Montana Department of Transportation
Public Involvement Plan
Draft September 2014

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MONTANA DEPARTMENT OF TRANSPORTATION MISSION

To serve the public by providing a transportation system and services that emphasize quality, safety, cost effectiveness, economic vitality, and sensitivity to the environment.

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INTRODUCTION

Engaging the public early and throughout the transportation decision-making process is key to the Montana Department of Transportation's (MDT) mission. Meaningful public involvement efforts build trust and credibility for the department and enhance the awareness and understanding of MDT actions. Working continually, cooperatively, and comprehensively with the public and stakeholders allows MDT to deliver transportation solutions that improve safety and efficiency, protect natural and human environments, and contribute to community vitality and general well-being.

The Constitution of the State of Montana provides for the right to participate and the right to know, and there are numerous other state and federal requirements for public involvement. However, public involvement is more than statutory requirements. This process is vital to good decision making, acceptance of ideas, reducing misunderstanding, and avoiding and resolving conflict.

Capturing the public's interest takes effort and continual attention. Engaging the public starts with MDT's long-range planning and continues through construction and operation. When done well, involving the public contributes to a well-planned and implemented transportation system. The MDT Public Involvement Plan is designed to accomplish this.

The purpose of the Public Involvement Plan is to provide guidance to MDT staff, consultants, and sub-recipients for implementing effective efforts to provide opportunities for public review and comment at key decision points in planning. This document presents information normally necessary to meet or exceed federal and state public involvement requirements.

Included are statutory requirements, levels of involvement and environmental review, plus methods to garner public input in transportation planning, programming, and project development. Keep in mind, requirements change periodically, especially with new federal transportation authorization bills.

The methods described in this plan are not intended to restrict consideration or use of other methods to include the public in transportation decision making. Conditions vary, so good judgment must be exercised on individual projects to identify possible limitations and opportunities to involve the public in order to deliver a quality transportation system.

This plan may be helpful to the public in understanding MDT's processes in planning and project development, but is not intended to serve as a guide for providing input. The Federal Highway Administration's publication, *A Guide to Transportation Decisionmaking*, is a good resource for the general public and is available at www.fhwa.dot.gov/planning/publications/transportation_decision_making/decisionmaking.pdf.

MDT strives to deliver a statewide, interconnected transportation network that includes roadways, airways, airports, railways, traffic safety, and public transit, along with bicycle and pedestrian accommodations. Including the public is vital as the department continues partnering, carefully planning, investing in existing assets, working smarter, and seeking funding solutions that will provide for a reliable transportation system long into the future. Safely moving Montanan's to work, healthcare, shopping, recreation, and elsewhere alongside raw and finished products being transported in-and out-of state is critical to daily life and a thriving economy.

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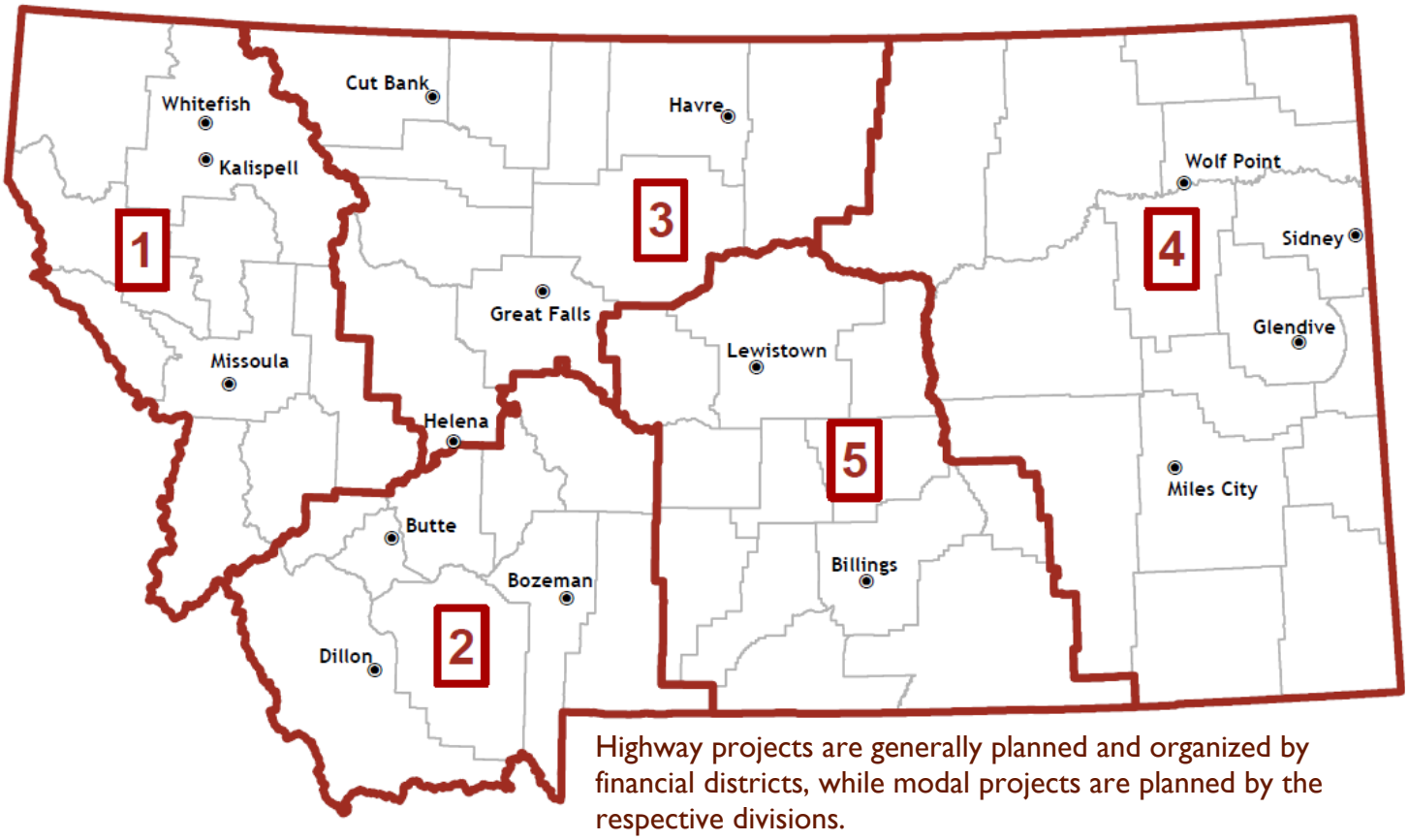
DISTRICTS & CONTACTS



Highway projects are generally planned and organized by financial districts, while modal projects are planned by the respective divisions.

District 1 – Missoula
P.O. Box 7039, Missoula, MT 59807-7039
(406) 523-5800 or toll-free (888) 231-5819

District 2 – Butte
P.O. Box 3068, Butte, MT 59702-3068
(406) 494-9600 or toll-free (800) 261-6909

District 3 – Great Falls
P.O. Box 1359, Great Falls, MT 59403-1359
(406) 454-5880 or toll-free (888) 730-0898

District 4 – Glendive
P.O. Box 890, Glendive, MT 59330-0890
(406) 345-8200 or toll-free (888) 689-5296

District 5 – Billings
P.O. Box 20437, Billings, MT 59104-0437
(406) 252-4138 or toll-free (888) 863-8465

Helena Headquarters
P.O. Box 201001, Helena, MT 59620-1001
(406) 444-6200

Aeronautics Division
PO Box 200507, Helena, MT 59620-0507
(406) 444-2506

Rail, Transit & Planning Division
P.O. Box 201001, Helena, MT 59620-1001
(406) 444-3423 or toll-free (800) 714-7296

Motor Carrier Services
P.O. Box 201001, Helena, MT 59620-1001
(406) 444-6130

TTY
(406) 444-7696 or toll-free (800) 335-7592

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OVERVIEW

The concept of public involvement for the purpose of this plan is the two-way communication between government and citizens. More specifically, it means MDT sharing information with the public for review and considering input from the public. Public involvement includes providing the public with information at key decision points and providing opportunities to influence MDT decisions.

The department adopted the public involvement goals listed at right to support the intended objectives of public involvement requirements. These goals must be considered and reflected in the planning and implementation of public involvement for proposed MDT projects. In addressing these goals, MDT must ensure the needs of all affected parties, including traditionally underserved groups (e.g., those with disabilities, minority and ethnic groups, low-income groups, those with limited English proficiency), are identified and accommodated.

MDT's public involvement can be identified as two phases: 1) the planning and programming phase and 2) the project development, construction, and maintenance phase.

The planning and programing phase considers statewide, systems-level, metropolitan, non-metropolitan, transit, and aeronautics actions. The project development phase centers on specific highway improvement projects. Both phases provide opportunities for the public to review and provide input in shaping decisions.

MDT PUBLIC INVOLVEMENT GOALS

- Provide useful, timely information to the public throughout the development of projects, from planning, programming, and preliminary engineering approval through construction, operation, and maintenance.
- Proactively seek public comment and involvement in planning and project development.
- Facilitate open discussion of controversial issues.
- Respond to comments and suggestions.
- Ensure public comments are fully considered so that useful ideas are incorporated into projects given resources and policy constraints or as appropriate.

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STATUTORY REQUIREMENTS

Early and ongoing public involvement are key components of the process for developing proposed projects involving federal and state funding. In 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) extended the opportunity for public involvement into the transportation planning process. Subsequent legislation—the Transportation Equity Act for the 21st Century (TEA-21) in 1998; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005; and Moving Ahead for Progress in the 21st Century (MAP-21) in 2012—continued to broaden opportunities for public participation in transportation decision making.

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Public involvement requirements include:

- Title 23, Section 134/135, U.S.C., requiring a statewide intermodal transportation planning process
- Title 49, U.S.C., Section 5304, Transit
- Council on Environmental Quality (CEQ) Regulations
- Federal Highway Administration (FHWA) Regulations for implementing the National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.)
- Title VI of the 1964 Civil Rights Act requiring non-discriminatory public participation processes
- Montana Constitution Article II – Declaration of Rights; Section 8, Right of Participation; Section 9, Right to Know
- MDT regulations for implementing the Montana Environmental Policy Act (MEPA) (MCA 75-1-101, et seq.)

Appendix A provides regulatory requirements in more detail.

TERMS as DEFINED in 23 C.F.R. Section 450

Consideration means that one or more parties takes into account the opinions, action, and relevant information from other parties in making a decision or determining a course of action.

Consultation means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the "consultation" performed by the states and the MPOs in comparing the long-range statewide transportation plan and the metropolitan transportation plan, respectively, to State and Tribal conservation plans or maps or inventories of natural or historic resources (see Section 450.214(i) and Section 450.322(g)(1) and (g)(2)).

Cooperation means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

Coordination means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

PLANNING & PROGRAMMING PHASE

In the planning and programming phase, public involvement planning applies to statewide, systems-level, metropolitan, non-metropolitan, bridge, corridor studies, transit, and aeronautics actions. MDT's Rail, Transit and Planning Division (Planning Division) is the lead unit for these public involvement and planning activities with the exception of aeronautics, which the Aeronautics Division is the lead unit.

