (510.817.5757), U.S. mail (101 Eighth Street, Oakland, CA 94607) or e-mail ([info@mtc.ca.gov](mailto:info@mtc.ca.gov)) from the public and the media about MTC.

### **III. Public Participation Techniques**

MTC uses various techniques to develop and execute specific public participation programs to inform its major decisions, such as for corridor studies, new funding policies or updates to the Regional Transportation Plan.

A menu of participation techniques follows, and includes some tried-and-true approaches as well as new suggestions we heard from the public while developing this plan.

#### **Public Meetings/Workshops**

- Offer customized presentations to existing groups and organizations
- Co-host workshops with community groups, business associations, etc.
- Contract with community-based organizations in low-income and minority communities for targeted outreach
- Sponsor a topical forum or summit with partner agencies, with the media or other community organizations
- Encourage opportunities for public input directly to policy board members

#### **Techniques for Public Meetings/Workshops**

- Open Houses
- Question-and-Answer sessions with planners and policy board members
- Break-out sessions for smaller group discussions on multiple topics
- Interactive exercises
- Customized presentations
- Vary time of day for workshops (day/evening)
- Conduct meeting entirely in alternative language (Spanish, Chinese, for example)

#### **Visualization Techniques**

- Maps
- Charts, illustrations, photographs
- Table-top displays and models
- Web content and interactive games
- Electronic voting at workshops
- PowerPoint slide shows

### **Polls/Surveys**

- For major planning efforts (such as the Regional Transportation Plan and Sustainable Communities Strategy), conduct statistically valid telephone polls
- Electronic surveys via web
- Intercept interviews where people congregate, such as at transit hubs
- Printed surveys distributed at meetings, transit hubs, on-board transit vehicles, etc.

### **Focus Groups**

- Participants recruited randomly from telephone polls
- Participants recruited by interest area

### **Online and Printed Materials**

- User-friendly documents (including use of executive summaries)
- Outside review of publications to ensure clear, concise language
- Post cards
- Maps, charts, photographs and other visual means of displaying information

### **Targeted Mailings/Flyers**

- Work with community-based organizations to distribute flyers
- E-mail to targeted database lists
- Distribute “Take-one” flyers to key community organizations
- Place notices on-board transit vehicles and at transit hubs

### **Utilize local media**

- News releases
- Invite reporters to news briefings
- Meet with editorial staff
- Opinion pieces/commentaries
- Purchase display ads
- Negotiate inserts into local printed media
- Visit minority media outlets to encourage use of MTC news releases
- Place speakers on Radio/TV talk shows
- Public Service Announcements on radio and TV

- Develop content for public access/cable television programming
- Civic journalism partnerships

### **Use of the Internet/Electronic Access to Information**

- Website with updated content
- Use social media to reach a larger audience
- Audio-cast of past public meetings/workshops
- Electronic duplication of open house/workshop materials
- Interactive web with surveys, comment line
- Use the web to provide interaction among participants
- Access to planning data (such as maps, charts, background on travel models, forecasts, census data, research reports)
- Provide information in advance of public meeting

### **Notify Public via**

- Blast e-mails
- Notice widely disseminated through partnerships with local government and community-based and interest organizations
- Electronic newsletters
- Social media such as Twitter and Facebook
- Local media
- Notices placed on-board transit vehicles and at transit hubs

### **Newsletters**

- MTC's electronic newsletter
- Submit articles for publication in community/corporate newsletters

### **Techniques for Involving Low-Literacy Populations**

- Train staff to be alert to and anticipate the need of low-literacy participants in meetings, workshops, and the like
- Robust use of “visualization” techniques, including maps and graphics to illustrate trends, choices being debated, etc.
- Personal interviews or use of audio recording devices to obtain oral comments

## **Techniques for Involving Low Income Communities and Communities of Color**

- Involve MTC's Policy Advisory
- Grants to community-based organizations to co-host meetings and remove barriers to participation by offering such assistance as child care or translation services
- "Take One" flyers on transit vehicles and at transit hubs
- Outreach in the community (flea markets, churches, health centers, etc.)
- Use of community and minority media outlets to announce participation opportunities

## **Techniques for Involving Limited-English Proficient Populations**

See also MTC's Final Revised Plan for Special Language Services to Limited English Proficient (LEP) Populations (the "LEP Plan"), which can be found in English, Spanish and Chinese on MTC's website at [www.mtc.ca.gov/get\\_involved/lep.htm](http://www.mtc.ca.gov/get_involved/lep.htm).

