

**PUBLIC PARTICIPATION PROCESS
FOR THE
GASTON-CLEVELAND-LINCOLN METROPOLITAN
PLANNING ORGANIZATION**

Prepared for:
GASTON-CLEVELAND-LINCOLN
METROPOLITAN PLANNING ORGANIZATION (MPO)
Board and
Technical Coordinating Committee (TCC)

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Table of Contents

Study Area Profile and the Planning Process	3
MPO Contact List	4
Public Notice and Comment Periods	4
MPO Activities Warranting Public Input and Comment	5
Transportation Improvement Program	5
Unified Planning Work Program	5
Comprehensive Transportation Plan	5
Metropolitan Transportation Plan (MTP)	5
Amendments.....	7
Formal/Major Amendments.....	7
Minor and Administrative Amendments.....	8
Public Participation Process Strategies	9
Monitoring and Evaluation	10

PUBLIC PARTICIPATION PROCESS FOR THE GASTON-CLEVELAND-LINCOLN MPO AREA

Study Area Profile and the Planning Process

Gaston, Cleveland, and Lincoln counties are within the Piedmont crescent of North Carolina and are part of the Charlotte-Gastonia-Concord Consolidated Metropolitan Statistical Area. The region is a mix of rural, suburban, and urban development and character with a sprawling urban core that includes over one-third of the persons living in the three counties. One of the unique features of this urban area is the number of incorporated municipalities. Including Gastonia, which is the largest city, there are 18 municipalities participating in the governance of the GCLMPO.

The U.S. Code of Federal Regulations, 23 CFR Section 450.316 guides the development of public participation plans for transportation planning process. The United States Department of Transportation, through the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) require:

"...each urbanized area, as a condition to the receipt of Federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensive planned development of the urbanized area"

These federal regulations require a single agency be responsible for the implementation of the urban transportation planning process in each urbanized area. This agency is designated as the Metropolitan Planning Organization (MPO) for the study area. In the Gaston Urbanized Area, this function is filled by the Gaston-Cleveland-Lincoln Metropolitan Planning Organization Board and is advised by the Technical Coordinating Committee (TCC). The Memorandum of Understanding (MOU) states voting members are elected officials appointed by their respective board or council to serve as each jurisdictions representative. The TCC are members of the individual member governments and NCDOT staff that review the technical aspects of all transportation planning including roads, greenways, transit, and bicycle and pedestrian planning.

The TAC ensures that a continuing, cooperative and comprehensive (3C) planning process exists in the study area. The Federal Register states that: "The urban transportation planning process shall include the development of a transportation plan consisting of a transportation systems element for each mode out to twenty years. The transportation plan shall be reviewed four years or earlier if needed to confirm its validity and its consistency with current transportation and land use conditions."

For the Gaston-Cleveland-Lincoln MPO area, the North Carolina Department of Transportation has led the development of Thoroughfare Plans, now known as Comprehensive Transportation Plans (CTPs). However, the Gastonia Transportation Planning Division staff leads the development of Metropolitan Transportation Plans, project prioritizations for Transportation Improvement Program (TIP) development, and a range of smaller transportation plans and programs. This work frequently involves travel demand model development, which can take months to calibrate. These models are used to evaluate the various alternatives proposed during the planning process. The local planners and MPO staff provide demographic information and alternatives needed for the modeling. Much of this work is performed in coordination with the City

of Charlotte Department of Transportation (CDOT), who has been responsible for managing the Metrolina Regional Travel Demand Model (MRM) since its inception. The decision to have one agency, CDOT, to perform this work is to better provide the uniform and consistent data collection and output necessary for regional compliance for plan development and conformity determination reports for demonstrating progress in addressing Ozone non-attainment as established by US Environmental Protection Agency.

Public Contact List

The MPO will maintain a distribution list of all Technical Coordinating Committee (TCC) and Board members, their alternates, and non-voting members stipulated in the MPO's MOU and bylaws, who shall be apprised of all upcoming meetings and opportunities for comment on MPO plans and related documents. These TCC and Board rosters will include representatives of local governments as well as the NCDOT, FHWA, FTA, and other local transportation agencies, such as transit, airports, and non-motorized modes.

The MPO will maintain an e-mail and mailing list of any interested person or organization who wishes to be made aware of all upcoming meetings, projects and opportunities for comment. The MPO will make specific attempts to include representatives of the following groups:

- Freight and Economic Development: Freight shippers, providers of freight transportation services, and economic development professionals
- Environmental: Federal, state, and local environmental protection organizations and advocates
- Land use: Land use planners/agencies not members of the TCC
- Aviation: Area airport representatives
- Non-automotive Transportation: Bicycle and pedestrian advocates, planners, and users
- Public Transportation: Public transportation, representatives of disabled persons, representatives of users of public transportation, governmental and non-profit providers of non-emergency medical transportation.
- Elderly, disabled, minority, limited English proficiency (LEP) populations; advocacy groups, etc.