The Planning Division provides a broad range of planning functions and services that assist state, tribal, local, and federal officials in selecting projects and provides information for short- and long-range construction and grant programs. Some of these activities include:

- Updating *TranPlan 21*— MDT's long-range transportation policy plan
- Performance measurement using management systems and the Performance Programming Process (P^3)
- Pre-NEPA Corridor Planning Process
- Development of the Statewide Transportation Improvement Program (STIP)
- Traffic data collection and analysis
- Road inventory and mapping
- Transit and urban funding administration
- Coordination of planning issues statewide and in Montana's urban areas
- Non-metropolitan local official consultation process

SOURCES of INPUT for PLANNING & PROGRAMMING

Citizens

Transportation professionals – including city and county planners, city and county engineers, metropolitan planning organizations, public works directors, transit providers, etc.

Stakeholder groups – including groups with special interests such as bicycle/pedestrian, economic development, environment, intermodal freight, and passenger transportation

Community leaders – including mayors, city and county commissioners, legislators, etc.

Tribal governments – including tribal chairpersons, planners, and Tribal Employment Rights Office (TERO) officers/directors

Resource and land management agencies

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The following section describes the methods MDT uses to involve the public in state-level planning. Efforts should be made to use visualization techniques (illustrations, maps, photos, charts) and the Internet as often as appropriate.

LONG-RANGE TRANSPORTATION POLICY PLAN—TRANPLAN 21

TranPlan 21, Montana's long-range transportation policy plan, is part of an ongoing process that regularly identifies transportation issues, evaluates public and stakeholder needs and priorities, and establishes and implements policy goals and actions. *TranPlan 21* was developed with the assistance of the public and transportation stakeholders. It is essential that MDT involve these same groups in implementing *TranPlan 21* policy goals and actions. The figure below illustrates the periodic and ongoing processes that help ensure this involvement. This process guides MDT in the development and management of a multimodal transportation system. *TranPlan 21* serves as the guiding document for developing the Statewide Transportation Improvement Program.

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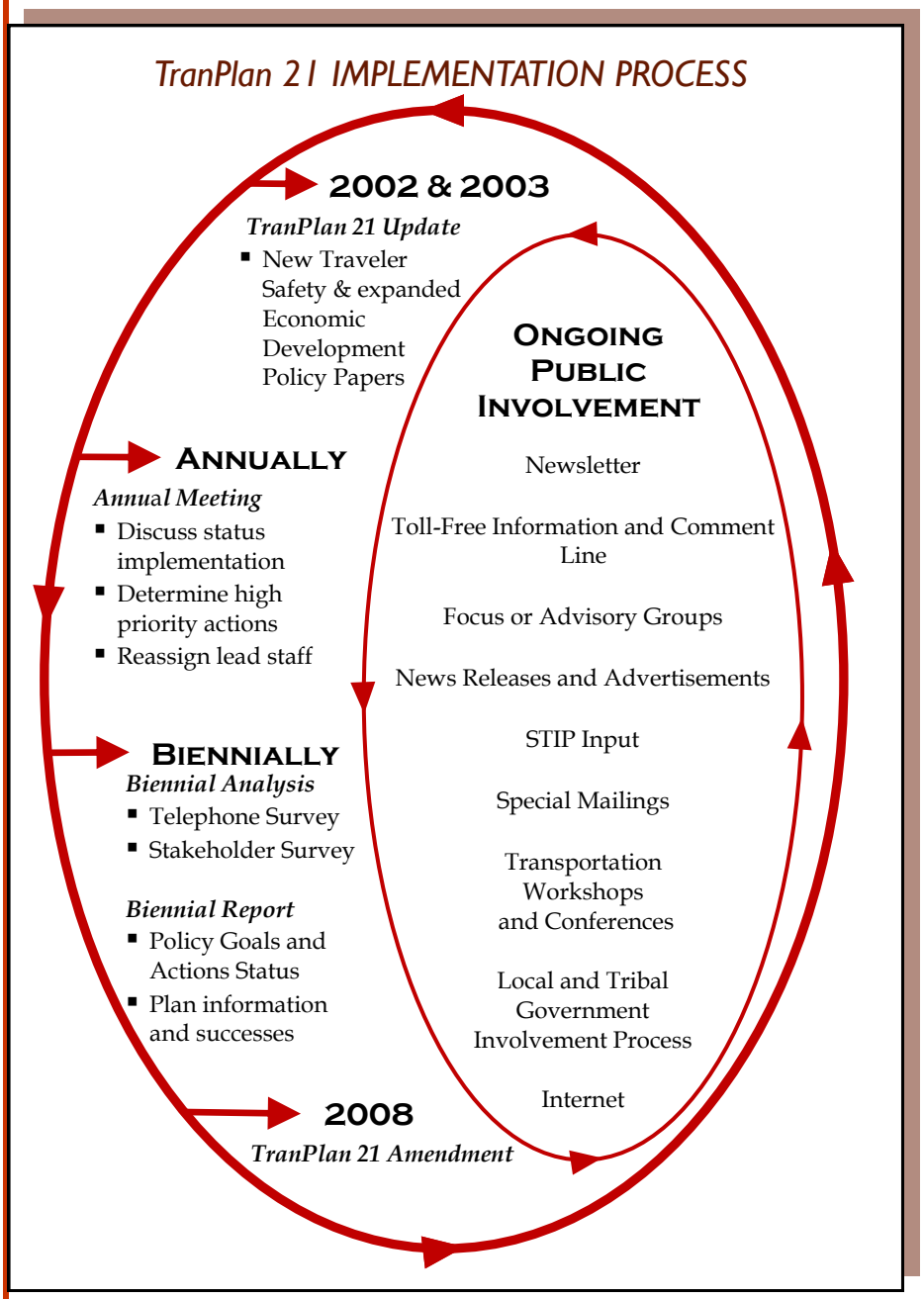

TranPlan 21 establishes statewide transportation policies in six key areas within the federally-required 20-year planning horizon. These policy areas are:

- Roadway system performance
- Economic development
- Traveler safety
- Access management/land use planning
- Bicycle and pedestrian transportation
- Public transportation

In addition to meeting the requirements of Section 135, 23 U.S.C. and C.F.R 450, these policy areas reflect input from the public, transportation stakeholders, tribal governments, resource agencies, and others.

MDT publishes a *TranPlan 21* biennial report and conducts biennial public involvement telephone and stakeholder surveys to monitor changes in public and stakeholder issues and priorities. These are essential tools in keeping the public informed and in gathering input on emerging issues. MDT also consults with local and tribal governments. MDT periodically updates and amends *TranPlan 21* to address new federal and state regulations or issues identified through the public involvement process.

To view *TranPlan 21,* go to mdt.mt.gov/pubinvolve/.

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

In accordance with Section 135, 23 U.S.C., Montana's Statewide Transportation Improvement Program (STIP) is a five-year program that contains all proposed multi-modal transportation projects by project phase and funding source that use federal and state funds. MDT and the public work together to develop the STIP, with *TranPlan 21* serving as guidance.

The STIP identifies highway, rail, aeronautic, and transit improvements to preserve and improve Montana's transportation system. The projects and dates in the STIP are MDT objectives because the execution of this program is contingent on a number of factors including federal and state funding availability, right-of-way acquisition, utility relocations, environmental review, surveying, and design. Complications with one or more of these factors may delay a project. Annually, the STIP is available for public comment then approved by the Transportation Commission and can be amended through the year. The STIP is available at mdt.mt.gov/pubinvolve/stip.shtml.

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PUBLIC INVOLVEMENT for the STIP INCLUDES:

- Gathering public comments and project nominations through district administrators and the Transportation Commission.
- Announcing through news releases the availability of the draft and final STIP.
- Providing copies of the draft and final STIP to public libraries, MDT website, and by request.
- Reviewing the draft STIP with local officials during annual and/or regional meetings.
- Providing a toll-free telephone number for requests and comments.
- Using information from consults with local and tribal officials during formal updates of *TranPlan 21*.
- Using information from consults with local and tribal officials informally and through the biennial *TranPlan 21* public involvement and stakeholder surveys.
- Consulting with local officials when developing local transportation plans and with multi-agency coordinating committees on plan updates, urban project nominations, and other transportation issues.
- Providing local and tribal officials and the public opportunities to review and comment on the draft STIP and holding regional meetings to discuss the draft.

METROPOLITAN PLANNING PROCESS

Transportation Improvement Programs (TIPs) from the Billings, Great Falls, and Missoula metropolitan areas are incorporated into the STIP by reference. TIPs contain information about current and future transportation projects consistent with each metropolitan planning organizations' (MPO) long-range transportation plan and are developed in cooperation with area transit providers and state and local governments as part of a continuing, cooperative, and comprehensive transportation planning process.

LOCAL TRANSPORTATION COORDINATING COMMITTEES

MDT supports efforts in Montana's largest urban areas to ensure that MDT decisions in these areas consider local needs and input. These efforts include the periodic update of area transportation plans as well as ongoing consultation through MDT membership on formal transportation coordinating committees.

NON-METROPOLITAN LOCAL OFFICIAL CONSULTATION PROCESS

MDT has a federally required, separate transportation planning and programming consultation process for non-metropolitan local officials. The process is inclusive and flexible and involves local officials in a variety of ways briefly outlined below. Review *The Non-Metropolitan Local Official Consultation Process* at mdt.mt.gov/publications/docs/manuals/consultation_process.pdf.

Planning:

- MDT consults with local officials during updates of *TranPlan 21* through participation on panels, targeted mailings, meetings, and presentations.
- MDT consults with local officials informally and through the biennial *TranPlan 21 Stakeholder Survey,* which includes separate stakeholder groups for city and county officials.
- MDT consults with local officials when developing local transportation plans and with multi-agency coordinating committees on plan updates, urban project nominations, and other transportation issues.

Programming:

- MDT provides local officials and the public opportunities to review and comment on the draft STIP. MDT discusses the draft at regional meetings of the Montana Association of Counties.

Programs:

- MDT consults with local officials annually on Surface Transportation Program (STP) projects for the STIP funded through programs such as the Primary (STP-P), Urban (STP-U), and Secondary Highway Programs (STP-S). Projects nominated through this process are then incorporated into the STIP and made available for comment.

HIGHWAY SAFETY IMPROVEMENT PROGRAM

The Highway Safety Improvement Program (HSIP) is an element of the Comprehensive Highway Safety Plan (CHSP). HSIP funds infrastructure-related highway safety improvements including: signing, striping, delineation, guardrail installation, slope flattening, intersection improvements, and roadway realignment. Projects are generally identified by crash trends, local agencies, or the public. A local road agency may submit up to five locations annually. The deadline for submitting a location is the end of the calendar year to be reviewed during the spring of the following year. The application form is available at mdt.mt.gov/publications/docs/forms/hsip_application.pdf or through the Safety Engineering Section at MDT Headquarters. Annually, MDT develops a list of project priorities and a program for improvements subject to funding availability. The projects are incorporated into the STIP for comment. The Transportation Commission has approval authority for the safety improvement projects.

OFF-SYSTEM BRIDGE

Periodically, MDT supplies to county officials a list of off-system bridges. Counties recommend bridges for replacement or rehabilitation and provide information on the bridge usage, site conditions, public support, and the desired project. The recommended bridges are evaluated by MDT based on eligible funding and statewide needs. Potential projects are discussed with the respective county officials. Selected projects are incorporated into the STIP and available for comment.

CORRIDOR PLANNING STUDIES

Corridor planning studies emphasize early and continuous involvement of the public and environmental, regulatory, and resource agencies. MDT uses corridor planning studies to determine cost-effective ways to address transportation needs. The process identifies needs and objectives in advance of project development and within funding limitations. The corridor planning process is described in detail in the *Montana Business Process to Link Planning Studies and NEPA/MEPA Reviews* at mdt.mt.gov/publications/docs/brochures/corridor_study_process.pdf.

