

# 2012 Public Participation Plan Draft Update

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of Governments**

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# Fresno Council of Governments’ 2012 Public Participation Plan

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# Fresno Council of Governments

## 2012 Public Participation Plan

### January 2012

## I. Introduction

### Fresno Council of Governments

As a Metropolitan Planning Organization, the Fresno Council of Governments (Fresno COG) addresses issues of mutual concern to the county and the cities in the Fresno County region, and satisfies Federal and State transportation planning and programming mandates. Fresno COG provides a forum for planning, discussion, and study of area-wide issues, prepares and adopts regional plans and programs, serves as the regional agency for federal and state transportation programs and funding opportunities and addresses other area-wide issues based on the desires of the member jurisdictions. Fresno COG represents its member jurisdictions as planner, programmer, and broker in developing an efficient and effective inter-modal transportation system that provides for the mobility needs of people, goods, and services while protecting the environment.

Fresno COG and its member agencies are responsible for determining policy, adopting plans and programs, and awarding funds to implement these plans. This procedural document is intended to give the Fresno COG elected officials and staff guidance in providing for public involvement and interagency consultation in the regional planning process. It contains procedures and strategies Fresno COG uses to instigate, seek and foster greater public involvement regarding transportation matters within its discretion. Fresno COG's documented participation plan defines a process for providing reasonable opportunities to be involved in the metropolitan transportation planning process.

## Purpose of the Public Participation Plan

Fresno COG developed this Public Participation Plan (PPP) as a guide to meeting the Metropolitan Planning Organization requirements for public participation. The PPP is intended to provide direction for public participation activities to be conducted by Fresno COG and contains the procedures, strategies and techniques used by Fresno COG for public participation. In its public participation process, Fresno COG will do the following:

- Provide adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to, a reasonable opportunity to comment on the proposed Regional Transportation Plan (RTP) and the Federal Transportation Improvement Program (FTIP);
- Provide timely notice and reasonable access to information about Fresno COG's issues and processes;
- Employ visualization techniques to describe the RTP and FTIP;
- Make public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
- Hold public meetings at convenient and accessible locations and times;
- Demonstrate explicit consideration and response to public input received during the development of the RTP and the FTIP;
- Seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- Provide an additional opportunity for public comment, if the final RTP or FTIP differs significantly from the version that was made available for public comment by the Fresno COG and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
- Coordinate with the statewide transportation planning public involvement and consultation processes;
- Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process.

## 2. Federal Requirements

### SAFETEA-LU

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users — better known as SAFETEA-LU — signed into law in 2005, underscores the need for public involvement and requires metropolitan planning agencies such as Fresno COG to “provide citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation and other interested parties with a reasonable opportunity to comment” on transportation plans and programs.

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

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

Title VI of the Civil Rights Act of 1964 requires that transportation planning and programming be non-discriminatory on the basis of race, color, national origin or disability. The federal statute was further clarified and supplemented by the Civil Rights Restoration Act of 1987 and a series of federal statutes enacted in the 1990s relating to the concept of environmental justice. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

## Executive Orders

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

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

In February 1994, President William Clinton signed Executive Order 12898, Federal Actions to Address Environmental Justice for Minority Populations and Low-Income Populations, which mandates that federal agencies make achieving environmental justice part of their missions. This order requires that disproportionately high and adverse human health or environmental effects on minority and low-income populations be identified and addressed in order to achieve environmental justice. Minority populations are defined in the order as

Black/African-American, Hispanic, Asian/Pacific Islander, American Indian and Alaskan Native. Low-income populations are defined in the order as persons 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, with those at 0 percent of median income classified as low income and those at 50 percent of median income classified as very-low income.

- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency

Executive Order 13166 states that people who speak limited English should have meaningful access to federally conducted and federally funded programs and activities. It requires that all federal agencies identify any need for services to those with limited English proficiency and develop and implement a system to provide those services so all persons can have meaningful access to services.

- Executive Order 12372: Intergovernmental Review of Federal Programs

Executive Order 12372 calls for intergovernmental review of projects to ensure that federally funded or assisted projects do not inadvertently interfere with state and local plans and priorities. The Executive Order does not replace public participation,

comment, or review requirements of other federal laws, such as the National Environmental Policy Act (NEPA), but gives the states an additional mechanism to ensure federal agency responsiveness to state and local concerns.

