

DRAFT

# *Participation Plan*

*Proposed Adoption May 2007*

Prepared by the  
Gainesville-Hall Metropolitan Planning Organization

In cooperation with the  
Georgia Department of Transportation  
Federal Highway Administration  
Federal Transit Administration



**GHMPO**

***Gainesville - Hall  
Metropolitan Planning Organization***

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Flowery Branch - Gainesville - Hall County - Oakwood

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## **BACKGROUND AND INTRODUCTION**

With the completion of the 2000 Census, the Gainesville-Hall area was officially designated as an urbanized area. Essentially, this means that the City of Gainesville and the surrounding area attained a population in excess of 50,000 people within a concentrated geographical area, having a population density exceeding 1,000 people per square mile. In February of 2003, the Hall County Planning Department was designated, as the by the Governor of Georgia, as host agency for the Gainesville-Hall Metropolitan Planning Organization (GHMPO).

Under the requirements of SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users), the most recent law establishing Federal transportation policy and funding authorizations, the GHMPO serves as the regional forum for conducting a cooperative and comprehensive transportation planning. SAFETEA-LU has also increased the responsibility of the MPO and the participating local governments in this arena, and expanded the range of transportation projects available for federal funding. More than ever before, citizens have a greater opportunity to decide what transportation options they desire most in the future.

In October of 2004, we adopted our first Public Involvement Plan which documents a series of strategies and techniques to be considered for involving the public and underrepresented communities in various ongoing GHMPO activities.

## **PURPOSE OF THE PARTICIPATION PLAN**

Under SAFETEA-LU the GHMPO is required to develop a Participation Plan that expands the Public Involvement Plan to include consulting with representatives of various intermodal transportation agencies, and other interested parties on various ongoing transportation planning activities.

There will be specific emphasis on meeting with local, regional, and State agencies responsible for land use management, natural resources, and environmental protection concerning transportation related planning activities. GHMPO has already been consulting with the Greater Hall Chamber of Commerce, undertaking outreach meetings, and coordinating with the local Planning and Public Works departments. This document will outline these ongoing activities. In addition GHMPO while developing a Participation Plan will consult with representatives of public transportation employees, providers of freight transportation services, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies responsible for safety/security operations and providers of non-emergency transportation services. A detailed list of these agencies can be found in later part of the document in Consultation Process under the Participation Guidelines section.

Participation and consultation will play a critical role in both developing the process and building consensus between the public, interest groups, and transportation decision makers on issues, as well as strategies and actions to address the issues. Participation from local groups and individuals impacted by the process results in a greater likelihood

that the end products will meet the needs of the local community and be more widely supported.

## PARTICIPATION PLAN OBJECTIVES

Meaningful public and stakeholder involvement is critical to the long-term success of the GHMPO. The objective of this Participation Plan is three-fold:

- Ensure that transportation planning requirements and public participation goals, as identified in federal regulations and state and regional plans and policies, are met.
- Establish guidelines for public participation that bridge statewide and metropolitan planning processes for current studies and future projects.
- Detail how public comment will be obtained, distributed, considered, documented, acted upon and evaluated.

Special attention will be given to encouraging participation from a wide array of stakeholders, including representation from low-income and minority communities.

This plan outlines a specific approach to public participation for the GHMPO that takes into consideration local needs and conditions. The plan takes advantage of existing community resources to achieve the following public participation guiding principles:

- **Involve** the stakeholders with early opportunities for participating in the decision-making process, particularly minority and low-income persons.
- **Listen** to the concerns and issues of the stakeholders living in the community;
- **Inform** the stakeholders in a timely manner of progress and recommendations;
- **Learn** from the stakeholders ideas for solutions to transportation problems;
- **Consult** with stakeholders and provide reasonable opportunity to comment; and
- **Develop** an effective outreach process that includes an integrated feedback process for evaluation and improvement.

The Participation Plan is intended to include all area citizens and affected public agencies in a transportation planning effort that is structured, inclusive, and proactive. The plan consolidates the concerns of a wide variety of involved parties into workable transportation plans and programs. It is designed to encourage and provide the greatest level of education of transportation issues, along with opportunities to contribute ideas and voice opinions early and often. The plan provides opportunities for the public and interested agencies to participate in transportation planning efforts such as the Long Range Transportation Plan, the Transportation Improvement Program, and other relevant transportation planning activities.

The Participation Plan is not intended to be a static document. It is designed to be flexible and be modified as we learn through experience, which outreach and involvement activities work best. The GHMPO is committed to using the methods that work effectively and review the plan structure as needed.