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Corridor studies generally include: issue identification, documentation of existing conditions, environmental analysis, traffic forecasts, development of goals and a purpose and need statement, and a list of potential improvements to meet goals and long-term corridor needs.

The results of public involvement conducted during the planning phase may be used in the NEPA/MEPA process, provided the planning process for the project complied with the provisions of 23 C.F.R. 450 Appendix A, Linking the Transportation Planning and NEPA Processes and the *Montana Business Process to Link Planning Studies and NEPA/MEPA Reviews*.

The corridor study should indicate if public involvement results from the planning phase will be used for the NEPA/MEPA process and how the planning process complied with these provisions.

PROPOSED HIGHWAY PROJECTS

A list of highway projects MDT plans to present at Transportation Commission meetings is made available at mdt.mt.gov/pubinvolve/trans_comm/meetings.shtml or by calling (800) 714-7296.

TRANSPORTATION COMMISSION

The Transportation Commission is a quasi-judicial board consisting of five members, each of whom is appointed by the Governor for a four-year term. The Commission's major duties include:

- Selecting/prioritizing projects for construction, maintenance, etc.
- Awarding monthly contracts
- Allocating Federal-aid highway funds
- Designating highways by system
- Designating special speed zones and maximum speeds on bridges and overpasses
- Designating access control highways or facilities
- Resolving outdoor advertising appeals
- Approving abandonment of highway right-of-way

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Each transportation district is represented by a commissioner who can be reached through the MDT commission secretary. Commission meeting agendas are published online in advance of the meeting at mdt.mt.gov/pubinvolve/trans_comm/. Each meeting provides time for public comment. Requests for time on the agenda are made through the commission secretary at (406) 444-7200.

AERONAUTICS BOARD

The Aeronautics Board is a quasi-judicial board consisting of nine members, each appointed by the Governor. The Board acts in an advisory capacity to the department and has statutory authority over allocation of airport development loan and grant funds and pavement preservation grant funds. Aeronautics projects are incorporated into the STIP for comment.

Members of the Board represent various aspects of the industry as described in MCA 2-15-2506. A list of the Aeronautics Board is available on the MDT website or by contacting the Aeronautics Division. Notice of Aeronautics Board meetings are published online in advance of the meeting at mdt.mt.gov/pubinvolve/aeronautics_board/. Each meeting provides time for public comment. Requests for time on the agenda are made by contacting the Aeronautics Division at (406) 444-2506.

ONGOING STRATEGIES FOR PUBLIC INVOLVEMENT

MDT provides early and ongoing public involvement opportunities throughout the planning and programming process. The following describes such strategies:

Newsletter
MDT issues a quarterly newsletter, *Newsline*, to citizens, stakeholder organizations, local officials, tribal officials, and the public. Design and content is appropriate for the general public, and articles and graphics are presented in a nontechnical, user-friendly manner. MDT uses *Newsline* to provide information and gather input on planning activities and topics. Staff continually updates the distribution list. *Newsline* is used extensively throughout *TranPlan 21* updates and is used annually during the STIP development. It is available at mdt.mt.gov/publications/newsletters.shtml.

MDT also issues a monthly newsletter targeted at the aeronautics community, *Montana and the Sky*. It is available at mdt.mt.gov/publications/newsletters.shtml.

Toll-free Information and Comment Line
(800) 714-7296 (Montana only)
The Rail, Transit and Planning Division toll-free information and comment line provides a way to request information, provide comments, request *Newsline* or other department publications, and discuss transportation issues with staff. The toll-free line is also used extensively during the review of the draft STIP.

Special Mailings to Groups and Individuals
Occasionally, MDT must develop "white papers" or other informational material on state and national transportation issues. The Rail, Transit and Planning Division distributes these reports to groups or individuals interested in the issues. These informational items are also noted in *Newsline* and on the MDT website. The division mailing list is continually updated with the addresses of groups and individuals for these mailings. In addition to the special informational mailings, the division will use direct mail and e-mails to individuals and stakeholder groups to announce the availability of certain publications or meetings.

Media Releases and Paid Media
The Rail, Transit and Planning Division occasionally publishes special reports addressing specific transportation issues or conducts transportation studies that are of interest to various audiences. When appropriate, the division uses news media releases and paid media to notify the public of the availability and content of these reports. MDT also issues media releases to announce meetings and public input opportunities.

Internet mdt.mt.gov
MDT has developed an extensive website and uses this communication tool to provide information and solicit comments. Information is available on a variety of topics including:

- Current and past *Newslines*
- MDT Publications
- Maps
- Recent news releases
- Traffic counts
- Program delivery status reports
- *TranPlan 21* documents and policy papers
- Copies of the draft and final STIP
- Transit grant information and applications
- Projects MDT will present to the Transportation Commission

Social media efforts are also utilized as appropriate.

Project-Specific Groups and Advisory Groups
MDT utilizes project-specific groups when beneficial as a way of garnering valuable input and expertise from those with knowledge about specific issues. For example, during the *TranPlan 21 2002 Update*, MDT established two such groups to develop the Economic Development Policy Paper.

Other Activities
E-mail and mailing lists are used to provide timely information. The Rail, Transit and Planning Division sponsors meetings, conferences, and workshops for state, tribal, and local officials, plus others to discuss planning issues and provide technical assistance. Video conferencing of meetings is also an option to include the public.

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DEVELOPMENT & CONSTRUCTION PHASE

The following provides guidance for addressing public involvement requirements in project development (preconstruction), construction, and maintenance of projects. Each proposed MDT project requires public involvement action tailored to the project based on things such as project scope, anticipated effects, potential for controversy, and level of NEPA/MEPA environmental documentation. Effective public involvement is flexible, allowing review and input throughout project development. Efforts should be made to use visualization techniques and Internet resources as often as appropriate.

RESPONSIBILITIES

The lead unit (District, Road Design, Traffic, Bridge, Consultant Design, Maintenance, etc.), is responsible for developing, documenting, and updating the project public involvement actions. The lead unit works with the district administrator (DA) to formulate these actions. The DA has overall responsibility and final authority for public involvement decisions. The project development engineer (PDE) from the Environmental Services Bureau offers guidance to ensure the level of public involvement is appropriate for the scope of the project and public concern.

PROCESS

The first step is to evaluate the nature and extent of public involvement necessary to address MDT public involvement goals and anticipated NEPA/MEPA requirements. The lead unit documents in the Preliminary Field Review (PFR) the results of the discussions during the PFR regarding the nature and extent of public involvement needed. After the PFR, the lead unit may conduct preliminary coordination with local officials, tribal officials, and key organizations in the project area to gather additional information for consideration.

The lead unit selects public involvement methods to achieve the appropriate level of public involvement and address applicable requirements. The lead unit confers with the DA on the public involvement methods to be used and then documents the results in the PFR for the project. The lead unit provides copies of the PFR to the DA and other MDT units involved with the project.

Examples of information that may be incorporated in the description of proposed public involvement measures to be implemented include:

- Proposed activities to inform the public and solicit input
- Proposed timeline for public involvement activities in relation to the project development schedule
- Person responsible for implementing the public involvement activities
- Objectives of the public involvement activities

WHEN EVALUATING EXTENT of PUBLIC INVOLVEMENT CONSIDER:

- Impact to communities
- Project alignment
- Right-of-way acquisition
- Duration of the project
- Potential for social, economic, and environmental impacts
- Level of environmental documentation
- Populations in the project area that may require special accommodations for public involvement
- Potential for controversy
- Requirements of potential cooperating and participating agencies

Good public involvement practice includes keeping the public informed of project status and changes without long lapses of time between public contact. Incorporating periodic updates to the public, particularly on projects with long development times, is extremely important to ensure continuity and an informed public.

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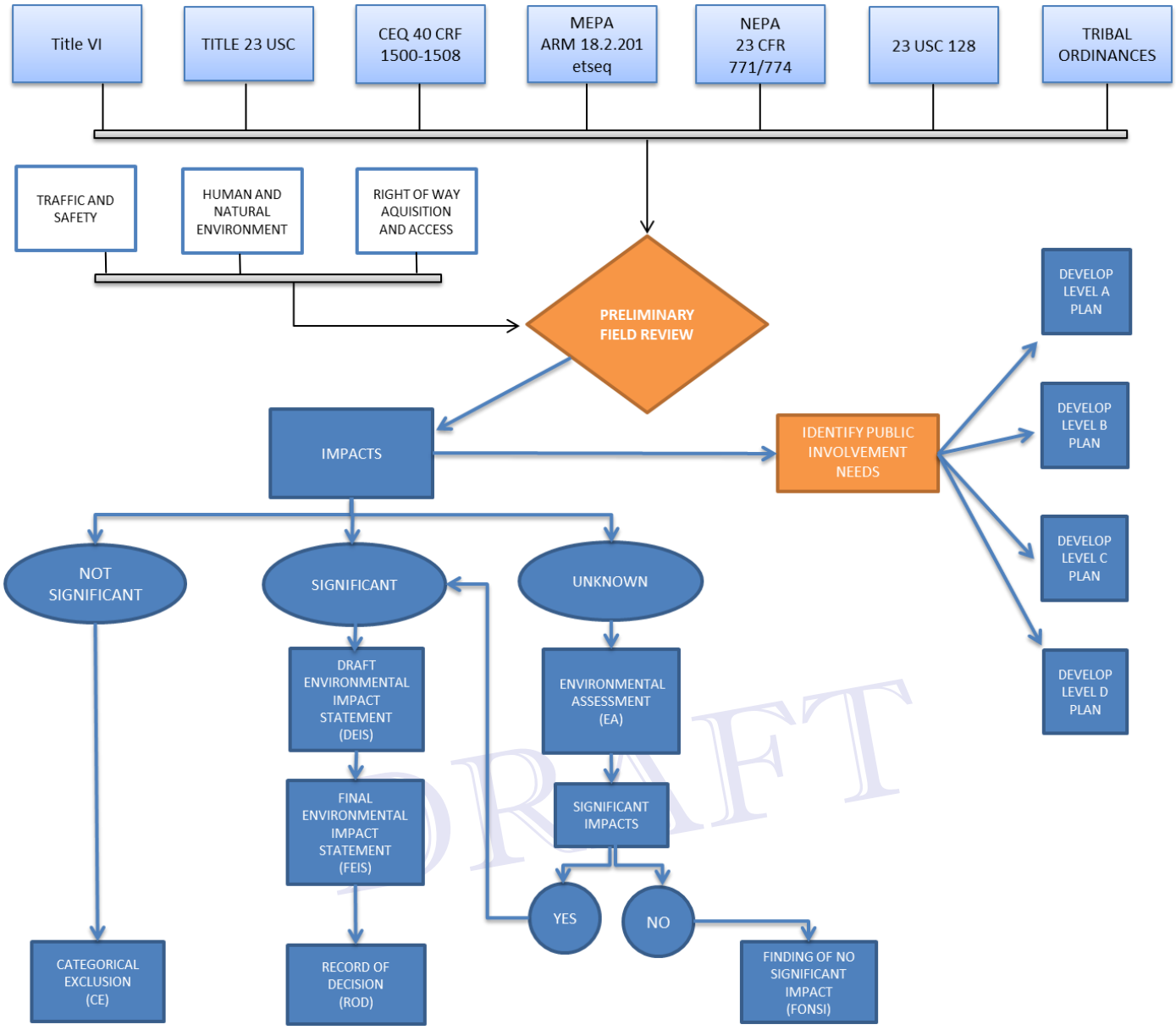
DEVELOPMENT & CONSTRUCTION PHASE

Requirements and considerations in developing public involvement activities for project development and construction



The National Environmental Policy Act (NEPA) (42 U.S.C. 4321, et seq.) and the Montana Environmental Policy Act (MEPA) (MCA 75-1-101, et seq.) require public involvement for developing proposed projects involving federal and/or state funding or approvals. These requirements allow for a transparent decision-making process that provides the public rationale for MDT's transportation decisions.