### **The Brown Act (State of California Government Code sections 54950-54962)**

The Ralph M. Brown Act governs the meeting and actions of governing boards of local public agencies and their created bodies. Requirements of the Brown Act also apply to any committee or other subsidiary body of a local agency, whether permanent or temporary, decision-making or advisory, which is created by such a governing board. The Brown Act sets minimum standards for open meetings relative to access to the public, location of meetings, notice posting, agenda distribution, and public input. The public agency may adopt reasonable regulations ensuring the public's right to address the agency, including regulations to limit the total amount of time allocated for public testimony. The Fresno COG Board and its standing committees all adhere to these requirements involving proper noticing, access and the ability to address the Board and committees.

Due to time constraints, unscheduled comments by the public may be limited to 3 minutes in length, however the agency encourages interested citizens to provide written copies of presentations to the Board/Committees, particularly if the statement is too long to be presented in its entirety. Citizens unable to attend the meetings may submit their concerns and ideas in writing to staff, who will then present the comments to the respective Board/Committee in either a written or oral format.

### **Americans with Disabilities Act**

The Americans with Disabilities Act of 1990 (ADA) stipulates involving the community, particularly those with disabilities, in the development and improvement of services. All events held for programs or projects with Federal aid and open to the general public must be made accessible to everyone, including the disabled.

Fresno COG is in compliance with the ADA by having accessible formats and public hearings, consulting with individuals from the disabled community, and conducting outreach by maintaining an extensive mailing and email lists, developing contacts, and other means of notification to participate in the planning process.

### **SB 375 and Sustainable Communities Strategy**

Under a new state law (SB 375, Steinberg, Chapter 728, 2008 Statutes), Fresno COG must develop a Sustainable Communities Strategy to integrate planning for growth and housing with long-range transportation investments, including goals for reducing greenhouse gas emissions for cars and light trucks. The law also calls for a Public Participation Plan that addresses outreach for Sustainable Communities Strategy and the Regional Transportation Plan (RTP). Fresno COG is working to develop the region's response to this plan, and is overseeing a Proposition 84 grant which will fund a large part of the SCS development outreach plan. When completed, it will be available on the Fresno COG website at [www.fresnocog.org](http://www.fresnocog.org), and by contacting Fresno COG staff.

### **Other Requirements**

A number of other federal and state laws call on Fresno COG to involve and notify the public in its decisions. Fresno COG complies with all other public notification requirements of the California Public Records Act, the California Environmental Quality Act, as well as other applicable state and federal laws.

### 3. Opportunities for Public Participation

#### **Fresno COG Committees**

Below are descriptions of each of Fresno COG's standing or advisory committees. These committees offer the organization an excellent opportunity for expanding public participation opportunities during the transportation planning process. This is accomplished not only by active participation on these committees, but by presentations before them, and attendance at their meetings as well.

To find out more about these committees, who staffs them and how to get involved with the work they are doing, contact the Fresno COG at 559-233-4148, email staff member Brenda Veenendaal at [brendav@fresnocog.org](mailto:brendav@fresnocog.org) or read about each committee on the Fresno COG website at [www.fresnocog.org](http://www.fresnocog.org).

You will see the following statement placed on each Fresno COG meeting agenda:

The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

#### **Airport Land Use Commission of Fresno County**

The ALUC is in existence to protect the public health, safety and welfare by ensuring that orderly development and prevention of excessive noise and safety hazards around public use airports is followed in accordance to state and local laws. ALUCs prepare Compatibility Land Use Plans (CLUP), establish the policies on land uses around the airport ensuring they are compatible with airport operations, evaluate the compatibility of proposed local agency land use policy actions with the relevant provisions in the CLUP, and they review individual development projects to ensure they are within the noise and safety standards in accordance with state laws and the CLUP.

#### **Association for the Beautification of Highway 99**

The Association for the Beautification of Highway 99 was formed in 1998. Its members include concerned businessmen, community activists, government agency staff and elected officials. The group's official role is to advise Caltrans, Fresno County, and the cities of Fresno, Fowler,

Selma, and Kingsburg on matters relating to the aesthetics of Highway 99. Fresno COG provides staff support to the Association, and also funded the *Highway 99 Beautification Master Plan* of 2000. The Committee typically meets bimonthly at the Fresno COG, on the second Monday of the month.