- Use of the above-noted techniques, modified where appropriate in accordance with the LEP Plan
- Train staff to be alert to and anticipate the needs of Limited-English Proficient participants in meetings, workshops, and the like
- Personal interviews or use of audio recording devices to obtain oral comments in languages other than English
- Translated documents and web content on key initiatives
- Translate materials; have translators available at meetings as requested
- Include information on meeting notices on how to request translation assistance
- On-call translators for meetings
- Translated news releases and outreach to alternative language media, such as radio, television, newspapers and social media
- When conducting statistically valid polls, surveys or focus groups, offer the information in other languages such as Spanish or Chinese

## **Techniques for Reporting on Impact of Public Comments**

- Summarize key themes of public comments in staff reports to MTC standing committees
- Direct mail and email to participants from meetings, surveys, etc. to report final outcomes
- Newsletter articles
- Updated and interactive web content

## IV. Public Participation Procedures for the Regional Transportation Plan and the Transportation Improvement Program

There are two key transportation initiatives of MTC's that are specially called out in federal law as needing early and continuing opportunities for public participation — development of the Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP).

### Public Participation Opportunities in the RTP and TIP

Because of its comprehensive, long-term vision, the RTP provides the earliest and the best opportunity for interested persons and public agencies to influence MTC's policy and investment priorities for Bay Area transportation. It is at this earlier RTP stage where investment priorities and major planning-level project design concepts are established, and broad, regional impacts of transportation on the environment are addressed. Thus, it might be easier for a member of the public to influence decisions about projects at this stage. Another opportunity for public participation, but further along in the process, is the TIP, which is a programming document that identifies funding for only those programs and projects that are already included in the RTP. A mid-point between the RTP and TIP is the project-selection process. Interested residents can become versed in how a transportation project moves from an idea to implementation — including local project review, details for how projects are included in MTC's RTP, MTC's Project Selection Process, the TIP and environmental review/construction phases — in a publication titled "A Guide to the San Francisco Bay Area's Transportation Improvement Program, or TIP." This document is available on MTC's website ([http://files.mtc.ca.gov/pdf/TIP/2015/guide\\_to\\_the\\_2015\\_tip.pdf](http://files.mtc.ca.gov/pdf/TIP/2015/guide_to_the_2015_tip.pdf)) and from the MTC Library.

Another easy way to engage on transportation policies and investment is to request to be added to MTC's RTP database (see sidebar at left for instructions).

### GET INVOLVED: SIGN UP FOR MTC'S RTP DATABASE

One of the ways to have the most impact on MTC's policy and investment decision is to participate in an update of the regional transportation plan (RTP). Contact MTC's Public Information Office online at [www.PlanBayArea.org](http://www.PlanBayArea.org) or at [info@mtc.ca.gov](mailto:info@mtc.ca.gov), or call at 510.817.5757, and ask to be included in MTC's database.

## A. REGIONAL TRANSPORTATION PLAN

The long-range Regional Transportation Plan (RTP) prioritizes and guides Bay Area transportation development over 25 years. The RTP is the comprehensive blueprint for transportation investment (transit, highway, local roads, bicycle and pedestrian projects), and establishes the financial foundation for how the region invests in its surface transportation system by identifying how much money is available to address critical transportation needs and setting the policy on how projected revenues are to be spent. The RTP is updated at least once every four years to reflect reaffirmed or new planning priorities and changing projections of growth and travel demand based on a reasonable forecast of future revenues available to the region.

Under California Senate Bill 375 (Steinberg, Chapter 728, 2008 Statutes) the RTP must include a regional Sustainable Communities Strategy for achieving a regional target for reducing greenhouse gases for cars and light trucks and identify specific areas in the nine-county Bay Area to accommodate all the region's projected population growth, including all income groups, for at least the next 25 years. The legislation requires MTC and the Association of Bay Area Governments (ABAG) to jointly develop the regional Sustainable Communities Strategy to integrate planning for growth and housing with long-range transportation investments. In the Bay Area, MTC and ABAG are joined by the Bay Area Air Quality Management District and the Bay Conservation and Development Commission to develop a plan that also incorporates shoreline planning and air quality objectives.

The law also calls for a separate Public Participation Plan for development of the regional transportation plan and Sustainable Communities Strategy. Appendix A describes a Public Participation Plan for Plan Bay Area, the region's Sustainable Communities Strategy and Regional Transportation Plan.

MTC prepares several technical companion documents for RTP updates. These include a program-level Environmental Impact Report per California Environmental Quality Act (CEQA) guidelines, and transportation air quality conformity analyses (to ensure clean air mandates are met) per federal Clean Air Act requirements. Certain revisions to the RTP may warrant a revision or update to these technical documents. The process for preparing and conducting interagency consultation on the conformity analysis is described in MTC Resolution No. 3757.

MTC also prepares an equity analysis of RTP updates to determine whether minority and low-income communities in the Bay Area share equitably in the benefits of the regional transportation plan without bearing a disproportionate share of the burdens. As an assessment of the region's long-range transportation investment strategy, this analysis is conducted at a regional, program-level scale. This assessment of the long-range plan is intended to satisfy federal requirements under Title VI of the Civil Rights Act and federal policies and guidance on environmental justice. For each update of the RTP, MTC will prepare a public participation plan (see below "RTP Update") that will provide more information on how the equity analysis will be conducted throughout that update of the RTP.