Appendix A provides more details of statutory requirements and guidelines.

LEVELS OF PUBLIC INVOLVEMENT

MDT has identified four levels of public involvement in order to establish minimum levels of required public involvement and allow flexibility in public involvement methods. Appendix C details various methods to inform the public and solicit input.

The level of public involvement may be elevated at any time during the project planning and/or development process. See the *MDT Environmental Manual* at mdt.mt.gov/publications/docs/manuals/env/env_manual.pdf for determining the level of environmental review.

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FOUR LEVELS of PUBLIC INVOLVEMENT

Level A

These projects pose minimal or no impact to the surrounding community or environment, require minimal or no right-of-way acquisition, will be of short duration, and pose no disturbance to local communities during construction. Projects require no formal planning or design and may include maintenance work or smaller construction projects, pavement preservation, median removal, signalization, and intersection realignment. Some Categorical Exclusions (CE) are Level A.

Level B

These projects pose minimal impacts to the environment and include activities such as minor urban projects, projects with some project development, and reconstruction. The project generally requires minimal planning before project development and construction can begin.

Level C

These projects have some impact, but not significant, and are of moderate size, requiring some time for planning, project development, and construction such as minor realignments. Projects requiring an Environmental Assessment (EA) may be in this category, as are some complex CEs.

Level D

These projects include activities such as Environmental Impact Statements (EIS), major realignments, new highway corridor projects, and major urban projects. These may significantly impact local communities or require substantial acquisition of right-of-way. They generally require large-scale efforts in terms of project development and construction. Complex CEs and EAs may be Level D.

KEY PROVISIONS OF PUBLIC INVOLVEMENT

In developing the public involvement actions for a proposed project, the lead unit coordinates with the project development engineer (PDE) in the Environmental Services Bureau to ensure the plan includes appropriate measures to address applicable requirements associated with the anticipated level of public involvement and environmental processing. The PDE addresses the public involvement elements associated with NEPA/MEPA requirements as part of the environmental documentation process for proposed projects. The following is an overview of the elements that may be included for each level of public involvement. The environmental document associated with the level of public involvement may vary. Appendix B offers sample documents referred to in this section.

Level A Public Involvement

Public involvement activities should include:

Distribute a news release in the project area describing the project with department point of contact, an opportunity to comment, and ADA language to at least one newspaper with wide circulation, television and radio stations, minority specific publications, and post to the MDT website.

Level B Public Involvement

Public involvement should include activities to promote early and ongoing coordination with the public and appropriate agencies. At a minimum, distribute a news release as described in Level A. Other activities to consider may include:

- Contacting local and tribal officials and interest groups at the beginning of preliminary planning and project development. Correspondence may be to area elected officials, metropolitan planning organizations, development districts, and organizations with a known interest in such projects. This correspondence may describe activities, anticipated impacts, and invite input. If no planning period is anticipated for the project, timing of this correspondence should be at the beginning of the project development process.
- Contacting adjacent landowners explaining final design.
- Notifying the public during construction of developments, detours, and delays. This may be through news releases, radio and television public service announcements, social media, and the MDT website.

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Level C Public Involvement

Public involvement should include activities to promote early and ongoing coordination with the public and appropriate agencies. Ensure public involvement complies with NEPA/MEPA. At a minimum, distribute a news release as described in Level A. Other activities to consider may be developed according to each phase of project development (planning, project development, and construction). Such activities may include:

Planning

- Developing a stakeholder database of residents, property owners, elected officials, businesses, organizations, and individuals with potential interest in the project.
- Identifying specific stakeholder correspondence needed.
- Identifying populations in the project area requiring special outreach to ensure access to information and the opportunity for input, regardless of race, religion, age, income, or disability. Census data and area organizations may be helpful in identifying these populations to meet environmental justice requirements.
- Determining the need for public information meeting(s) including anticipated timing and location (city).
- Coordinating and conducting public hearing(s).
- Developing a project web page or posting information to the MDT website and social media.

Project Development

- Sending correspondence to stakeholders that includes a review of the activities, results of the planning process, descriptions of expected design activity, anticipated impacts, anticipated survey work on private property, and the schedule for any design public information meetings. This correspondence would invite input and may be a newsletter or other effective form of communication.
- Coordinating a notice to offer the opportunity for public hearing to comply with FHWA, NEPA, and MEPA requirements regarding EAs. Reference pages 20 and 23, and Appendix C for more information..
- Distributing a news release as described in Level A.
- Conducting a right-of-way public information meeting to present the final proposed right-of-way plans.
- Utilizing a project-specific web page or posting information to the MDT website and social media.

Construction

- Distributing a news release in the project area prior to construction that provides information about impending construction activity in the project area, point of contact, and ADA language to at least one newspaper with wide circulation, television and radio stations, minority publications, and post to the MDT website.
- Sending correspondence to stakeholders before construction begins, advising of impending construction, anticipated construction impacts, and inviting input.
- Posting signs regarding traffic routing or delays to facilitate the efficient and safe travel through the construction area.
- Utilizing a project-specific web page or posting information to the MDT website and social media.

Level D Public Involvement

Public involvement should include activities to promote early and ongoing coordination with the public and appropriate agencies. Staff, associated consultants, representatives of MPOs, or other coordinating agencies may form an interdisciplinary team. With MDT concurrence, the team will determine the appropriate public involvement activities. Ensure public involvement complies with NEPA/MEPA. At a minimum, distribute a news release as described in Level A. Other activities to consider may be developed according to each phase of project development (planning, project development, and construction). Such activities may include:

Planning

- Developing a stakeholder database of residents, property owners, elected officials, businesses, organizations, and individuals with potential interest in the project.
- Identifying specific stakeholder correspondence needed.
- Identifying populations in the project area requiring special outreach to ensure access to information and the opportunity for input, regardless of race, religion, age, income, or disability. Census data and area organizations may be helpful in identifying these populations to meet environmental justice requirements.
- Determining the need for public information meeting(s) including, meeting purpose, anticipated timing, and location (city). With MDT concurrence, the threshold for "need" is determined by the interdisciplinary team.
- Identifying other activities needed during project development, such as newsletters, fliers, posters, brochures, fact sheets, media relations activities, speakers bureau activities, and special event participation.
- Developing a project-specific web page and posting information to the MDT website and social media.

Project Development

- Sending correspondence to stakeholders that includes a review of the activities, results of the planning process, descriptions of expected design activity, anticipated impacts, anticipated survey work on private property, and the schedule for any design public information meetings. This correspondence would invite input and may be a newsletter or other effective form of communication.
- Coordinating a notice to offer the opportunity for public hearing to comply with FHWA, NEPA, and MEPA requirements regarding an EA or EIS, as appropriate. Reference pages 20 and 23, and Appendix C for more information.
- Coordinating and conducting public hearing(s).
- Distributing a news release as described in Level A.
- Conducting a right-of-way public information meeting to present the final proposed right-of-way plans.
- Utilizing a project-specific web page or posting information to the MDT website and social media.
- Anticipating the need for on-going communication with the public for projects with extended or complicated design timelines.

Construction

- Distributing a news release in the project area prior to construction that provides information about impending construction activity in the project area, point of contact, and ADA language to at least one newspaper with wide circulation, television and radio stations, minority publications, and post to the MDT website.
- Sending correspondence to stakeholders before construction begins, advising of impending construction, anticipated construction impacts, and inviting input regarding the project.
- Posting signs regarding traffic routing or delays to facilitate the efficient and safe travel through the construction area.
- Utilizing a project-specific web page or posting information to the MDT website and social media.
- Holding public meetings with local and tribal government officials and those affected by construction activities.

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NEPA/MEPA COMPLIANCE

In addition to the activities described previously for the level of involvement identified, federal and state regulations for implementing the National Environmental Policy Act (NEPA) and Montana Environmental Policy Act (MEPA), include specific public involvement requirements that are linked to the level of environmental processing for a proposed action. In addition, 23 U.S.C. 139 "Efficient Environmental Reviews for Project Decisionmaking," enacted as a part of the Safe, Accountable, Flexible, Efficient, and Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and continued in Moving Ahead for Progress in the 21st Century (MAP-21), imposes additional public involvement requirements. Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" and U.S. Department of Transportation Order 5610.2(a) include specific public involvement requirements that link to the level of environmental processing for a proposed action.

These requirements are applicable to all projects requiring preparation of an Environmental Impact Statement (EIS) and to projects involving preparation of an Environmental Assessment (EA) as determined by FHWA on a case-by-case basis. Requirements change periodically, especially with federal transportation funding bills.

The project development engineer (PDE) from the Environmental Services Bureau addresses the public involvement elements associated with NEPA/MEPA requirements as a part of the environmental documentation process. In planning public involvement for a proposed project, the lead unit (Road Design, Traffic Safety, Consultant Design, etc.) coordinates with the PDE to ensure appropriate measures are taken to address requirements.

Categorical Exclusion (CE)

Under FHWA regulations, projects processed as a CE are subject to the general provision that recognizes early coordination. Early and ongoing coordination with the public and appropriate agencies aid in determining the type of environmental document an action requires, the scope of the document, the level of analysis, and related environmental requirements.

MDT is required to provide early and continuing opportunities during the project development process for the public to be involved in the identification of social, economic, and environmental impacts as well as impacts associated with relocation of individuals, groups, or institutions.

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Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)

NEPA

Projects processed with an EA/FONSI under the FHWA environmental regulations are subject to the provisions for CE projects. At the earliest appropriate time, possibly through the scoping process, the PDE, in consultation with FHWA, begins consultation with interested agencies and others to advise them of the scope of the project and to:

- Determine the demographic composition of impacted communities, specifically identifying if minority and low income populations are present.
- Determine aspects of the proposed action that have potential for social, economic or environmental impact, with attention to environmental justice issues.
- Identify alternatives and measures that might mitigate adverse environmental impacts.
- Identify other environmental review and consultation requirements that should be performed concurrently with preparation of the EA.

After FHWA has approved an EA for public availability, the PDE sends the Notice of Availability to affected units of federal, tribal, state, and local governments. Copies of the EA are also sent to the Montana State Library, local libraries, and posted on the MDT website.

Public hearings are not required for EA projects, but are held if requested by the public. If a public hearing is held, the public involvement coordinator places a notice of the public hearing in local newspaper(s). The notice must announce the availability of the EA and where it may be obtained or reviewed.

If a public hearing is not held for an EA project, the public involvement coordinator places a notice in a newspaper(s) similar to a public hearing notice and at a similar stage of project development, advising the public of the availability of the EA and where information concerning the action may be obtained. The notice must invite comments from all interested parties.

After FHWA makes a FONSI for a project, the PDE sends a Notice of Availability of the FONSI to affected units of federal, tribal, state, and local government. Copies of the FONSI are sent to the Montana State Library and local libraries, made available on request, and posted on the MDT website.