### **Fresno County Model Steering Committee**

The Fresno County Model Steering Committee oversees the improvements and updates to the travel demand model. The Model Steering Committee is a subcommittee of the Fresno COG Transportation Technical Committee and meets quarterly and when needed. The model and its assumptions are constantly being updated based upon the latest planning information.

### **Measure C Citizen Oversight Committee**

The Measure C Citizen Oversight Committee was developed as an advisory body to the Fresno COG Board and the Fresno County Transportation Authority to inform the public and to ensure that the Measure C funding program revenues and expenditures are spent as promised to the public. Fresno COG staffs the Committee and provides technical and administrative assistance to support and publicize the Committee's activities, with the staff assignment subject to approval of the Committee. The Committee meets as deemed necessary on the second Thursday of the month at Fresno COG.

### **Policy Board**

Policy decisions are made by the Fresno COG Policy Board. The Board is composed of the mayors of each incorporated city and the Chairman of the County Board of Supervisors, or their designated elected representatives. The Fresno COG Policy Board meets on the last Thursday of each month at 5:30 p.m. at Fresno COG.

### **Policy Advisory Committee**

The Policy Advisory Committee (PAC) is composed of the Chief Administrative Officer or City Manager of each member agency or their designated representative. With the exception of urgency matters, all items must first be considered by the PAC before submission to the Policy Board. The PAC meets on the second Friday of each month at 10:00 a.m. at Fresno COG.

### **Regional Transportation Plan Steering Committee**

This committee guides the development of Fresno COG's Regional Transportation Plan during the time when the Plan is being updated. RTP's must be updated every 4 years. Membership

includes Fresno COG staff, Caltrans, member agency representatives, interested stakeholders and the members of the general public.

### **Senate Bill 375 Task Force**

Senate Bill or SB 375 (Steinberg) is California state law that became effective January 1, 2009. This new law requires California's Air Resources Board (CARB) to develop regional reduction targets for greenhouse gas emissions (GHG), and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating "Sustainable Community Strategies" (SCS) through integrated land use and transportation planning that demonstrate an ability to attain the proposed reduction targets by 2020 and 2035. The Task Force is assisting Fresno COG to develop of the SCS.

### **Social Services Transportation Advisory Council**

The Fresno COG Policy Board established its Social Service Transportation Advisory Council (SSTAC) in 1988 to aid in its review of transit issues with emphasis on the annual identification of transit needs within Fresno County. Transit needs include the needs of transit dependent and transit disadvantaged persons, including the elderly, disabled and persons of limited means. The Fresno COG's establishment of this Advisory Council is consistent with State law (SB 498, Chapter 673, 1987) which mandates both the purpose and minimum membership of this body. All SSTAC meetings are open to the public. Citizens can request to be placed on the mailing list to receive committee agendas.

### **Title VI and Environmental Justice Task Force**

Fresno COG formed an Environmental Justice (EJ) Task Force to assist Fresno COG in identifying target EJ populations and developing the Fresno COG Environmental Justice Plan. The Task Force is composed of transportation planners, community leaders, and representatives of low-income and minority populations. The EJ Task Force will be providing input and guidance during the Regional Transportation Plan (RTP) Update in 2012 to assist staff with development, ensuring it complies with Title VI and Environmental Justice requirements.

### **Transportation Technical Committee**

The Transportation Technical Committee (TTC) serves as a standing committee that reviews materials and issues monthly before forwarding them to the Policy Advisory Committee. Membership includes member agency staff and representatives from a wide variety of transportation and community interest groups. The TTC meets on the second Friday of each month at 8:30 a.m. at Fresno COG.

## **Valleywide Committees**

Fresno COG staff is also actively involved on Valleywide Committees that are made up of COG staff members from all eight San Joaquin Valley Metropolitan Planning Organizations (MPOs). The groups meet regularly on issues of mutual interest. In addition to the committees or groups listed below, the San Joaquin Valley MPOs are also active in the state's high-speed rail efforts, the San Joaquin Valley Blueprint Process, promotion of State Route 99, goods movement through the Valley and other areas of mutual interest, and have developed a San Joaquin Valley Council of Governments website: [www.sjvcogs.org](http://www.sjvcogs.org)

### **Model Coordinating Committee/Programming Coordination Group**

The Model Coordinating Committee (MCC) has been established to provide a coordinated approach to valley air quality, conformity and transportation modeling issues. The committee's goal is to ensure valleywide coordination, communication and compliance with Federal and State Clean Air Act requirements. Each of the eight Valley Metropolitan Planning Organizations (MPOs) and the San Joaquin Valley Air Pollution Control District (SJVAPCD) are represented. In addition, the Federal Highway Administration, the Environmental Protection Agency, the California Air Resources Board and Caltrans are all represented on the committee.