### **Updating and Revising the Regional Transportation Plan**

A complete update of an existing regional transportation plan is required at least once every four years. The RTP also may be revised in between major updates under certain circumstances, as described below in the table and narrative:

- **RTP Update**

This is a complete update of the most current long-range regional transportation plan, which is prepared pursuant to state and federal requirements.

RTP updates include extensive public consultation and participation involving hundreds of Bay Area residents, public agency officials and stakeholder groups over many months. MTC's Policy Advisory Council and other members of the public play key roles in providing feedback on the policy and investment strategies contained in the plan. Local and Tribal governments, transit operators and other federal, state and regional agencies also actively participate in the development of an RTP update via existing and ad hoc forums.

For each RTP update MTC will prepare a multi-phased public outreach and involvement program to ensure that all those with a stake in the outcome are actively involved in its preparation. See Appendix A for specific information on public engagement for Plan Bay Area, which is slated to be updated in 2017.



- **RTP Amendment**

An amendment is a major revision to a long-range RTP, including adding or deleting a project, major changes in project/project phase costs, initiation dates, and/or design concept and scope (e.g., changing project locations or the number of through traffic lanes). Changes to projects that are included in the RTP only for illustrative purposes (such as in the financially unconstrained “vision” element) do not require an amendment. An amendment requires public review and comment, demonstration that the project can be completed based on expected funding, and/or a finding that the change is consistent with federal transportation conformity mandates. Amendments that require an update to the air quality conformity analysis will be subject to the conformity and interagency consultation procedures described in MTC Resolution No. 3757.

- **RTP Administrative Modification**

This is a minor revision to the RTP for minor changes to project/project phase costs, funding sources, and/or initiation dates. An administrative modification does not require public review and comment, demonstration that the project can be completed based on expected funding, nor a finding that the change is consistent with federal transportation conformity requirements. As with an RTP amendment, changes to projects that are included in the RTP’s financially unconstrained “vision” element may be changed without going through this process.

*Updating and Revising the Regional Transportation Plan (RTP)*

<b>Public Participation for an RTP Update</b>
<p>① Prepare a public participation plan to provide early and continuing opportunities to comment. Review public outreach and involvement program with the public and advisory groups.</p>
<p>② Implement public outreach and involvement program, which may include:</p> <ul style="list-style-type: none"> <li>• Numerous targeted workshops with local governments, partner agencies, advisory groups including MTC’s Policy Advisory Council, and the general public</li> <li>• Opportunities to participate via the web, online surveys, etc.</li> <li>• Posting draft documents to the web for public review and comment</li> <li>• Documents available for viewing at the MTC Library</li> </ul>
<p>③ Notify the public of opportunities to participate using such methods as local media outlets, web postings, electronic-mailings to MTC’s database and advocacy groups.</p>
<p>④ Conduct inter-governmental consultation, as appropriate.</p>
<p>⑤ Conduct interagency consultation as appropriate based on Air Quality Conformity Protocol (MTC Resolution No. 3757).</p>
<p>⑥ Release Draft Plan for at least a 55-day public review period</p> <ul style="list-style-type: none"> <li>• Hold at least three public hearings in different parts of the region</li> <li>• Respond to significant comments</li> <li>• Provide additional review and comment opportunity of 5 days if the final RTP differs significantly from the Draft RTP and raises new material issues.</li> </ul>
<p>⑦ Adoption by the MTC Commission at a public meeting. Notify the public about the Commission’s action with electronic mailings to MTC’s database.</p>

<b>Public Participation for an RTP Amendment</b>
<p>① Release proposed amendment for a 30-day public review</p> <ul style="list-style-type: none"> <li>• Notify the public of opportunities to participate and comment using such methods as local media outlets, email notice to MTC’s database or web postings.</li> <li>• Post amendment on MTC’s website for public review</li> <li>• Amendment available for viewing at the MTC Library</li> </ul>
<p>② RTP Amendment reviewed at a public meeting of the MTC Planning Committee.</p>
<p>③ Approval at a public meeting by the MTC Commission.</p>
<p>④ Post approved RTP Amendment on the MTC website and notify the public about its approval via email to MTC’s database.</p>

<b>Public Participation for RTP Administrative Modification</b>
<p>① No formal public review.</p>
<p>② Approval by MTC Executive Director.</p>
<p>③ RTP Administrative Modification posted on MTC website following approval.</p>

### **Countywide Transportation Plans**

Bay Area counties are authorized by state law to develop Countywide Transportation Plans on a voluntary basis, and the countywide plans are an integral part of the Regional Transportation Plan. These long-range planning and policy documents assess transportation needs and guide transportation priorities and funding decisions for that county over a 20-25 year horizon. These countywide plans inform the transportation projects and programs that are forwarded to MTC for consideration in the region's long-range plan. MTC's guidelines for development of countywide plans by the county Congestion Management Agencies can be found here: <http://www.mtc.ca.gov/planning/ctp/>

### **Congestion Management Process**

Under federal regulations, MTC is required to prepare a congestion management process (CMP) for the Bay Area that includes strategies for managing travel demand, traffic operational improvements, public transportation improvements, and the like. MTC's Planning Committee at a public meeting adopts a CMP approximately every two years, with the results of this technical evaluation used to inform MTC decisions on program and investment priorities, including the Regional Transportation Plan. Those interested in this exercise may obtain copies of the relevant memoranda via MTC's website, or by requesting to be added to the Planning Committee's mailing list.