23 U.S.C. 139

For EA projects determined by FHWA to be subject to the provisions of 23 U.S.C. 139 "Efficient Environmental Reviews for Project Decisionmaking," the PDE, in cooperation with FHWA:

- Identifies and invites agencies to serve as participating agencies in accomplishing the environmental analyses.
- Establishes a plan for coordinating public and agency participation and comment during the environmental review process.
- Affords participating agencies and the public an opportunity for involvement in defining the project purpose and need.
- Affords participating agencies and the public an opportunity for involvement in defining the range of alternatives.
- Determines, in collaboration with the participating agencies, the appropriate methodologies to use and the level of detail required in the analysis of alternatives.

See the FHWA *SAFETEA-LU Environmental Review Process Final Guidance* and *MDT Environmental Manual* for further details.

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MEPA

The transportation rules for implementing MEPA include the following public involvement provisions for EA projects:

- MDT is responsible for providing opportunities for public review consistent with the seriousness and complexity of the environmental issues and the level of public interest.
- Publish a news release and/or paid advertisement to announce the availability of an EA, summarize its content, and solicit public comment.
- Hold public information meetings or hearings.
- Maintain mailing lists of persons interested in a particular action or type of action and notify them of the EA availability.
- Distribute copies of the EA for review and comment.

For an action with limited environmental impact and public interest, no further public review may be warranted. However, where an action normally requires an EIS, but effects that otherwise might be deemed significant are mitigated in the project proposal or by controls imposed by MDT, public involvement must include the opportunity for public comment, a public information meeting or hearing, and adequate notice.

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EA PUBLIC HEARINGS

Under NEPA, public hearings are not required for EA projects, but are held if requested by the public. If a public hearing is held, the public involvement coordinator places a notice of the public hearing in local newspaper(s). The notice must announce the availability of the EA and where it may be obtained or reviewed.

If the public hearing is not held for an EA project, the public involvement coordinator places a notice in newspaper(s) similar to a public hearing notice and at a similar stage of project development, advising the public of the availability of the EA and where information concerning the action may be obtained. The notice must invite comments from all interested parties.

Under MEPA, public hearings are not required for EA projects. If a public hearing is held, the public involvement coordinator issues a news release and/or paid advertisement to newspapers of general circulation in the area to be affected by the proposed action prior to the hearing. If a hearing is held, it must be held after the EA has been circulated and prior to any final agency determinations concerning the proposed action.

Environmental Impact Statement (EIS)/ Record of Decision (ROD)

NEPA

Projects requiring preparation of an EIS under FHWA environmental regulations are subject to the provisions for CE projects as well as the following actions/regulations.

When the decision has been made by MDT and FHWA to prepare an EIS, FHWA and the PDE coordinate to prepare and issue a Notice of Intent for publication in the *Federal Register*. In accordance with 23 C.F.R. 771.123 (a), MDT may announce at the local level by appropriate means the intent to prepare an EIS.

After a Notice of Intent is published, the lead unit and PDE, in cooperation with FHWA, begin a scoping process. This process is used to identify the range of alternatives, impacts, and significant issues to be addressed in the EIS, and to achieve the other objectives of 40 C.F.R. 1501.7 "Scoping."

After FHWA approval, the PDE circulates the Draft Environmental Impact Statement (DEIS) to the following for comment:

- Public officials, interest groups, and those known to have an interest in the proposed action or the DEIS
- Federal, tribal, state, and local government agencies expected to have jurisdiction, responsibility over, interest or expertise in the proposed action or the DEIS
- Appropriate agencies and state intergovernmental review contacts established under Executive Order 12372, plus state and federal land management entities that may be significantly affected by the proposed action or any of the alternatives

MDT holds one or more public hearings or offers the opportunity for hearing(s) for any project involving preparation of an EIS.

If a public hearing is held, the public involvement coordinator places a notice of the public hearing in local newspaper(s). The notice must:

- Announce the availability of the DEIS and where it may be obtained or reviewed
- Provide reasonable notice to the public of either a public hearing or the opportunity for a public hearing
- Invite comment on the DEIS
- Ensure the notice provides the applicable information required to comply with public involvement requirements of other laws, executive orders, and regulations

If a public hearing is held, the design team addresses the following information at the public hearing, as appropriate:

- Project's purpose, need, and consistency with the goals and objectives of any local urban planning
- Project's alternatives and major design features
- Social, economic, environmental, and other impacts of the project
- Relocation assistance program and the right-of-way acquisition process
- MDT's procedures for receiving both oral and written statements

EIS FLOW CHART

Notice of Intent
↓
Local Announcement
↓
Scoping
↓
Request Cooperating Agencies
↓
Develop DEIS
↓
FHWA Approval
↓
Notice of Availability
↓
Public Hearing or Opportunity
↓
Transcripts & Certifications
↓
Develop EIS
↓
FHWA Approval
↓
Circulate EIS
↓
Notice of Availability
↓
Record of Decision
↓
Implementation

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After MDT and FHWA approval, the PDE transmits the Final Environmental Impact Statement (FEIS) to any persons, organizations or agencies that made substantive comments on the DEIS or requested a copy, no later than the time the document is filed with EPA for formal Notice of Availability. The public involvement coordinator publishes a Notice of Availability in local newspapers and the PDE makes the FEIS available for public and agency review. Review locations may include the MDT website, Montana State Library, local libraries, MDT offices, local government offices, and schools.

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23 U.S.C. 139

The following requirements apply to all EIS projects for which the original Notice of Intent was/is published after August 10, 2005. The PDE, in cooperation with FHWA:

- Identifies and invites agencies to serve as participating agencies in accomplishing the environmental analyses
- Establishes a plan for coordinating public and agency participation and comment during the environmental review process
- Affords participating agencies and the public an opportunity for involvement in defining the project purpose and need
- Affords participating agencies and the public an opportunity for involvement in defining the range of alternatives
- Determines, in collaboration with the participating agencies, the appropriate methodologies to be used and the level of detail required in the analysis of alternatives

See the FHWA *SAFETEA-LU Environmental Review Process Final Guidance* and *MDT Environmental Manual* for further details.

MEPA

The following provisions apply for compliance with the public involvement requirements applicable to EIS projects, as defined in the transportation rules for implementing MEPA:

Prior to the preparation of an EIS, the PDE initiates a process to determine the scope of the EIS. To identify the scope of an EIS, the PDE accomplishes the following actions:

- Invites the participation of affected federal, state, and local government agencies, tribes, the applicant, if any, and interested persons or groups
- Identifies issues related to the proposed action likely to involve significant impacts and that will be analyzed in-depth in the EIS
- Identifies the issues that are not likely to involve significant impacts, thereby indicating that unless unanticipated effects are discovered during the preparation of the EIS, the discussion of these issues in the EIS will be limited to a brief presentation of the reasons they will not significantly affect the quality of the human environment
- Identifies issues that have been adequately addressed by prior environmental review, indicating the discussion of these issues in the EIS will be limited to a summary and reference to their coverage elsewhere
- Identifies possible alternatives to be considered

DEIS DISTRIBUTION

To comply with MEPA, the PDE distributes copies of the DEIS to the Governor, Environmental Quality Council, appropriate state and federal agencies, and persons who have requested copies.

MDT must allow 30 days for reply, provided that the period may be extended up to an additional 30 days at its discretion or upon application of any person for good cause.

When preparing a joint EIS with a federal agency or agencies, MDT may also extend this period in accordance with time periods specified in regulations that implement NEPA. However, no extension that is otherwise prohibited by law may be granted.

Prior to a public hearing on an EIS, the public involvement coordinator issues a news release and/or paid advertisement in newspapers of general circulation in the area to be affected by the proposed action. Other appropriate steps may be taken to promote awareness of a scheduled public hearing.

The PDE ensures all written comments received on an EIS are available to the public upon request.

At the time of MDT's decision concerning a proposed action for which an EIS was prepared, the PDE prepares a concise Record of Decision (ROD). The ROD is a public notice of what the decision is, the reasons for the decision, and any special condition surrounding the decision or its implementation.

Reevaluation

Additional public involvement must be considered during project reevaluations, especially when substantial changes to the project transpired since the prior public involvement process was completed.

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EIS PUBLIC HEARINGS

Under MEPA, MDT holds a public hearing within 20 days of issuance of the DEIS when requested by:

- 10% or 25, whichever is less, of the persons who will be directly affected by the proposed action
- Another agency that has jurisdiction over the action
- An association having not less than 25 members who will be directly affected by the proposed action
- When in doubt if a sufficient number of persons have requested a hearing, MDT will hold a public hearing

Public information meetings may be held in lieu of formal hearings as a means of soliciting public comment where no hearing is requested under the criteria described above. Adequate advance notice of the meeting must be provided. Refer to Appendix C for more details.

PUBLIC INVOLVEMENT DOCUMENTATION

Documentation is a key component of the public involvement process for demonstrating compliance with all applicable requirements and demonstrating rationale for decisions. Retain information on all public involvement activities for MDT projects as a part of the administrative record. Examples of the type of documentation that should be retained include:

- Copies of notices or advertisements for the activity
- Participant sign-in sheets
- Copies of handouts
- Documentation of displays or exhibits used
- Documentation of discussions, comments, questions, and oral or written responses, including primary issues identified
- Public hearing transcripts
- All correspondence and associated acknowledgements or responses
- Information on the purpose of the activity
- A completed Title VI public information meeting checklist for all open invitation public information meetings and hearings

As discussed in the *MDT Environmental Manual*, FHWA environmental regulations require the PDE to submit to FHWA a transcript of each public hearing and a certification that a required hearing or hearing opportunity was offered. The PDE also submits with the transcript, copies of all written statements from the public, both submitted at the hearing or during an announced period after the hearing.

For projects involving an EA, the PDE submits, with the recommendation for a FONSI, the public hearing transcript, where applicable, and copies of any comments received and responses thereto. For projects involving preparation of an Environmental Impact Statement (EIS), the final EIS must discuss substantive comments received on the draft EIS and responses thereto, and must summarize public involvement.

PUBLIC INVOLVEMENT EVALUATION

In accordance with 23 C.F.R. 450.212 and 49 C.F.R., MDT will periodically review the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process as appropriate. At least every two years, two projects from each project level will be chosen randomly for review. MDT public involvement goals, minimum requirements, and enhanced efforts made will be used as measures to assess effectiveness. Results of the review will include recommendations to improve the public involvement process and will be made available on request.

MDT will include public involvement-related questions on the biennial public involvement and stakeholder surveys and review responses for consideration of changes to the public involvement process.

MDT will provide for public review and written comment on the Public Involvement Plan before the procedures and any major revisions to existing procedures are adopted. All comments received will be carefully considered for possible incorporation into the Public Involvement Plan. At a minimum, MDT will allow 45 calendar days for public review and written comment. Comments and their disposition will be included as an appendix to this plan. MDT will provide copies of the approved public involvement process document(s) to FHWA and FTA for informational purposes.

MDT will at least once every five years, solicit review and comments from non-metropolitan local officials on the effectiveness of the consultation process and any proposed changes. This will be done through a presentation at the annual meeting of the Montana Association of Counties. Interested parties will have at least 60 calendar days to submit comments. MDT will determine whether to adopt any proposed changes. For changes not adopted, MDT will make publicly available the reasons for not accepting the proposed changes.

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APPENDIX A

LAWS, REGULATIONS & GUIDANCE

The following provides laws, regulations, and guidance in proceeding with public involvement actions. This list is not exhaustive of all applicable laws, regulations, and guidance for the environmental and planning process.