### **Programming Coordination Group**

The Valley Programming Coordination Group has been established to provide a coordinated approach to valley air quality and transportation programming issues. The committee's goal is to ensure Valley wide coordination, communication and compliance with federal and state Clean Air Act requirements. Each of the eight Valley Transportation Planning Agencies (TPAs) and the San Joaquin Valley Air Pollution Control District (SJVAPCD) are represented. In addition, the Federal Highway Administration, the Environmental Protection Agency, the California Air Resources Board and Caltrans are all represented on the committee.

### **San Joaquin Valley Greenprint Planning Process Steering Committee & Technical Advisory Committee**

The Greenprint Planning Process addresses rural land management challenges and opportunities that deepen our understanding of the land, water and living resources in the region and assures that those resources continue to benefit the region economically and environmentally for future generations. The Steering Committee and Technical Advisory Committee will work to assemble the perspectives of the residents of the region into a shared vision, and to identify a series of strategies for the conservation and management of the region's land, water and living resources. These strategies will be developed with extensive public input and will be based on sound

science and economics. The resulting “Greenprint” can then serve as a guide to local, state, federal and private sector decision makers as they make choices about the future of the Valley’s resources.

### **San Joaquin Valley Regional Policy Council**

The creation of the San Joaquin Valley Regional Policy Council is a key partnership that exemplifies the Regional Transportation Planning Agencies’ approach to working on regional issues. This sixteen member Regional Policy Council was established to discuss and build regional consensus on issues of Valley importance. The Council consists of two elected officials and one alternate appointed from each of the regional planning agencies’ policy boards. The Council is positioned to have a unique and potentially pivotal position in further Valley collaborative efforts and improving the quality of life for all Valley residents. The Policy Council provides guidance on common interregional policy issues and also represents the San Joaquin Valley at public forums such as the California Transportation Commission, the Governor and his administration, as well as State and Federal legislative bodies that require a common voice from the San Joaquin Valley.

### **San Joaquin Valley Executive Directors Committee**

The Valley Executive Directors meet regularly to discuss issues of mutual importance to all of the Valley Metropolitan Planning Organizations. Meeting agendas, minutes and information about the SJV Directors meetings are available online at [www.sjvcogs.org](http://www.sjvcogs.org).

## 4. Project/Plan Specific Public Participation

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

Because of its comprehensive, long-term vision, the RTP provides the earliest and the best opportunity for interested residents and public agencies to influence Fresno COG’s policy and investment priorities for Fresno County transportation. It is at this earlier RTP stage where investment priorities and major planning-level project design concepts are established, and broad, regional impacts of transportation on the environment are addressed.

### A. Regional Transportation Plan (RTP)

The long-range Regional Transportation Plan (RTP) prioritizes and guides all Fresno County transportation development over 25 years. The RTP is the comprehensive blueprint for transportation investment (transit, highway, local roads, bicycle and pedestrian projects), and establishes the financial foundation for how the region invests in its surface transportation system by identifying how much money is available to address critical transportation needs and setting the policy on how projected revenues are to be spent. The RTP is generally updated every four years, with a limited number of amendments as needed. Opportunities for public participation for the RTP are different for RTP updates versus RTP amendments. RTP Updates include significant revisions to the RTP document, while RTP amendments are generally specific to project scopes, schedules, or costs.

- **RTP Update**

The RTP update reflects reaffirmed or new planning priorities and changing projections of growth and travel demand based on a reasonable forecast of future revenues available to the region. As necessary, Fresno COG prepares two technical companion documents for RTP updates: a program-level Environmental Impact Report per California Environmental Quality Act (CEQA) guidelines, and transportation air quality conformity analyses (to ensure clean air mandates are met) per federal Clean Air Act requirements. Certain revisions to the RTP may warrant a revision or update to these technical documents. See the update outreach requirements listed below.