## B. TRANSPORTATION IMPROVEMENT PROGRAM

The Transportation Improvement Program (TIP) helps implement the policy and investment priorities expressed by the public and adopted by MTC in the Regional Transportation Plan (RTP). In this way, public comments made as part of the RTP are reflected in the TIP as well. The TIP covers at least a four-year timeframe, and all projects included in the TIP must be consistent with the RTP, which covers 25 or more years. The TIP is a comprehensive listing of Bay Area surface transportation projects — including transit, highway, local roadway, bicycle and pedestrian investments — that:

- receive federal surface transportation funding, or are
- subject to a federally required action, or are
- regionally significant, for federal air quality conformity purposes.

The TIP does not contain all funds or projects or programs identified in the Regional Transportation Plan. The majority of revenues identified in the Plan are never included in the TIP. These include local and state funds used to operate and maintain the transportation network that do not meet the criteria listed above. The TIP in itself does not implement the plan, but is a subset of projects that are consistent with implementing the Plan.

The TIP includes a financial plan that demonstrates there are sufficient revenues to ensure that the funds committed (or “programmed”) to the projects are available to implement the projects or project phases. Adoption of the TIP also requires a finding of conformity with federal transportation-air quality conformity mandates.

Individual project listings may be viewed through MTC’s web-based Fund Management System at [http://www.mtc.ca.gov/funding/fms\\_intro.htm](http://www.mtc.ca.gov/funding/fms_intro.htm). As part of MTC’s commitment to public involvement, many projects in the TIP are mapped to present the online reader with a visual location of the project. Individuals without access to the internet may view a printed copy of the project listings at the MTC library.

In addition to a Transportation Improvement Program that is accessible online at: <http://www.mtc.ca.gov/funding/tip/>, MTC maintains free, subscription-based e-mail distribution lists to inform interested individuals, transportation officials and staff of changes and actions related to the TIP. Through this system, individuals

may be alerted as needed regarding the development and approval of a new TIP and updates, such as the notice of a TIP update, or notice and approval of the TIP amendments. The TIP-INFO Notification tool helps facilitate public review and comments as well as coordination with transportation and other public agencies. Sign up for the service by contacting MTC at [info@mtc.ca.gov](mailto:info@mtc.ca.gov).

To further assist in the public assessment of the TIP, and specifically to analyze the equity implications of the proposed TIP investments, MTC conducts an investment analysis for the TIP with a focus on minority and low-income communities.

### **Updating and Revising the TIP**

Federal regulations require that the TIP be updated at least once every four years. From time to time, circumstances dictate that revisions be made to the TIP between updates. MTC will consider such revisions when the circumstances prompting the change are compelling. The change must be consistent with the RTP, not negatively impact financial constraint, or adversely affect transportation-air quality conformity findings of the TIP.

In addition to a TIP update, revisions to the TIP may occur as TIP amendments, TIP administrative modifications, or TIP Technical Corrections. The criteria for administrative modifications and amendments are defined in federal regulations, specifically Title 23, CFR part 450.104.

The Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and California Department of Transportation (Caltrans) have developed amendment and administrative modification procedures for the TIP. These procedures are posted online at:

[www.mtc.ca.gov/funding/tip/tiprevisionprocedures.pdf](http://www.mtc.ca.gov/funding/tip/tiprevisionprocedures.pdf). Further explanation about TIP updates and how the types of revisions are processed are shown in the narrative and table that follows.

- **TIP Update**

This is a complete update of the existing TIP, to reflect new or revised transportation investment strategies and priorities. Federal regulations require an update of the TIP at least once every four years. Because all projects included in the TIP are consistent with the RTP, MTC's extensive public outreach for development of the RTP is reflected in the TIP as well. The TIP supports

implementation in the short-term, the financially constrained element of the RTP and is responsive to comments received during the development of the RTP. TIP updates will be subject to the conformity and interagency consultation procedures described in MTC Resolution No. 3757.

The State of California may require a TIP update more frequently than the federally required four-year update cycle. In such circumstances MTC may perform a limited and less robust update and outreach effort by simply updating information reflecting updated project information using prior TIP reports, analysis and methodologies. Significant modification of analytical approaches and additional features to the TIP will be made on the federal 4-year update cycle, and more in-line with the four-year update cycle of the RTP.