The Montana Environmental Policy Act (MEPA)
eg.mt.gov/css/Services%20Division/lepo/mepa/default.asp
The intent of this Act is to provide for adequate review of state actions to ensure that environmental attributes are fully considered (75-1-102(1), MCA).

ARM 18.2.235, et seq.
Rules Implementing the Montana Environmental Policy Act
mtrules.org/gateway/ChapterHome.asp?Chapter=18%2E2
These parts of the Administrative Rules of Montana (ARM) include several provisions that address public involvement requirements for MDT projects. Relevant parts include:

- ARM 18.2.240 "Public Review of Environmental Assessments"
- ARM 18.2.241 "Determining the Scope of an EIS"
- ARM 18.2.246 "Time Limits and Distribution of EISs"
- ARM 18.2.252 "Record of Decision for Actions Requiring EISs"
- ARM 18.2.257 "Public Hearings"

Montana Environmental Quality Office
leg.mt.gov/content/Publications/Environmental/2013-mepa-handbook.pdf
This publication provides guidance for understanding and implementing MEPA.

Montana Constitution
leg.mt.gov/bills/mca/Constition/II/8.htm
leg.mt.gov/bills/mca/Constition/II/9.htm
Article II Section 8 provides the public has the right to expect government agencies to afford reasonable opportunity for citizen participation in the operation of the agencies prior to final decision as provided by law. Article II Section 9 provides no person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in some cases.

The National Environmental Policy Act of 1969 (NEPA)
gpo.gov/fdsys/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap55.htm
This act requires the examination of potential impacts to the social and natural environment when considering proposed federal actions such as transportation projects. NEPA also requires that the transportation needs of the public be taken into account in reaching a decision that is in the best overall public interest. Public involvement activities are included in the process required for developing an Environmental Impact Statement (EIS).

40 C.F.R. Parts 1500-1508
CEQ Regulations for Implementing the Procedural Provisions of NEPA
energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf
These parts of the Code of Federal Regulations (C.F.R.) establish a framework of policies and procedures for federal agency compliance with NEPA. They address requirements for public involvement in the following sections:

- Section 1500.1 "Purpose." This section requires federal agency NEPA procedures to ensure environmental information is available to the public before decisions are made and before actions are taken.

- Section 1500.2 "Policy." This section includes provisions requiring federal agencies to encourage and facilitate public involvement in decisions that affect the quality of the human environment.
- Section 1505.6 "Public Involvement." This section provides detailed guidance on public involvement requirements for NEPA compliance.

23 C.F.R. 771
Environmental and Related Procedures
ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=5fc7946b772f5f6b1177c7eeebb0fc39&rgn=div5&view=text&node=23:1.0.1.8.43&idno=23
This establishes the policies and procedures of FHWA and the Federal Transit Administration for implementing NEPA and the CEQ Regulations in 40 C.F.R. 1500 through 1508, and for complying with 23 U.S.C. 128 "Public Hearings." It includes applicable provisions regarding public involvement in the following sections:

- Section 771.105 "Policy." This section indicates that public involvement and a systematic interdisciplinary approach are essential parts of the development process for proposed actions.
- Section 771.111 "Early Coordination, Public Involvement and Project Development." This section addresses the requirements for public involvement/public hearing programs that each state must have for compliance with 23 U.S.C. 128 and the CEQ Regulations.

23 C.F.R. 450 Subpart B
Statewide Transportation Planning and Programming
ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=5fc7946b772f5f6b1177c7eeebb0fc39&r=PART&n=23y1.0.1.5.11
The purpose of this subpart is to implement the provisions of 23 U.S.C. 135 and 49 U.S.C. 5304, as amended, and requires each state to carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process. This includes the development of a long-range statewide transportation plan and statewide transportation improvement program (STIP) that facilitate the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and that fosters economic growth and development within and between states and urbanized areas, while minimizing transportation-related fuel consumption and air pollution in all areas of the state. This includes those areas subject to the metropolitan transportation planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303. To the maximum extent practicable, visualization techniques to describe the proposed long-range statewide transportation plan and supporting studies should be used. To the maximum extent practicable, public information should be available in electronically accessible format and means, such as the Internet.

23 C.F.R. 450 Subpart C
Metropolitan Transportation Planning and Programming
ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=5fc7946b772f5f6b1177c7eeebb0fc39&r=PART&n=23y1.0.1.5.11
This rule revises the regulations governing the development of metropolitan transportation plans and programs for urbanized areas and state transportation plans.

49 C.F.R. 21
Effectuation of Title VI of the Civil Rights Act of 1964
ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=5fc7946b772f5f6b1177c7eeebb0fc39&rgn=div5&view=text&node=49:1.0.1.1.15&idno=49
The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Transportation.

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23 U.S.C. 128
Public Hearings
gpo.gov/fdsys/pkg/USCODE-2011-title23/html/USCODE-2011-title23-chap1-sec128.htm
This section establishes requirements for state transportation departments to certify that public hearings have been held, or the opportunity for public hearings has been afforded, for the following:

- Any proposed federal-aid highway project involving the bypassing of, or going through any city, town or village, either incorporated or unincorporated
- Any Interstate system project

23 U.S.C. 139
Efficient Environmental Reviews for Project Decisionmaking
gpo.gov/fdsys/pkg/USCODE-2011-title23/html/USCODE-2011-title23-chap1-sec139.htm
This section of the U.S.C. requires the development of a coordination plan for all projects that require the preparation of an EIS and those involving preparation of an EA under NEPA. The coordination plan is prepared to define the process to be used by the lead agencies to communicate information about the environmental document, how information will be gathered from the public and agencies, and how information provided will be considered in the environmental review process.

AASHTO Practitioner's Handbook 05 *Using the SAFETEA-LU Environmental Review Process*
environment.transportation.org/center/products_programs/practitioners_handbooks.aspx
Section 6002 of SAFETEA-LU established an environmental review process for highway and transit projects intended for better, faster, and more efficient environmental review. This process is now included in 23 U.S.C. 139. This handbook is intended to help ensure compliance with Section 139.

FHWA SAFETEA-LU Environmental Review Process Final Guidance
fhwa.dot.gov/hep/section6002/
This guidance includes useful information for implementing the requirements in 23 U.S.C. 139.

Executive Order 12898
Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
fhwa.dot.gov/environment/environmental_justice/facts/dot_ord.cfm
This requires each federal agency to achieve environmental justice by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs and activities on minority populations and low-income populations. MDT must comply with USDOT's Final Order to Address Environmental Justice in Minority Populations and Low-Income Populations, which specifically requires that "procedures shall be established, or expanded, as necessary, to provide meaningful opportunities for public involvement by members of minority and low-income populations during the planning and development of programs, policies, and activities" in addition to being addressed through many federal mandates including Title VI of the Civil Rights Act of 1964 and NEPA.

Executive Order 13166
Improving Access to Services for People with Limited English Proficiency
fhwa.dot.gov/civilrights/programs/lep.cfm
This requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services. USDOT Guidance *Limited English Proficiency* document, FHWA Limited English Proficiency A Federal Interagency website www.lep.gov, and FHWA Report *How to Engage Low-Literacy and Limited-English-Proficiency Populations in Transportation Decisionmaking,* fhwa.dot.gov/planning/publications/low_limited/index.cfm, address improving access to federally-conducted and federally-assisted programs and activities for persons who, as a result of national origin, are limited in English proficiency.

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Executive Order 13175
Consultation and Coordination with Indian Tribal Governments
fhwa.dot.gov/tribal/references/eo13175.htm
FHWA Guidance on Relations with American Indian Tribal Governments
tribalplanning.fhwa.dot.gov/resources_policy.aspx
This order calls for the establishment of regular and meaningful consultation and collaboration with tribal officials in the development of policies that have tribal implications.

American with Disabilities Act (ADA) of 1990
ada.gov/2010_regs.htm
This act encourages the involvement of people with disabilities in the development and improvement of transportation and para-transit plans and services. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. This includes providing accommodations for persons with disabilities for all public involvement activities, including access to meetings, as well as, effectively communicating with people who have hearing, vision, or speech disabilities.

AASHTO Practitioner's Handbook 05 ***Utilizing Community Advisory Committees for NEPA***
environment.transportation.org/center/products_programs/practitioners_handbooks.aspx
A community advisory committee (CAC) is a group of stakeholders that meets regularly to discuss study-related issues or concerns during project development. CAC members serve as liaisons between the community they represent and the project study team. This handbook outlines the role of a CAC in the NEPA decision-making process and provides recommendations for a successful CAC.

FHWA ***Public Involvement Techniques for Transportation Decision-Making***
fhwa.dot.gov/planning/public_involvement/publications/techniques/
This publication provides guidance on designing and implementing a public involvement program. It also provides information on a wide range of public involvement techniques, grouped under the following four chapters:

- Chapter 1 "Informing People Through Outreach and Organization"
- Chapter 2 "Involving People Face-To-Face Through Meetings"
- Chapter 3 "Getting Feedback from Participants"
- Chapter 4 "Using Special Techniques to Enhance Participation"

Montana Business Process to Link Planning Studies and NEPA/MEPA Reviews
mdt.mt.gov/publications/docs/brochures/corridor_study_process.pdf
This document provides guidance on linking MDT transportation planning processes and NEPA/MEPA processes as provided for in SAFETEA-LU and 23 C.F.R. 450, Appendix A "Linking the Transportation Planning and NEPA Processes."

MDT Environmental Manual
mdt.mt.gov/publications/docs/manuals/env/env_manual.pdf
The MDT Environmental Manual provides guidance to department staff and consultant personnel performing environmental investigations and preparing environmental documents for department projects.

Non-Metropolitan Local Official Consultation Process
mdt.mt.gov/publications/docs/manuals/consultation_process.pdf
This document provides guidance for including non-metropolitan local official participation in the statewide transportation planning process and development of the statewide transportation improvement program.

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APPENDIX B

SAMPLE DOCUMENTS

The following examples provide guides to notify the public and encourage participation. Work with the public involvement coordinator to customize these documents, except the Title VI public information meeting/hearing form, for each project, distribution, and placement in appropriate media.

NOTICE OF PUBLIC INFORMATION MEETING PAID DISPLAY ADVERTISEMENT

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MONTANA MDT DEPARTMENT OF TRANSPORTATION

Informational Meeting

Title
Day, Date & Time
Location
Address

The Montana Department of Transportation (MDT) will discuss the proposal to xxx. The purpose of the meeting is to inform the public of the project status and design changes.

The meeting is open to the public and will be recorded. MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any department service, program or activity. For reasonable accommodations to participate in this meeting, please contact XXXXXX at (406) XXX-XXXX at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7696 or (800) 335-7592, or Montana Relay at 711. Alternative accessible formats of this information will be provided upon request.

Comments may be submitted in writing at the meeting, by mail to XXX, MDT District Administrator, XXX District Office at XXXX or online at www.mdt.mt.gov/mdt/comment_form.shtml Please indicate comments are for project CN XXXX and submit comments by DATE.

FOR IMMEDIATE RELEASE

Date

For more information:
XXX, Public Information Officer, MDT, (406) 444-XXX

Informational meeting to discuss XXX

The Montana Department of Transportation (MDT) is conducting an informational meeting to discuss a proposal to _(resurface/rebuild/relocate)_ about <number of> miles of Highway __ near __(nearest landmark). The meeting will start at __ pm on ___day, __(date)__, 20XX at the (location) , (address) in (city/town).