- **RTP Amendment**

An amendment is a major revision to a long-range RTP, including adding or deleting a project, major changes in project costs, and/or design concept and scope (e.g., changing project locations, open to traffic dates, or the number of through traffic lanes). Changes to projects that are included in the financially unconstrained portion of the RTP (as information only) do not require an amendment. An amendment requires public review and comment, demonstration that the project can be completed based on expected funding, and/or a finding that the change is consistent with federal transportation conformity mandates. Amendments that require an update to the air quality conformity analysis will be subject to conformity and interagency consultation procedures. See the update outreach requirements listed below.

▪ **RTP Administrative Modification**

This is a minor revision to the RTP for minor changes to project/project phase costs, or funding sources. An administrative modification does *not* require public review and comment, demonstration that the project can be completed based on expected funding, nor a finding that the change is consistent with federal transportation conformity requirements.

**Outreach for RTP Updates (Occurs every 4 years)**

Fresno COG develops an independent Public Outreach Plan for the RTP Update process that specifically details the strategies used to enlist public participation, and states how members of the public may participate in each step of the process. Fresno COG typically conducts public meetings, RTP Advisory Committee meetings, workshops, surveys and any other outreach strategy deemed appropriate during the RTP Update period, to solicit public dialogue and comment on the RTP process including, but not limited to issues such as:

- Overview of the planning process
- RTP goals, objectives, performance indicators
- RTP project lists
- RTP funding scenarios
- Legally noticed public comment period on the Draft RTP Update. The length of the public comment period is generally 45 days
- Legally noticed public hearing

RTP Updates also generally require an amendment to the Federal Transportation Improvement Program (FTIP) and a new Air Quality Conformity Analysis.

## Outreach for RTP Amendments

The public participation process for RTP amendments follows the requirements as outlined for the FTIP, as applicable.

### B. Federal Transportation Improvement Program

The Federal Transportation Improvement Program (FTIP) implements the policy and investment priorities expressed by the public and adopted by Fresno COG in the Regional Transportation Plan (RTP). In this way, public comments made as part of the RTP are reflected in the FTIP as well. The FTIP covers a four-year timeframe, and all projects included in the FTIP must be consistent with the RTP. The FTIP is a comprehensive listing of Fresno County Area surface transportation projects — including transit, highway, local roadway, bicycle and pedestrian investments that:

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

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

The FTIP is updated every two years, with amendments occurring as needed. FTIP updates are generally considered similar to the Type 5 amendment (see below), and follow a similar public participation process. For FTIP Amendments, FHWA identifies six types, each with specific participation requirements, as indicated below.

Expedited Project Selection Procedures (EPSP) allows eligible projects to be moved between FTIP fiscal years as long as the project cost and scope do not change. Fresno COG staff is federally authorized to utilize EPSP without additional State or Federal approval action. Fresno COG does not require a formal public participation process for EPSP actions. A more detailed description of the EPSP is available from Fresno COG staff upon request.

Federal rules allow MPOs to group or combine projects that are not considered to be of appropriate scale for individual listing. Such grouped projects are often referred to as “Lump Sum Project Listings.” Fresno COG uses this ability to program lump sums within the FTIP. Such projects may be grouped by function (e.g., bike lanes), work type (e.g., maintenance), or

geographical area. Once grouped, the MPO is required to maintain, outside of the FTIP, a detailed list of the projects contained in each group.

Modifications to the projects or costs within the lump sum listings are conducted on an as needed basis and do not require a formal public participation process. However, any changes to the overall lump sum costs or scope are done in accordance with the amendment types below. Lump sum project listings are made available through the Fresno COG website and distributed to Caltrans and FHWA.

**Amendment Type 1. Administrative Modifications**

Administrative modifications include minor changes to project cost, schedule, or funding sources. Administrative modifications only require approval by Fresno COG. State and Federal agencies are notified, but do not take approval action on Administrative Modifications. They are posted on Fresno COG's website at the time of action, and are later posted on Caltrans website.

**Amendment Type 2. Formal Amendment – Funding Changes**

Type 2 amendments primarily include project cost changes that are greater than minor changes identified under Administrative Modification procedures. Type 2 amendments require approval by Fresno COG, Caltrans, and FHWA. Publicly accessible notification of a Type 2 formal amendment is posted on Fresno COG's website at least 7 days prior to action, and distributed to local agency partners through Fresno COG's standing committees. Fresno COG will consider public comments on the amendment prior to approval action.