- **TIP Amendment**

This is a revision that involves a major change to the TIP, such as the addition or deletion of a project; a major change in project cost or project/project phase initiation date; or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or an air quality conformity determination. Amendments requiring a transportation-air quality conformity analysis will be subject to the conformity and interagency consultation procedures described in MTC Resolution No. 3757.

- **TIP Administrative Modification**

An administrative modification includes minor changes to a project's costs or to the cost of a project phase; minor changes to funding sources of previously included projects; and minor changes to the initiation date of a project or project phase. An administrative modification does not require public review and comment, re-demonstration of fiscal constraint, or conformity determination.

- **TIP Technical Correction**

Technical corrections may be made by MTC staff as necessary. Technical corrections are not subject to an administrative modification or an amendment, and may include revisions such as: changes to information and projects that are included only for illustrative purposes; changes to information outside of the TIP period; changes to information not required to be included in the TIP per federal regulations; or changes to correct simple errors or omissions including data entry errors. These technical corrections cannot significantly impact the cost, scope, or

schedule within the TIP period, nor will they be subject to a public review and comment process, re-demonstration of fiscal constraint, or a conformity determination.

***Public Participation for Updating and Revising the Transportation Improvement Program***

<b>TIP Update</b>
<p><b>1</b> Notify public of opportunities to participate; use appropriate lists within MTC’s database, including list of Regional Transportation Plan participants. Also notify the public using such methods as local media outlets; electronic-mailings to advocacy groups; or via an electronic subscription system that is open for anyone to sign up to be kept informed about the TIP, such as TIP-INFO e-mail notification.</p>
<p><b>2</b> Notify Bay Area Partnership technical committees or working groups. Conduct intergovernmental review and consultation, as appropriate.</p>
<p><b>3</b> Release Draft TIP for 30-day public review and comment period.</p> <ul style="list-style-type: none"> <li>▪ Draft TIP available for viewing in MTC Library;</li> <li>▪ Sent to major libraries throughout the Bay Area upon request</li> <li>▪ Posted on MTC website</li> <li>▪ MTC staff may make minor, technical edits to the Draft TIP during the review and comment period; in these instances MTC will display the technical edits on MTC’s web site and notify interested parties via e-mail notification.</li> </ul> <p>Provide additional review and comment opportunity of 5 days if the final TIP differs significantly from the Draft TIP and raises new material issues.</p>
<p><b>4</b> Respond to significant material comments pertinent to the TIP; MTC’s response compiled into an appendix in the final TIP.</p>
<p><b>5</b> Review by an MTC standing committee, typically the Programming &amp; Allocations Committee (a public meeting); referral to Commission.</p>
<p><b>6</b> Adoption by Commission at a public meeting. Approval by California Department of Transportation (Caltrans). Approval by Federal Highway Administration and Federal Transit Administration (FHWA/FTA).</p>
<p><b>7</b> After approval:</p> <ul style="list-style-type: none"> <li>• post in MTC Library</li> <li>• post on MTC website</li> <li>• notify Bay Area Partnership technical committees or working groups.</li> <li>• Notify the public about the Commission’s action with electronic notifications, such as TIP-INFO (an electronic subscription system anyone can sign up to be kept informed about the TIP.)</li> </ul>

**Public Participation for Updating and Revising the Transportation Improvement Program**

<b>TIP Amendment</b>
<p>❶ Notify public via TIP-INFO Notification (e-mail) or other electronic notification methods.</p>
<p>❷ Notify Bay Area Partnership technical committees or working groups Available for viewing in MTC Library Posted on MTC website for public review</p>
<p>❸ Amendments deleting or adding or changing a project subject to a new air quality conformity analysis:</p> <ul style="list-style-type: none"> <li>○ 30-day public review and comment period, with review by an MTC standing committee at a public meeting; and</li> <li>○ Approval by the full Commission at a public meeting.</li> </ul> <p>• Amendments deleting or adding a project <i>not</i> subject to an air quality conformity analysis (such as a roadway rehabilitation):</p> <ul style="list-style-type: none"> <li>○ Review and approval by an MTC standing committee or the full Commission at a public meeting.</li> </ul> <p>• Amendments changing an existing project that is not subject to an air quality conformity analysis, or changing an existing grouped project listing (such as the highway bridge program), or bringing a previously listed project or phase back into the TIP for financial purposes; or changing TIP funding revenues:</p> <ul style="list-style-type: none"> <li>○ Approval by the MTC Executive Director or designee, following 5-day notice on MTC’s website, <b>or</b></li> <li>○ Review and approval by an MTC standing committee or the full Commission at a public meeting.</li> </ul>
<p>❹ Approval by Caltrans → Approval by FHWA/FTA</p>
<p>❺ After approval:</p> <ul style="list-style-type: none"> <li>• post in MTC Library</li> <li>• post on MTC website</li> <li>• notify Bay Area Partnership technical committees or working groups</li> <li>• notify public via electronic subscription system open to anyone who requests to be kept informed about the TIP, such as TIP-INFO email notification.</li> </ul>