Community participation is a very important part of the process, and the public is encouraged to attend. Opinion, comments and concerns may also be submitted in writing at the meeting, by mail to <name>, <title> , at MDT's <district name> district office at PO Box ___ , ___ MT 59___, or online at
www.mdt.mt.gov/mdt/comment_form.shtml
Please indicate comments are for project CN xxxx and submit comments by (deadline)_, 20XX.

Proposed work includes <options: the installation of new delineators, the application of new surface material, finishing with a seal and cover (chip-seal) and new pavement markings>. The purpose of the project is to < e.g. improve safety by __; preserve the existing surface and thereby extend the service life of the road in a cost-effective manner.> OR The reconstruction will reduce the sharpness of some curves and lessen steep grades for improved driver sight distance and safety.

Construction is tentatively planned for 201_, depending on completion of design and availability of funds.

No new right-of-way or utility relocations will be needed. - OR—New right-of way and relocation of utilities will be required. MDT staff will contact all affected landowners prior to doing survey work on their land. Staff will again contact landowners prior to construction regarding property acquisition and temporary construction permits.

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. If you require reasonable accommodations to participate in this meeting, please call ___ at (xxx) xxx-xxxx at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7696 or (800) 335-7592, or call Montana Relay at 711. Alternative accessible formats of this information will be provided upon request.

----------END----------
Project Name:
Project ID:
Control Number
_____ County
_____ County

FOR IMMEDIATE RELEASE

Date

For more information:
XXX, Public Information Officer, MDT, (406) 444-XXX

Informational meeting to discuss XXX

Notice of Availability: Issuance of Finding of No Significant Impact (FONSI) for the TITLE OF PROJECT

The Federal Highway Administration (FHWA) and the Montana Department of Transportation (MDT) have issued a NAME OF DOCUMENT. The Preferred Alternative identified in the EA includes LISTS ELEMENTS. The DOCUMENT NAME was signed on DATE.

The proposed PROJECT NAME would be constructed LOCATION to accomplish the following objectives:

• LIST OBJECTIVES OF DOCUMENT

OF public hearings for the EA were held in DATE. Approximately # OF people attended and # OF individuals or agencies gave oral or written comments. Those comments are provided in the FONSI, OR OTHER DOCUMENT along with responses from MDT and FHWA. The FONSI is available for public review at the following locations:

• LIST LOCATIONS OF DOCUMENT FOR REVIEW
• MDT Headquarters at 2701 Prospect Avenue, Helena
• MDT website at www.mdt.mt.gov/pubinvolve/eis_ea.shtml
• For a copy of the EA, call MDT Environmental Services at (406) 444-7228

IF THIS APPLIES: MDT WILL PROCEED WITH FINAL DESIGN FOR THE PROJECT. DURING FINAL DESIGN, MDT WILL COORDINATE WITH ADJACENT LANDOWNERS ON SPECIFIC DESIGN DETAILS. Questions regarding the details of the design process may be referred to NAME, TITLE & PHONE #.

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information call MDT (888) 730-0898 or TTY (800)-335-7592, or by calling Montana Relay 711.

----------END----------
Project Name:
Project ID:
Control Number
_____ County

MONTANA MDT DEPARTMENT OF TRANSPORTATION

Notice of Availability

Title

The Federal Highway Administration (FHWA) and the Montana Department of Transportation (MDT) have issued a NAME OF DOCUMENT for the NAME OF PROJECT (EA), selecting the NAME OF ALTERNATIVE as described in the EA. The FONSI was signed in DATE.

OF public hearings for the EA were held in DATE. Approximately # OF people attended and # OF individuals or agencies gave oral or written comments. Those comments are provided in the FONSI, along with responses from MDT and FHWA. The FONSI is available for public review at the following locations:

- NAME OF LOCATIONS
- Montana Department of Transportation, 2701 Prospect Ave., Helena
- Online at **www.mdt.mt.gov/pubinvolve/eis_ea.shtml**
- Call MDT Environmental Services at (406) 444-XXXX for a copy

MDT will proceed with final design for the project. During final design, MDT will coordinate with adjacent landowners on specific design details. Questions regarding the details of the design process may be referred to NAME, TITLE, AND PHONE #

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information call MDT 888-730-0898 or TTY (800)-335-7592, or by calling Montana Relay 711.

NOTICE OF AVAILABILITY NEWS RELEASE

FOR IMMEDIATE RELEASE

Date

For more information:
XXX, Public Information Officer, MDT, (406) 444-XXX

Informational meeting to discuss XXX

Notice of Availability and public hearing for NAME OF PROJECT Environmental Assessment

(Community) The Montana Department of Transportation (MDT) has prepared an Environmental Assessment (EA) and Nationwide Programmatic Section 4(f) Evaluation for the **(NAME OF PROJECT)** project, and the EA is available for public review and comment. The EA examines **(ISSUES/PLANS)**.

The Montana Department of Transportation (MDT) and the Federal Highway Administration (FHWA) invite all interested parties to review the EA and provide comments at a public hearing on **DATE** starting at **TIME** p.m. The hearing will be held at the **LOCATION OF FACILITY**. OPTIONAL: An open house and brief public presentation will be held prior to the official public comment period. The presentation will summarize the project history, present the Preferred Alternative, and describe the environmental process.

Anyone interested in viewing the EA may view it online at www.mdt.mt.gov/pubinvolve/eis_ea.shtml or at one of the following locations:

MDT DISTRICT OFFICE ADDRESS -
MDT Environmental Services Office – 2960 Prospect Ave., Helena

To request a hard copy of the EA, please contact MDT Environmental Services at (406) 444-7228.

Community participation is a very important part of the process, and the public is encouraged to attend. Oral or written opinions, comments, and concerns may be presented at the public hearing. Alternatively, written comments may also be submitted to **XXX Environmental Bureau Chief,** MDT Environmental Services, at 2960 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001, or online at http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml. The review period for the EA will conclude on **DATE 201-_**. All public comments are due by **DATE 201_**.

The purpose of the proposed action is to **(DESCRIPTION OF ACTION)**.

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. If you require reasonable accommodations to participate in this meeting, please contact XXX at (406) XXX at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7696 or 1 (800) 335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

----------END----------
Project Name:
Project ID:
Control Number
_____ County

NOTICE FOR PROJECT INPUT NEWS RELEASE

FOR IMMEDIATE RELEASE

Date

For more information:
XXX, Public Information Officer, MDT, (406) 444-XXX

Headline

The Montana Department of Transportation would like to notify the public and seek comments on a proposal to <rebuild, resurface> about -- miles of Highway --- <direction> of <major nearby town/city>. The project will begin at <major landmark> (at reference marker xxx) and extend north/east/south/west to <major landmark> at reference marker xxx.

Proposed work includes <pulverizing the existing surface, applying new asphalt surfacing, guardrail improvements, new culverts, and finishing with a seal and cover (chip-seal) and new pavement markings>. The purpose of the project is to extend the service life of the highway and take a cost-effective action to preserve and maintain the existing highway.

The project is tentatively scheduled for construction in ___, depending on completion of all project development activities and availability of funding.

No new right-of-way or utility relocations will be needed.
OR
Construction is tentatively planned for 201_, depending on completion of design and availability of funds. New right-of way and relocation of utilities will be required. MDT staff will contact all affected landowners prior to doing survey work on their land. Staff will again contact landowners prior to construction regarding property acquisition and temporary construction permits.

For more information, please contact <districtname> District Administrator <DA name> at (406) xxx-xxxx or Project Design Engineer <name> at (406) 444--xxxx. For the hearing impaired, the TTY number is (406) 444-7696 or (800) 335-7592, or call the Montana Relay at 711. People may submit written comments to the Montana Department of Transportation <district> office at PO Box ----, <town> MT <zip>, or online at
www.mdt.mt.gov/mdt/comment_form.shtml
noting comments are for project CN ----. Alternative accessible formats of this information will be provided upon request.

----------END----------
Project Name:
Project ID:
Control Number
_____ County

STAKEHOLDER MEETING LETTER

Subject: Invitation to an informational meeting for project

Project ID:

Control number

The Montana Department of Transportation cordially invites you to attend an informational meeting regarding our proposal to PROJECT TOPIC. TIME, DATE AND LOCATION OF MEETING.

The purpose of this meeting is to discuss MDT's proposal to

New right of way and relocation of utilities will

As we develop this project, your comments and concerns are extremely important to us and we hope you will attend. If you are unable to attend, please consider sending your written comments, opinions and concerns to: DISTRICT ADDRESS.
or online at

www.mdt.mt.gov/mdt/comment_form.shtml

noting comments are for project CN XXXX. DEADLINE FOR COMMENTS

MDT attempts to provide accommodations for any known disability that may interfere with a person's participation in any service, program or activity of our department. If you require reasonable accommodations to participate in this meeting, please call XXX at (406) 444-XXX at least two days before the meeting. For the hearing impaired, the TTY number is (406) 444-7696 or (800) 335-7592, or call Montana Relay at 711. Alternative accessible formats of pertinent information will be provided upon request.

Sincerely,

XXX
Public Involvement Coordinator

TITLE VI PUBLIC INFORMATION MEETING/HEARING FORM

Title VI Public Meeting/Hearing Form

Location: _____ District: _____ Date: _____

Project No: _____ Designation: _____ CN: _____

Title VI Representative: _____

Was the following language displayed, stated, or paraphrased to the audience? ☐ Yes ☐ No

This meeting is held pursuant to Title VI of the 1964 Civil Rights Act which ensures that no person in the United States shall, as provided by Federal and State Civil Rights laws, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination on the basis of a protected status during any MDT project. Further information is available in Title VI pamphlets available at the sign-in table.

Type of Meeting/Hearing:

☐ Informational ☐ Hearing (Public Input Sought)

☐ Scoping ☐ Other: _____

Type of Notice(s) for Meeting/Hearing:

☐ Paid Advertising ☐ Public Service ☐ Newspaper ☐ Radio

☐ Television ☐ Internet ☐ Landowner letter

☐ Direct Mailing (postcard, brochure, etc.) ☐ Other: _____

Will this project / issue impact minority groups?

☐ Yes ☐ No ☐ Unknown

If yes, please explain. _____

Complete questions below as appropriate:

Will there be:

Relocations? ☐ Yes ☐ No ☐ Unknown

Additional R/W? ☐ Yes ☐ No ☐ Unknown

If yes, please explain. _____

What minority groups were represented?

☐ Native American ☐ Hispanics ☐ Asians

☐ African Americans ☐ Unknown ☐ Other: _____

The meeting was held within _____ miles of the project site.

Post Hearing Observations

Was there a language barrier? ☐ Unknown ☐ Yes ☐ No

Was a translator requested? ☐ Yes ☐ No

If yes, what language? _____

Were the facilities accessible to the disabled? ☐ Yes ☐ No

(see http://www.ada.gov/business/accessiblemtg.htm)

If no, please explain:

Were other accommodations requested? ☐ Yes ☐ No

If yes, please explain:

Were disabled persons present? ☐ Unknown ☐ Yes ☐ No

Were Title VI pamphlets with accessibility statements available? ☐ Yes ☐ No

How many members of the public attended? _____

Did any members of the public make comments? ☐ Yes ☐ No

Were any written Title VI complaints regarding the meeting/project received? ☐ Yes ☐ No

[If yes, please submit a copy of the written Title VI complaint to the Title VI Coordinator.]