**Amendment Type 3. Formal Amendment – Exempt Projects**

Type 3 amendments primarily include adding or deleting projects that are exempt from regional air quality emissions analyses. These amendments typically include transit or safety projects. Type 3 amendments require approval by Fresno COG, Caltrans, and FHWA. Public notification of a Type 3 formal amendment is posted on Fresno COG's website at least 7 days prior to action, and distributed to local agency partners through Fresno COG's standing committees. Fresno COG will consider public comments on the amendment prior to approval action.

**Amendment Type 4. Formal Amendment – Conformity Determination that Relies on a Previous Regional Emissions Analysis**

Type 4 amendments primarily include adding or deleting projects that have already been appropriately modeled for air quality purposes as part of the RTP. In this case, the federal approving agencies can use a previous analysis of the project's impact on air quality for approval purposes. Type 4 amendments may be accompanied by an RTP amendment to maintain consistency. The FTIP amendment and RTP Amendment (if applicable) follow the same public process. Type 4 amendments require approval by Fresno COG, Caltrans, and FHWA. Public notification of a Type 4 formal amendment includes the following:

- Legally noticed 30-day public comment period
- Legally noticed public meeting
- Posting of amendment information on Fresno COG's website during public comment period
- Publishing amendment information as part of the following publicly available Fresno COG agendas: Transportation Technical Committee, Policy Advisory Committee and Fresno COG Policy Board
- Consideration and response to public comments received during comment period

**Amendment Type 5. Formal Amendment – Conformity Determination and New Regional Emissions Analysis**

Type 5 amendments are the highest level amendment and primarily involve adding or deleting new projects that must be modeled for their air quality impacts, or significantly changing the design concept, scope, or schedule of an existing project. Type 5 amendments are accompanied by a new Air Quality Conformity Document that demonstrates conformity with applicable air quality requirements, and if applicable, an RTP amendment to maintain consistency. The FTIP amendment, Air Quality Conformity Document, and RTP Amendment (if applicable) follow the same public process. Type 5 amendments require approval action by Fresno COG, Caltrans, and FHWA. Public notification of a Type 5 formal amendment includes:

- Legally noticed 30-day public comment period
- Legally noticed public meeting
- Posting of amendment information on Fresno COG's website during public comment period
- Publishing amendment information as part of the following publicly available Fresno COG agendas: Transportation Technical Committee, Policy Advisory Committee, and Fresno COG Policy Board

- Consideration and response to public comments received during comment period

### **Technical Correction**

A technical correction to an FTIP project by staff does not require public review or approval of any kind.

### **Public Participation Plan**

Major revisions or updates to the Fresno COG Public Participation Plan include a 45-day public review period and public hearing. Fresno COG staff will conduct a periodic review of the effectiveness of the Public Involvement Process to determine if current strategies are effective.

### **Sustainable Communities Strategy Outreach**

Under a new state law (SB 375, Steinberg, Chapter 728, 2008 Statutes), Fresno COG must develop a Sustainable Communities Strategy (SCS) to integrate planning for growth and housing with long-range transportation investments, including goals for reducing greenhouse gas emissions for cars and light trucks. The law also calls for a Public Participation Plan that addresses outreach for an SCS and the Regional Transportation Plan. Fresno COG is working to develop the region's response to this plan, and is overseeing a Proposition 84 grant which will fund a large part of the SCS Public Outreach Plan and its implementation. When completed, it will be available on the Fresno COG website at [www.fresnocog.org](http://www.fresnocog.org), and by contacting Fresno COG staff.

## 4. General Public Participation Strategies

Fresno COG Staff uses several strategies to provide interested parties with reasonable opportunities to be involved in the planning process. Staff understands that prior to involvement in Fresno COG's planning activities, members of the public must understand what Fresno COG's mission is, and what issues are under consideration.

A list of participation strategies follows that includes tried-and-true approaches as well as newer ones. Fresno COG staff will define appropriate outreach strategies for each plan/program on a case-by-case basis, and select appropriate options from the following lists.

### **Public Meetings/Workshops**

- Participate in or speak at meetings of existing agencies/community groups
- Co-host workshops with community groups, business associations, etc.
- Partner with community-based organizations in low-income and minority communities for targeted outreach

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

- Open Houses
- Facilitated discussions
- Question-and-Answer sessions with planners and policy board members
- Break-out sessions for smaller group discussions on multiple topics
- Interactive exercises
- Customized presentations
- Vary time of day for workshops (day/evening)

### **Visualization Techniques**

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

### **Polls/Surveys**

- Statistically valid telephone polls
- Electronic surveys via Web
- Intercept interviews where people congregate, such as at transit hubs
- Printed surveys distributed at meetings, transit hubs, on-board transit vehicles, etc.