<b>TIP Administrative Modification</b>
<p>❶ No public review.</p>
<p>❷ Approval by MTC Executive Director or designee by delegated authority (authority is delegated by the Federal Highway Administration/Federal Transit Administration), or Caltrans</p>
<p>❸ After approval:</p> <ul style="list-style-type: none"> <li>• post in MTC Library</li> <li>• post on MTC website</li> </ul>



TIP Technical Correction
❶ No public review.
❷ Technical corrections by staff.
❸ No approval required.

**Federal Transit Administration Program of Projects Public Participation Requirements**

Federal transit law and joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) planning regulations governing the metropolitan planning process require a locality to include the public and solicit comment when the locality develops its metropolitan long- range transportation plan and its metropolitan TIP. FTA has determined that when a recipient follows the procedures of the public involvement process outlined in the FHWA/FTA planning regulations, the recipient satisfies the public participation requirements associated with development of the Program of Projects (POP) that recipients of Section 5307, Section 5337 and Section 5339 funds must meet. This Public Participation Plan is being used by the following recipient(s)\* to satisfy their public participation process for the POP. This Public Participation Plan follows the procedures for public involvement associated with TIP development and therefore satisfies public participation requirements for the POP. All public notices of public involvement activities and times established for public review and comment on the TIP will state that they satisfy the POP requirements of the Section 5307, Section 5337 and Section 5339 Programs.

\*Recipients using MTC’s Public Participation Plan to satisfy their public participation process for the POP.

1. AC Transit (Alameda-Contra Costa Transit District)
2. ACE (Altamont Corridor Express)
3. BART (Bay Area Rapid Transit District)
4. Caltrain (Peninsula Corridor Joint Powers Board)
5. County Connection (Central Contra Costa Transit Authority)
6. City of Dixon Readi-Ride
7. FAST (Fairfield/Suisun Transit System)

8. Golden Gate Transit (Golden Gate Bridge, Highway and Transportation District)
9. LAVTA (Livermore-Amador Valley Transit Authority/ Wheels)
10. Marin Transit (Marin County Transit District)
11. Petaluma Transit
12. Rio Vista Delta Breeze
13. SamTrans (San Mateo County Transit District)
14. San Francisco Bay Ferry (WETA/Water Emergency Transportation Authority)
15. SFMTA (San Francisco Municipal Transportation Agency)
16. Santa Rosa CityBus
17. SolTrans (Solano County Transit)
18. Sonoma County Transit
19. SMART (Sonoma Marin Area Rail Transit)
20. Tri Delta Transit (Eastern Contra Costa Transit Authority)
21. Union City Transit
22. Vacaville City Coach
23. VINE (Napa County Transportation and Planning Agency)
24. VTA (Santa Clara Valley Transportation Authority)
25. WestCAT (Western Contra Costa Transit Authority)

### **Annual Listing of Obligated Projects**

By federal requirement, MTC publishes at the end of each calendar year an annual listing of obligated projects, which is a record of project delivery for the previous year. The listing also is intended to increase the awareness of government spending on transportation projects to the public. Copies of this annual listing may be obtained from MTC's website: <http://www.mtc.ca.gov/funding/delivery/> or by contacting MTC's Library.

## **V. Interagency and Tribal Government Consultation Procedures for the Regional Transportation Plan and the Transportation Improvement Program**

### **A. PUBLIC AGENCY CONSULTATION**

The Moving Ahead for Progress in the 21st Century Act – better known as MAP-21 – is federal surface transportation legislation that specifies a public participation process, directing metropolitan transportation agencies like MTC to consult with officials responsible for other types of planning activities that are affected by transportation in the area, be that conservation and historic preservation or local planned growth and land use management.

The most effective time to involve the public and governmental agencies in the planning and programming process is as early as possible. As such, the development of the regional transportation plan, with its long-range timeframe, is the earliest and the key decision point for the interagency consultation process. It is at this stage where funding priorities and major projects' planning-level design concepts and scopes are introduced, prioritized and considered for implementation. Furthermore, MTC's funding programs and any projects flowing from them are derived directly from the policies and the transportation investments contained in the RTP. Because the RTP governs the selection and programming of projects in the TIP, MTC considers the agency consultation process as a continuum starting with the regional transportation plan. The RTP is the key decision point for policy decisions regarding project and program priorities that address mobility, congestion, air quality, and other planning factors; the TIP is a short-term programming document detailing the funding for only those investments identified and adopted in the RTP.

MTC will use the following approaches to coordinate and consult with affected agencies in the development of the RTP and the TIP. Throughout the process, consultation will be based on the agency's needs and interests. At a minimum, all agencies will be provided an opportunity to comment on the RTP and TIP updates.