What time was the meeting held? to

Per SAFETEA-LU, were any "advanced visualization techniques" used? ☐ Yes ☐ No

If yes, please describe briefly:

Please submit this completed form electronically to the Title VI Coordinator

APPENDIX C

PUBLIC INVOLVEMENT METHODS

Developing an efficient transportation system where projects move forward smoothly starts with the identification of all stakeholders and others affected by MDT's actions. Once those parties are identified, effort must be taken to inform and engage those affected in the planning process. This appendix outlines methods that can be used to accomplish this. The following is not all–inclusive of approaches or activities that may be used to engage the public and can be adapted to suit the project or affected parties being reached.

Once the appropriate public involvement methods are identified, the message delivered is equally as important. Messaging should be easy for the average person to understand and explain possible effects and why the public should provide input.

Staff with the applicable skills should be charged with carrying out the appropriate method for public involvement. Staff can and should develop skills in public speaking, conflict resolution, dealing with difficult people, media training, and other interpersonal communications skills. When deemed necessary and advantageous for MDT and stakeholders, a neutral party may be contracted to conduct public involvement.

When preparing to utilize public involvement activities, keep in mind the ADA language that must be on all printed material. Additionally, videos must be closed captioned or provide a corresponding script. Per MCA 18-7-306, printed material, with some exceptions, must also contain the cost per copy to produce and distribute. Contact MDT's ADA coordinator and the public involvement coordinator for more information.

Advisory Committees

An advisory committee, also referred to as a community advisory committee, may be formed as a means of facilitating information exchange regarding a proposed project. Advisory committees are not decision-making bodies, but can provide an important two-way communication link between MDT and the public. Meetings between MDT representatives and the advisory committee are an opportunity for detailed discussion of issues and concerns in a small-group setting. The advisory committee members then communicate the information from the meetings to various segments of the affected community. This promotes better public understanding of difficult issues.

To implement this option, the lead unit submits a request to the DA to establish an advisory committee for a project. Typically, this request is made in the early stages of project development. In response to the request, the DA invites local citizen volunteers representing constituent groups in the affected community to serve on an advisory committee. On projects with unique problems or circumstances, the DA may also invite local representatives of state, tribal, and federal agencies to participate. The DA ensures membership on the advisory committee includes a balanced group that will represent all sides of anticipated issues. The DA outlines the committee's role so all participants understand their function. See AASHTO Practitioner's Handbook 05 *Utilizing Community Advisory Committees for NEPA Studies* for additional guidance.

Direct Mail

Direct mail can take many forms including those mentioned below. This method is a targeted way to reach stakeholders and affected parties with detailed information. Mailing lists should be updated regularly. Mailing lists can be developed through land ownership records, tax records, field inspection of the proposal area, active interest groups, local and tribal officials, and those who have previously indicated interest in the project or transportation projects in general.

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Letters **–** Letters can be a personalized communication with information specific to groups or landowners. Information can detail how the proposed project may impact the recipient. The letter may include, but is not necessarily limited to, brief history of the project, information on an upcoming meeting/hearing, and a contact person for further information. A map or other information about the project may be included.

Newsletter **–** A newsletter can be a valuable tool, but it must be well planned in advance and coordinated for proper impact. The newsletter is more effective if used as a continuing process on a large, complex project. At least one-month preparation should be allowed for writing, layout and graphics, editing, and printing. Additional time should be allowed for distribution and returned mail.

Postcards **–** Postcards are an inexpensive and effective way to directly reach those affected or interested in a project. Coordinate with the public involvement coordinator to apply this method of communication.

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Interdisciplinary Teams
An interdisciplinary team can be useful in identifying, analyzing, and addressing issues and impacts associated with proposed projects. The interdisciplinary team is composed of cooperating agency representatives, individuals with needed expertise, and representatives of groups and organizations with special expertise (e.g., the Audubon Society). Bringing together cooperating agency representatives, experts, and knowledgeable group representatives affords the opportunity for these parties to gain a sound understanding of a project's purpose and need and contributes information and ideas for consideration in project development.

For projects subject to the requirements of 23 U.S.C. 139 "Efficient Environmental Reviews for Project Decisionmaking," the coordination with participating agencies accomplishes similar objectives to those addressed through establishment of an interdisciplinary team.

To implement this option, either the lead unit initiates a request to Environmental Services Bureau (ESB) to establish an interdisciplinary team, or ESB determines an interdisciplinary team would be beneficial. ESB consults with FHWA and the district in establishing an interdisciplinary team for a proposed project.

Newsletters
Many organizations have newsletters distributed to their members/constituents. These can be valuable in reaching stakeholders and affected parties. Contacting the organization for deadlines and submission requirements is recommended prior to submitting an article.

Internet
Websites are an excellent tool to reach a broader cross-section of the public. Project-specific sites may contain information such as announcements, publications, project information, and study updates. Using a website as a public involvement tool can also be cost effective. Website addresses should be included on any correspondence and on all print material. Websites should, at a minimum, contain the following information:

- Contact information (mailing address, phone, fax, and e-mail)
- Public information officer's contact information (name and e-mail)
- Meeting calendars and agendas (notice of public hearings, workshops)
- Brief descriptions of proposed project
- Maps or visualization tools to help the public understand the project
- Public involvement section
- Links to related agencies
- Comment/question/survey form

News Media
Utilizing the news media in a community is an effective way to reach a large audience. There are a number of ways to utilize the media.

News Release **–** An effective news release can get the public's attention, provide useful information (e.g., on the nature of the project and why it is being proposed), and set a tone that encourages open communication

about the project. Subjects for news releases can include meeting and hearing announcements, project schedules, funding milestones and updates, and meeting outcomes. The lead unit coordinates as necessary with other MDT units, the district administrator, and the public involvement coordinator for review and issuance.

Media Interviews **–** Depending on the size and importance of a project, a media outlet may pursue an interview with a subject matter expert. Determining who this is should be based on knowledge of the project and skill in working with the media. Television and radio talk-show oriented programs can be pursued. Coordinate with the public information officer.

Media Kit **–** A media kit is a way to disseminate facts and information about the project to numerous reporters. The kit may contain a map or visualization of the proposed project and fact sheets including unique or interesting aspects that make the project news worthy. The kit can be printed or electronic. Media kits are a quick and convenient reference tool for reporters. Coordinate with the public information officer.

Story Pitch **–** When project developments occur that are of general interest to the public, contacting local media news editors or assignment editors is a quick and often easy way to attract attention to the project. Newspaper and television news outlets are often interested in things that are visually interesting. Coordinate with the public information officer prior to contacting media outlets.

Editorial Board **–** Major newspapers generally have an editorial board that meets regularly to discuss the latest news and opinion trends, and discuss what the newspaper's stand should be on issues. Meeting with an editorial board allows MDT to provide background information and answer questions about projects and issues. Coordinate with the public information officer prior to contacting editorial boards.

Paid Media **–** Buying advertisements (display ads, legal notices, radio/television spots, etc.) guarantees the message will be published or broadcast. News releases may or may not be used by the media. Work with the public involvement coordinator to determine the best means for proceeding with paid media.

Outdoor Signage

Billboards and department variable message signs can be appropriate to disseminate information. The information delivered is limited.

Personal Contacts

Meeting with local businesses or residents to answer questions and identify potential construction issues is helpful to avoid misunderstandings and develop a dialogue with those potentially affected by the project.

Personal Contacts with Landowners **–** Contacts with each potentially affected landowner early in project development, before any fieldwork begins, can help to explain the purpose and need for the project, the project development process, and right-of-entry requirements. Landowners may also be provided information and Title VI pamphlet from Civil Rights Bureau, discuss how the project might affect the landowners' property, and determine if plans for use of the property might affect the project. Contact is implemented by right-of-way agents.

Personal Contacts with Officials, Groups, and Individuals **–** Personal contacts with interested and affected officials, groups, and individuals, including both those that support and those that oppose the proposed project, can be very effective in facilitating open exchange of information. These contacts can promote a better understanding of the project and assist in identifying issues, concerns, options, and constraints. As a rule, less formal meetings are more productive than formal ones. The most important thing is to share information and elicit ideas and comments. This option is implemented by the district administrator.

Contacts with Potentially Interested and/or Affected Agencies, Officials, and Organizations for Environmental Impact Evaluations **–** Contacts are initiated early in project development either in person, telephone, or in writing. Contacts help identify and assess project-related environmental impacts and are essential in gathering and evaluating information associated with proposed projects.

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Public Information Meetings
Public information meetings (public meetings) are held to exchange information and seek input. This is an opportunity to assemble a large and diverse group at one time in an informal setting to discuss the status of the project, options, and remaining decisions. The DA and lead unit coordinate with other affected MDT units and initiate meeting arrangements. The DA and lead unit work with the public involvement coordinator to determine a suitable format. The DA, lead unit, and public involvement coordinator ensure appropriate consideration is given to accommodate persons with special needs (disabilities, limited English proficiency, etc.), notice of Title VI rights, and use of Title VI pamphlet from Civil Rights Bureau. Public information meetings are often conducted as an open-forum with exhibits and staff to answer questions.

Public Hearings
Public hearings are used to formally gather comments from interested parties for the public record. Public hearings are required for certain types of projects and if FHWA and/or MDT determine one to be beneficial. Hearings have a structured format and may be accompanied by an open-forum/open-house. The hearing may include presentations and then afford the public an opportunity to comment on the project/proposed action. Comments for public record are recorded at the hearing when individuals speak during the comment period, or possibly directly to a court reporter or into a recording device. Comments for public record are also collected during the announced comment period through means such as Internet and by mail. Formal comments are addressed in the environmental document.

Ensure appropriate notice of the hearing is provided and comments are accurately recorded. Use the Title VI public information meeting/hearing checklist and pamphlet from Civil Rights Bureau. FHWA requires submission of a transcript for each public hearing, all written statements gathered during the comment period, and a certification that a required hearing or hearing opportunity was offered. The lead unit coordinates with the DA, other affected MDT units, and the public involvement coordinator in making hearing arrangements. The public involvement coordinator prepares public notices and facility arrangements. The DA, lead unit, and public involvement coordinator ensure consideration of accommodations for special needs.

Scoping
Section 1501.7 CEQ describes scoping as an early and open process for determining issues to be addressed and for identifying significant issues related to a proposed action. Scoping is required for projects involving preparation of an EIS and may be applied on EAs. The objective is to define and refine the focus of the environmental analyses early in the process. Refer to the *MDT Environmental Manual*.

Social Media
Social media may be used to share information, connect with the public, and increase awareness and participation. Consult the public information officer to pursue this. Social media efforts should be coordinated with the public information officer.

Speakers Bureaus
Public presentations are a good method to inform groups about proposed projects. Identifying the appropriate staff to make presentations, developing the message and presentation, and developing visual aids are important. Target groups appropriate and beneficial to helping disseminate information through the community.

Transcripts
For controversial projects or those involving an EIS, prepare a transcript of the public hearing and minutes of any other meetings. The public involvement coordinator will arrange for recording and transcription.

Video Techniques
Videos of public information meeting presentations or videos specifically designed for the Internet can explain the project, how to get more information, and how to provide input. Contact the ADA coordinator for guidance on closed captioning.

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DEPARTMENT OF TRANSPORTATION

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Dept. Alternative accessible formats of this information will be provided upon request. For further information call (406) 444-3423 TTY (800) 335-7592, or Montana Relay at 711 or by contacting the ADA coordinator at (406) 444-6331.

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XXX copies of this public document were published at an estimated cost of XXX per copy, for a total cost of XXX which includes $0 for distribution.