**Focus Groups**

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

**Printed Materials**

- User-friendly documents (including use of executive summaries and simplified language)
- Post cards
- Maps, charts, photographs, and other visual means of displaying information

**Targeted Mailings/Flyers**

- Work with community-based organizations to hand deliver flyers
- Mail to targeted database lists—either COG’s an outside agency’s or purchased
- Distribute “Take-One” flyers to key community organizations
- Place notices on board transit vehicles and transit hubs

**Utilize local media**

- News Releases
- Submit human interest stories that center around COG projects
- Invite reporters to news briefings
- Meet with editorial staff
- Opinion pieces/commentaries
- Purchase display ads/radio & TV advertising
- Negotiate inserts into local printed media
- Visit minority media outlets to encourage use of Fresno COG news releases
- Place speakers on radio/TV talk shows
- Public Service Announcements on radio and TV
- Develop content for public access/cable television programming
- Civic journalism partnerships

**Electronic Access to Information**

- Website with updated content and simplified layouts
- Audio/videocasts of current and past public meetings/workshops
- Electronic duplication of open house/workshop materials
- Interactive Web with surveys, comment line
- Access to maps, charts, plans
- Provide information in advance of public meeting
- Post event/meeting information on online news sites, calendars, community & discussion websites

### **Notify Public via**

- Blast e-mails
- Notice widely disseminated through new partnerships with community-based and interest organizations
- Newsletters
- Printed materials
- Electronic access to information
- Local Media
- Notices placed on board transit vehicles and at transit hubs
- Public utility bill inserts

### **Newsletters**

- Fresno COG's newsletter COG Outlook
- Project specific email and print newsletters
- Board Action Summaries
- Submit articles for publication in community/corporate/online newsletters

### **Techniques for Involving Environmental Justice Communities**

- Make regular reports to Fresno COG's ongoing committees such as the ADA Advisory Council, SSTAC, etc.
- Grants to community-based organizations to organize & tailor meetings, customize presentation materials, provide incentives and remove barriers to participation in their communities
- "Take One" flyers on transit vehicles and transit hubs
- Outreach in the community (flea markets, churches, health centers, etc.)
- Partner with other agencies to reach the public at their scheduled meetings/events
- Convert materials going out to the general public to a 6<sup>th</sup> grade reading level
- Translate materials; have translators available at meetings as requested
- Include information on meeting notices on how to request translation assistance
- Robust use of "visualization" techniques, including maps and graphics to illustrate trends, choices being debated, etc.
- Use of community and minority media outlets to announce participation opportunities
- When conducting public outreach on regional plans/projects, develop explanations of the impacts to each city or local area involved

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

- Summarize key themes of public comments in staff reports to Fresno COG standing committees

- Direct mail and email to participants from meetings, surveys, etc. to report final outcomes
- Newsletter articles
- Updated and interactive Web content

**Other Outreach**

- Information/comment tables or booths at community events and public gathering spaces
- Form a public review committee during plan development to review documents for readability
- Form a public outreach committee with representatives from each member agency as well as community groups

## 6. Additional Fresno COG Public Participation Policies

The following requirements will apply as deemed appropriate by the Fresno COG management staff and Policy Board Chair:

1. No person shall be denied participation.
2. As required, a public notice will be placed in the legal advertising sections of at least one newspaper of general circulation within the affected community, including a Spanish-language publication when possible.
3. Fresno COG shall provide appropriate assistance, auxiliary aids, a translator/interpreter for non-English speaking and hearing impaired individuals and/or services when necessary if requested 3 working days in advance of the meeting, to afford disabled individuals an equal opportunity. If Fresno COG is unable to accommodate a request for a public hearing then the hearing will be continued on a specified date when accommodations are available.
4. Fresno COG will also obtain a subscription to a language line as needed for day-to-day public inquiries.
5. Fresno COG's website shall maintain a link to a translation service for information contained on the agency site.
6. Meeting agendas and minutes are currently made available upon written request via regular mail, and they are added regularly to Fresno COG's internet website. Agendas are also posted at meeting locations at least 72 hours before regular meetings of advisory or standing committees or 24 hours before special meetings. Fresno COG circulates an annotated agenda with supporting documents to all committee members and support staff, and annotated agenda packets are sent to the main branch of the Fresno County library. The Brown Act (CA Government Code 54954.1) also states that any person may request a copy of the agenda or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. That request is valid for the calendar year in which it is filed, and must be renewed following January 1<sup>st</sup> of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service.