Public Notice and Comment Periods

The MPO will provide adequate notice of upcoming meetings, as well as duration to public input and comment periods, in order to allow affected parties to review materials and submit comments. The public and interested parties will be notified under "Strategies to Solicit Public Input."

The MPO will provide a minimum of seven (7) days notice for all upcoming public meetings, and all public comment periods will be 30 days, unless otherwise noted in this Public Participation Process.

All public comment provided to the MPO will be reviewed by the MPO staff and conveyed to the Technical Coordinating Committee (TCC) and MPO Board for consideration. A minimum of seven (7) days will be allotted between the close of the public comment period and the TCC meeting in which a recommendation will be made to the MPO Board regarding consideration of the public comments.

A written response to all public comments will be made within 30 days after the TCC and MPO Board have reviewed the comments.

MPO Public Input and Comment Activities

The following processes, include but are not limited to projects, project lists, programs, plans, and policy updates or development necessitating public comment or input are as follows:

1. **Public Input Solicitation:** The MPO will solicit public input at the beginning of the Transportation Improvement Program (TIP) development cycle to update the MPO's candidate project list as well as the project ranking process for submittal to the NCDOT for consideration in developing the Statewide TIP (STIP).

The MPO will solicit public input when adopting modifications to the local Metropolitan TIP (MTIP) periodically when a formal amendment is required. Public input will not be solicited for administrative modifications to the MTIP.

2. **Unified Planning Work Program (UPWP) Development:** Once a draft UPWP has been reviewed by the MPO Board, the MPO will solicit public comment on the draft UPWP, which directs MPO staff on work tasks for the upcoming fiscal year.
3. **Comprehensive Transportation Plan (CTP) Development:** The MPO may choose to identify a steering committee comprised of members of the public as well as the TCC and MPO Board to oversee a significant update of a CTP. This update may involve periodic public input meetings to help guide the committee's work. Once the steering committee, TCC and MPO Board have reviewed the draft Plan or changes MPO staff will solicit public input on the draft or amended document.
4. **Public Involvement Process for Plan Adoptions**

The Gaston-Cleveland-Lincoln MPO involved the public throughout the MTP development process after the expansion of the MPO (portion of Gaston County only) to three full counties (Gaston, Cleveland, and Lincoln). At that point the Technical Coordinating Committee (TCC) and Board were expanded to include aviation, public transportation, chambers of commerce, and economic development representatives from the municipalities and counties from throughout the three counties. These representatives, in addition to the traditional planning and engineering representatives on the TCC, and elected officials on the Board, formed the backbone of outreach efforts to the community. All TCC and Board meetings are open to the public, include a public comment period, and press releases are sent to local area newspapers. The handouts and public comment forms are translated into Spanish and or Braille as requested.

Public Input at MPO Meetings

Public input or other participation is encouraged and welcomed at both the TCC and MPO Board meetings and will be limited to three (3) minutes per person or five minutes per group.

2040 MTP Project Identification Input Process Meetings

A description of the project ranking process can be found in Chapter 11 of the GCLMPO Metropolitan Transportation Plan.

Air Quality Conformity and Draft Plan Comment Meetings

MPO staff will release draft MTP and supporting conformity documents for 30-day public comment periods. The two documents will be presented to the public at a series of public workshops in Shelby, Lincolnnton, and Gastonia, held on consecutive dates. Verbal, written and email comments will be received and presented to the TCC and MPO Board for consideration. The TCC and MPO Boards recommended and approved the MTP and corresponding conformity report at their first meeting following a 30-day comment period.

Involving Traditionally Underserved Populations

Presidential Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Presidential Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, requires federal agencies to improve access to federally conducted and assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency. Both Executive Orders are based on Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, sex, or national origin, by government agencies that receive federal funding. The number of U.S. residents for whom English is a second language is increasing, and minority and low-income populations frequently have limited English proficiency and/or literacy.

To respond to the ever-changing demographics of our population we must use a range of methods to reach all populations. The end goal is to involve minority, low-income, and limited English proficiency populations in the transportation decision-making process. To accomplish this we must solicit adequate, effective, and meaningful participation by understanding unique needs, cultural perspectives, and financial limitations of different socioeconomic groups. These include, but are not limited to, the groups outlined below.

Blacks – a person having origins in any of the black racial groups of Africa.

Hispanics – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Asian Americans – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

American Indians and Alaskan Natives – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Low-income – a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

The MPO attempts to increase participation of these groups by translating public input documents into Spanish, holding public input meetings outside traditional meeting places, and by holding multiple meetings.