### **Regional Transportation Plan (RTP)**

MTC's compliance with the California Environmental Quality Act (CEQA) serves as the framework to consult, as appropriate, in the development of the RTP with federal, state and local resource agencies responsible for land use management, natural resources, environmental protections, conservation, and historic preservation. This consultation will include other agencies and officials responsible for other planning activities in the MTC region that are affected by transportation, to the maximum extent practicable.

As required by CEQA, the Notice of Preparation (NOP) stating that MTC as the lead agency will prepare a program-level Environmental Impact Report (EIR) for the RTP is the first step in the environmental process. The NOP gives federal, state and local agencies and the public an early opportunity to identify areas of concern to be addressed in the EIR and to submit them in writing to MTC. Further, MTC also will hold agency and public scoping meeting(s) to explain the environmental process and solicit early input on areas of concern. During the development of the Draft EIR, MTC will consult with affected agencies on resource maps and inventories for use in the EIR analysis.

MTC will consider the issues raised during the NOP period and scoping meetings(s) during its preparation of the EIR. Subsequently, as soon as MTC completes the Draft EIR, MTC will file a Notice of Completion (NOC) with the State Clearinghouse and release the Draft EIR for a 45-day public review period. MTC will seek written comments from agencies and the public on the environmental effects and mitigation measures identified in the Draft EIR. During the comment period, MTC may consult directly with any agency or person with respect to any environmental impact or mitigation measure. MTC will respond to written comments received prior to the close of comment period and make technical corrections to the Draft EIR where necessary. The Commission will be requested to certify the Final EIR, and MTC will file a Notice of Determination (NOD) within five days of Commission certification.

Note that while the RTP is not subject to the federal National Environmental Policy Act (NEPA), MTC will consult with federal agencies as appropriate during the preparation of the CEQA environmental document. Additionally, the involvement of federal agencies in the RTP can link the transportation planning process with the federal NEPA process. As the projects in the RTP and TIP

continue down the pipeline toward construction or implementation, most must comply with NEPA to address individual project impacts.

### **Transportation Improvement Program (TIP)**

As discussed above, crucial decisions whether or not to support or fund a transportation program or project in the region first occurs at the RTP level. The TIP translates recommendations from the RTP into a short-term program of improvements focused on projects that have a federal interest. Therefore, the earlier, and more effective, timeframe for public comment on the merits of a particular transportation project is during the development of the long-range plan. The TIP defines project budgets, schedules and phasing for those programs and projects that are already part of the RTP. The TIP does not provide any additional information regarding environmental impacts, beyond that found in the program-level environmental analysis prepared for the RTP.

As such, starting at the RTP development stage, MTC staff will concurrently consult with all agencies regarding the TIP. Subsequent to the RTP, additional consultations at the TIP stage will be based on an agency's needs and interests. At a minimum, all agencies will be provided with an opportunity to review and comment on the TIP. Project sponsors — including the California Department of Transportation (Caltrans), local jurisdictions, transit operators, and county congestion management agencies (CMAs) — review and consult with MTC on each of their respective projects in the TIP. These agencies (and any other interested agency) are involved every step of the way in the establishment of MTC programs, selection of projects and their inclusion in the TIP.

## B. OTHER PROTOCOLS FOR WORKING WITH PUBLIC AGENCIES

### **The Bay Area Partnership Review and Coordination**

MTC established the Bay Area Partnership to collaboratively assist the Commission in fashioning consensus among its federal, state, regional, and local transportation agency partners regarding the policies, plans, and programs to be adopted and implemented by the Commission. More recently, that focus has shifted to advising the Commission on specific transportation investment policies or matters related to the Regional Transportation Plan. Membership includes a chief staff officer from all public agencies representing the following transportation interests:

- Transit operations
- Transportation facilities
- Congestion management agencies
- Public works agencies
- Airports and seaports
- Regional, state and federal transportation, environmental, and land use agencies

The Partnership Board's technical/advisory committees consider the on-going and more technical aspects of investment issues. The Partnership Board (audiocast live and later archived on MTC's website) and its technical advisory committee meetings are open to the public. The status of TIP revisions are provided to the partnership through email notifications. For TIP updates, technical/advisory committee(s) and working group(s) will be kept informed and consulted throughout the process by e-mail notifications or presentations as appropriate.

### **Air Quality Conformity and Interagency Consultation**

A dialogue between agencies over transportation-air quality conformity considerations must take place in certain instances prior to MTC adoption of its RTP or TIP. These consultations are conducted through the Air Quality Conformity Task Force — which includes representatives of the U.S. Environmental Protection Agency, the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the California Air Resources Board (CARB), Caltrans, the Bay Area Air Quality Management District, and other state and local transportation agencies. These agencies review updates and, in certain instances,

amendments to the RTP and TIP to ensure they conform to federal transportation conformity regulations via transportation-air quality conformity analysis.