7. Public hearings will be held prior to a decision point as a formal means to gather citizen comments and positions from all interested parties for public record and input into the decision making process. Fresno COG hearings are required for the adoption of major plans, programming of money and for the annual Unmet Transit Needs analysis. Notices for public hearings will be published in a general circulation newspaper. Fresno COG will accept prepared comments from the public during the noticed public comment period. These comments will be considered part of the public record. Also during this period, Fresno COG staff will accept questions and provide clarification on issues raised by the public.
8. Fresno COG's media list includes newspapers, radio and television broadcast media, and appropriate business or government publications and contacts serving Fresno County.
9. If major amendments are made to any plans or programs during the review and comment period, the plan(s) will be made available for an additional 30-45 day public review and comment period prior to final adoption. Such changes may also be advertised via news release to all media outlets, on community flyers and on the Fresno COG website as deemed necessary in the specific project area prior to final adoption.
10. The Executive Director or her designee will coordinate with the state to enhance public consideration for the State Transportation Plan or the State Transportation Improvement Plan.
11. For high-profile projects/plans Fresno COG may form a citizens' advisory committee specific to that particular plan or project, or determine what, if any, existing committees would appropriately review the plan or project.

## Appendix A: Partnerships/Organizational Contacts/Committees

Fresno COG maintains regular involvement with the following agencies (listed here as examples of the businesses and agencies we communicate with regularly): We have an list of 1,610+ emails that receive Fresno COG's weekly email "Coming Up at Fresno COG," others who receive annual reports and any "special" mailings such as notices, project specific newsletters or flyers, etc. We also host a Facebook page with 2,200 "friends" that we communicate with and post public participation opportunities on the page. Citizens and privately owned businesses currently on our mailing list are not mentioned here:

Airport Land Use Commission	Big Sandy Rancheria of Mono Indians of CA
Building Industry Association	California Data Researchers
California High-Speed Rail Authority	California Air Resources Board
California Highway Patrol	California Public Utilities Commission
California Regional Water Quality Control Board	California Trucking Association
Caltrans, District 06	CalVans
Calwa Recreation and Park District	Chambers of Commerce (Countywide)
City of Clovis	City of Coalinga
City of Firebaugh	City of Fowler
City of Fresno	City of Huron
City of Kerman	City of Kingsburg
City of Mendota	City of Orange Cove
City of Parlier	City of Reedley
City of Sanger	City of San Joaquin
City of Selma	Clovis Transit
Cold Springs Tribe	Consolidated Transportation Service Agency
County of Fresno	Economic Opportunities Commission
El Vida En El Valle (newspaper)	Federal Highways Administration
Federal Transit Administration	Five Cities Economic Development Authority
Fresno Area Express (FAX)	Fresno Area Citizens for Effective Transportation
Fresno Area Residents for Rail Consolidation	Fresno Area Workforce Investment Council
Fresno Business Council	Fresno County/City Chamber of Commerce
Fresno County Community Health Department	Fresno County Economic Development Corp
Fresno County Economic Opportunities Comm.	Fresno County Farm Bureau
Fresno County Rural Transit Agency	Fresno County Transportation Authority
Fresno County Bicycle Coalition	Fresno Cycling Club
Fresno-Madera Area Agency on Aging	Fresno Metropolitan Flood Control District
Fresno Work Force Investment Corporation	High Speed Rail Authority
I-5 Business Development Corridor	KFSN-TV Channel 30
KFTV Channel 21	KGPE-TV Channel 47
KMPH-TV Channel 26	KSEE-TV Channel 24
Latino Issues Forum	League of Women Voters
Local Agency Formation Commission	National Federation of the Blind
North Fork Rancheria	Picayune Rancheria
San Joaquin Valley Air Pollution Control District	Sierra Club
Southwest Transportation	Table Mountain Rancheria
The Fresno Bee	Valleyrides
Westar Transportation	

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