Amendments

Public Participation Plan Process Amendments require documentation of a 45-day public review and comment opportunity, and a public meeting. 23 CFR 450.316 (3) The public is always encouraged to comment on these proposed changes in accordance with “Strategies to Solicit Public Input” found later in this document.

Formal/Major Amendments are required when changes cause the addition or deletion of a transportation project for a CTP, MTIP, or STIP, changes in project cost beyond a predetermined threshold and may affect fiscal constraint, changes that shift project phase initiation dates into or out of the 4-year TIP time window, changes in funding sources involving non-traditional funding sources (including GARVEE bonds and public/private partnerships), or major change in design concept or scope. An example of a “major” scope change might be changing the project termini or number of through travel lanes or significantly altering the proposed transit coverage area, and costs increases in public transportation projects that exceed either \$1 million or 25% of the original project cost.

Formal Amendment Examples:

- Change in project cost beyond a predetermined threshold; increases in highway projects that exceed both \$2 million and 25% of the original cost and may affect fiscal constraint and changes (increases or decreases) in transit projects that exceed either \$1 million or 25% of the original project cost;
- Any addition or deletion of a federally funded project to the first 4 years of the Program;
- Addition or deletion of any regionally significant project into the first 4 years of the Program;
- Change in project design or scope that significantly changes; the termini or project type, purpose, or number of through lanes on a non-exempt (for transportation purposes) project;
- Any addition, deletion or significant modification of non-traditional funding source to a project (traditional sources of revenue include federal, state, or local government tax revenues. Non-traditional sources include state bonding and/or private participation);
- Project schedule shifts that move ROW, major capital acquisitions, or construction authorization dates either into or out of the 4 year STIP time window;
- Project schedule shifts in years 1 through 4 that move project completion dates across Horizon Years as determined by the local Metropolitan Transportation plan;
- Project schedule shifts to incorporate the project from an out-year into the current (four-year) TIP.

Note: Amendments require documentation of a 30-day public review and comment opportunity, and a public meeting. Also, the amendment may require re-demonstration of fiscal constraint and local transportation conformity determination. Fiscal constraint may be shown by either the project cost impact being less than 5% of the expected annual budget or by showing other project cost reductions and/or revenue increases within the affected fiscal year(s). The public would be encouraged to comment on these proposed changes in accordance with “Strategies to Solicit Public Input” found later in this document.

Minor and Administrative Amendments

1. If the amendment is minor then the MPO may work with representatives of the affected community or communities to develop recommended changes. At that point the MPO would only advertise before considering approving changes to the CTP.
2. For minor updates to the Metropolitan Transportation Plan: That does not include a change to the horizon year nor significant changes to thoroughfare cross-sections or alignments - the MPO will accept public comments at the MPO Board meeting, and post all materials to the MPO web site. Any comments received through this process will be addressed and incorporated into the plan as appropriate.
3. Other plans and programs: The TCC and Board will guide the MPO staff on public input strategies for other plan processes, such as local pedestrian, corridor, or public transportation plans. In all cases accommodations will be made for ADA accessibility and Limited English Proficiency (LEP) populations.

Administrative Modifications can be made to previously included projects when change in project costs are below the predetermined thresholds, movement of project phase initiation dates are within the 4 year TIP time window, change to project scope or description do not significantly diminish the ability to achieve the original project intent, and change in traditional funding sources occur such as local improvement bonds.

Administrative modification is a streamlining process recommended by the FHWA/FTA/NCDOT through the Joint STIP Review of December 2011. Administrative modifications do not require documentation of public review or comment, re-demonstration of fiscal constraint, or a transportation conformity determination.

Examples of Administrative Modifications:

- Any change to projects in years 5 or later of the STIP;
- Minor change to project descriptions, scopes, sponsor funding;
- Minor cost increases in highway projects that do not exceed both \$2 million and 25% of the original project cost;
- Minor cost change (increase or decrease) in transit projects that do not exceed either \$1 million or 25% of the original project cost;
- Schedule changes that move project authorization dates within the first 4 year STIP time window and do not affect local air quality conformity findings;
- Funding source changes between traditional funding sources (i.e. substituting available Congestion Mitigation Air Quality (CMAQ) funds for FTA Section 5307 formula transit funds);
- Projects approved for Emergency Relief funds do not generally have to be included in the STIP, so any changes made for emergency projects may be considered minor modifications.

State funded projects are amended when the fiscal year changes or when there is a significant change in the project description. Unless the project is determined to be regionally significant for transportation conformity purposes, these amendments are approved solely by the State Board of Transportation. Local approval of these changes is desired but not legally required. The GCLMPO

may treat these as Administrative modifications if the Board so chooses. If a change to a state funded project that is regionally significant, this requires a new transportation conformity determination, this determination must be made before the amendment can be processed. The state public notification process will be the same for state funded projects as it is for federal-aid projects.