In accordance with Transportation-Air Quality Conformity and Interagency Consultation Protocol procedures (MTC Resolution No. 3757), MTC must implement the interagency consultation process for the nine-county San Francisco Bay Area before making a transportation conformity determination on the RTP or TIP. In developing an update to the RTP/TIP, MTC will bring important issues to the Partnership or its technical committees/working groups for discussion and feedback. All materials that are relevant to interagency consultation, such as the RTP/TIP schedule, important RTP/TIP-related issues, and draft RTP/TIP, will also be transmitted to the Conformity Task Force for discussion and feedback. Similar consultation will occur for RTP/TIP amendments requiring an air quality conformity analysis.

## **Intergovernmental Review via Regional and State Information**

### **Clearinghouses**

The intent of intergovernmental review, per Executive Order 12372, is to ensure that federally funded or assisted projects do not inadvertently interfere with state and local plans and priorities. Applicants in the Bay Area with programs/projects for inter-governmental review are required to submit documentation to Association of Bay Area Government's (ABAG) Area-wide Clearinghouse and the State Clearinghouse in Sacramento, which are responsible for coordinating state and local review of applications for federal grants or loans under state-selected programs. In this capacity, it is also the function of the Clearinghouses to coordinate state and local review of federal financial assistance applications, federally required state plans, direct federal development activities, and federal environmental documents. The purpose of the clearinghouses is to afford state and local participation in federal activities occurring within California. The Executive Order does not replace public participation, comment, or review requirements of other federal laws, such as the National Environmental Policy Act (NEPA), but gives the states an additional mechanism to ensure federal agency responsiveness to state and local concerns.

ABAG's clearinghouse notifies, via the bi-weekly e-mail Intergovernmental Review Newsletter, entities and individuals at all governmental levels, as well as certain public interest groups that might be affected the proposed project or program. The state and area- wide clearinghouses are a valuable tool to help ensure that state

and local agency comments are included along with any applications submitted by an applicant to the federal agencies.

MTC uses this service to notice TIP updates and those TIP amendments that require an air quality determination. This service is not used for TIP amendments that do not require an air quality conformity determination, for TIP administrative modifications and for TIP technical corrections. The clearinghouses also receive and distribute environmental documents prepared pursuant to the California Environmental Quality Act (CEQA) and coordinate the state-level environmental review process. The RTP is subject to CEQA and therefore is reviewed through the clearinghouses as well.

### C. TRIBAL GOVERNMENT CONSULTATION

There are six federally recognized Native American tribes in the San Francisco Bay Area. MTC invites the tribes to conduct government-to-government consultation throughout the regional transportation planning process and the companion Transportation Improvement Program. MTC lays the groundwork for consultation early in the process of developing the regional transportation plan, and generally includes a “Tribal summit” for all six Tribal governments. MTC expresses to each tribe a willingness to conduct individual meetings at the tribe’s convenience.

MTC board members and executive staff participate in consultation with the Tribal governments. MTC will conduct consultation and associated activities in locations convenient for the Tribal governments. Past meetings have been held in Sonoma County, where most of the Tribal governments are located.

The Tribal summit often will include MTC’s partner agencies, the Association of Bay Area Governments, the state Department of Transportation and the appropriate congestion management agencies. The Tribal summit also may include facilitation by an individual or organization known to the Tribal governments.

The Tribal summit will include discussion about how the Tribal governments will participate in development of the long-range plan, as well as the companion TIP. The Tribal summit also serves to introduce the Tribal governments to MTC’s partner agencies.



As a next step after the tribal summit, MTC encourages individual meetings with each tribal government throughout development of the regional transportation plan to discuss issues and concerns specific to each tribe. MTC offers to conduct consultation at a time and location convenient for the tribe, which may include attendance at meetings of the tribal council or committees. The governments also receive material from MTC throughout the RTP planning effort.

## **VI. Evaluation and Update of the Public Participation Plan**

MTC's Public Participation Plan is not a static document, but an on-going strategy that will be periodically reviewed and updated based on our experiences and the changing circumstances of the Commission and the transportation community it serves.

As part of every public outreach and involvement program developed for the regional transportation plan, MTC will set performance measures for the effectiveness of the participation program and report on the results. These performance reports will serve to inform and improve future outreach and involvement programs, including future updates to this Public Participation Plan.

Additionally, MTC will periodically evaluate various components of the items identified under Section II, "Continuing Public Engagement," which form the core of MTC's public involvement activities.

This Public Participation Plan may be subject to minor changes from time to time. Any major updates will include a review by MTC's advisory committees, 45-day public comment period with wide release and notification of the public about the proposed changes, review by the Commission's Legislation Committee (a public meeting), and approval by the Commission. We will extend the public comment period by an additional 45 days in instances where major revisions are proposed in response to comments heard.