Public Participation Processes

The GCLMPO commits to the following strategies, as appropriate for the program, for effective public participation in transportation planning in its study area.

- **Newspapers:** The GCLMPO will send press releases to major newspapers of record in each of the three counties. These press releases will be sent at least seven (7) days in advance of any public meeting pertaining to revised or new planning documents as required.
- **Notice of Public Meetings - MPO Board:** Once per year, the GCLMPO will advertise in the major newspaper of record in each of the three counties all MPO Board meeting dates for the calendar year including the website address and physical location where the agendas will be available for review. If a meeting date changes or an additional/new meeting is required, a new advertisement will be released.
- **Posting of Public Meetings for adoption of major planning documents:** the GCLMPO will distribute press releases for prominent posting at area Division of Motor Vehicle (DMV) facilities and county-level department of public health offices wherever possible in addition to traditional outlets such as municipal offices with populations greater than 3,000 persons as of the 2010 Census.
- **Information Cards:** the GCLMPO will distribute information cards at public meetings to help determine if we are reaching a broad range of citizens, race, income, location, how they heard about meetings or public comment periods, etc.
- **Internet:** The GCLMPO will maintain a Section 508/ Americans with Disabilities Act (ADA)-compliant web site. All programs and projects developed by the MPO will be posted to the website. Hotlinks to the NCDOT, local governments and other relevant transportation related programs or projects will be included on the website or a linked thereto. The website will include announcements of upcoming meetings and opportunities for public input. This public participation plan will be included on the website.
- **Meeting Locations:**
 - a. The GCLMPO will attempt to hold public comment and input meetings and utilize bulletin boards in public and/or government buildings (City Halls, County Health Clinics, Public Libraries, etc.), newsletters and other media forms for information dissemination will attempt to notify Title VI population groups of meetings and at county public health department offices, Division of Motor Vehicles facilities, and community centers when possible.
 - b. MPO meetings: At the Gastonia Police Department; 200 Long Avenue; Gastonia, NC. If changes need to be made to the location the public will be notified at least seven days in advance.
 - c. TCC meetings: Gaston County Administration Building; Room 3A; 128 West Main Avenue, Gastonia, NC.
 - d. Program and Sub-Committee meetings: These meetings will be held in non-traditional government locations that will be determined during the programs development, but in each of the counties involved.

- e. To the extent possible, GCLMPO meetings will be held in ADA-accessible locations along scheduled public transportation routes.
- **Meeting Format:** the MPO will employ visualization techniques to describe metropolitan transportation plans, TIPs, and other related documents. This will typically mean displaying information as maps, graphs, tables, and charts in addition to written documents. MPO staff will present information verbally as well as through printed materials.

Meeting Times for TCC and MPO Board Meetings: Regular meetings for both GCLMPO boards will be held bi-monthly beginning in January and in each odd-numbered month of the year, unless otherwise determined by the board. . The MPO Board will typically meet at 6:30 pm on the fourth Thursday of the month. The TCC will meet regularly at 10:00 am on the second Wednesday of the odd-numbered months of the year.

- **Board Meeting Agenda Packets:** The agenda will be electronically transmitted and posted on the MPO webpage at least seven (7) days in advance of any board meetings. If any person or organization wishes to receive a hard copy they can request by contacting GCLMPO staff in advance of the meeting.
- **Meeting Times for Public Participation Meetings:** MPO staff will work to schedule meetings at times convenient to the general public, with both day and evening meetings scheduled when possible.
- **Coordination with the NCDOT and Other Agencies:** The GCLMPO will coordinate with the NCDOT and other related agencies whenever possible in order to maximize the effectiveness of concurrent public outreach and public comment events and processes.
- **Translation:** The GCLMPO will provide translation of any requested documents into another language within a reasonable period of time.
- **Environmental Justice (EJ):** The MPO will distribute announcements of upcoming meetings and opportunities for public input to persons or organizations identified in the Public Contact List portion of this document.

Monitoring, Evaluation, and Updates

GCLMPO staff will evaluate the effectiveness of this public participation plan (PPP) two years after the date of adoption to determine if the plan's objectives are being met, or if modifications are necessary. The results of this evaluation will be presented to the TCC and Board for their feedback, recommendation, and adoption of a modified PPP, if necessary.

While this PPP does not list specific performance criteria we will track the number of attendees at public comment meetings, tracking the frequency of and geographic location of public meetings and tracking visitor trends on the MPO web site, the number of comments received from all the public, information cards designed to inform us of how they heard about the meetings, or the public comment period, and any personal information provided.

Any recommended updates to this plan shall be available to the public for 45 calendar days before the revised document is adopted by the MPO. Copies of the updated public participation plan shall be distributed based on this policy and a copy provided to the NCDOT, FHWA, and FTA for their records as well as posted on the MPO's web site.