## **GHMPO's TRANSPORTATION PLANS AND PARTICIPATING ACTIVITIES**

GHMPO is responsible for the creation of the following four fundamental planning documents:

### **Long Range Transportation Plan (LRTP):**

The LRTP is the foundation of the region's community's transportation planning program, providing a 20 year look at the improvements needed to assure the mobility of people and goods in Hall County. The LRTP must be amended at least every four (4) years, due to the County's inclusion in an Air Quality Non-Attainment area.

Participation activities include consultation with appropriate public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, visioning exercises, dialogues on needs assessment, small group discussions to get input on draft elements of the plan, open houses on draft plans, public opinion surveys and public hearings. Public and interested agencies can access the LRTP on the GHMPO website and/or request an electronic or a hardcopy.

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

The TIP is the implementation plan for the LRTP. The TIP reflects the schedule of the engineering, right-of-way acquisition and construction activities for transportation improvements for the next 4 years, along with a second tier of projects for an additional 2 years.

Participation activities include public and private entities as well as the public giving input on prioritizing a project list, public opinion surveys on the impact of the TIP, and attending open houses or reviewing documentation for the draft TIP. Participation activities also include consultation with private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation, and historic preservation. Public and interested agencies can access the TIP on the GHMPO website and/or request an electronic or a hardcopy.

### **Unified Planning Work Program (UPWP):**

The GHMPO is responsible for the development, in cooperation with the state and operators of publicly-owned transit of a Unified Planning Work Program, an instrument for coordinating transportation planning in the region.

The UPWP is developed annually and is available for public review on the GHMPO website or in hard copy upon request.

### **Participation Plan:**

The Participation Plan provides GHMPO with a formal consultation process, participation policy and procedures. It also provides interested parties with an understanding of what to expect in the transportation planning process and how to get involved. It includes certain specific requirements, as well as a series of strategies for matching appropriate publicity and involvement techniques into various ongoing GHMPO activities.

Participation activities include review of the draft plan electronically or in hard copy upon request. Participation activities also include consultation with public, affected public agencies, representatives of freight shippers, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies or entities responsible for safety/security operations, and providers of non-emergency transportation services.

## **PARTICIPATION GUIDELINES**

An essential component of the Participation Plan is the two-way exchange of information. The GHMPO staff assumes the role of compiling this information. Staff also is responsible for synthesizing all information received. While many of these activities operate independently of each other, staff act as a conduit for information and recommendations, ensuring that citizens at all levels are aware of all public participation activities. The public participation plan will also be coordinated with the statewide public involvement process, when applicable. The following discussion details how GHMPO works with audiences broadly and specifically in its participation process.

### **Citizens Advisory Committee**

The Citizens Advisory Committee (CAC) consists of individuals that provide a broad representation of the community. The function of this committee is to inform and advise the community of the process, recommendations and results of the GHMPO activities and to offer any suggestions, which would benefit the area. The CAC also advises the GHMPO Policy Committee on matters of public opinion from individual citizens and citizen groups regarding transportation plans and programs. The CAC will be utilized to the fullest extent possible in the outreach activities of informing their counterparts of any transportation plans, programs, and projects.

The CAC consists of 17 appointees from the member jurisdictions as follows: Hall County (8), City of Gainesville (5), City of Flowery Branch (2), and City of Oakwood (2).

### **Access to Participation**

The ability to communicate and access GHMPO planning efforts are primary considerations in developing outreach activities. The goal is for those interested to be able to easily, efficiently and effectively participate. To provide this GHMPO ensures that communications channels are open and that its information is available in multiple formats and is understandable by the general public.

Planning information is provided in written and electronic formats. As technological resources progress, increasing amounts of planning materials are provided electronically, cutting down on the costs of printing, but where this is not appropriate for a user, hardcopies will be made available. Outreach activities for planning studies as well as the Long Range Transportation Plan and Transportation Improvement Program include meeting with the public to provide direct access to planning information and opportunities to talk with planning staff and/or decision-makers. Effort will always be made that the meeting locations are accessible by wheelchair and other ambulatory devices.

### **World Wide Web**

For the practice of public outreach, GHMPO maintains a comprehensive website ([www.ghmpo.org](http://www.ghmpo.org)) to efficiently communicate with the public on its planning activities and policies.

The following illustrates what GHMPO makes available to the public on its website:

- Public meeting announcements
- Committee structure
- Committee meeting schedules and agenda materials
- News articles relating to transportation planning activities
- Planning documentation, presentations and reports
- Archives for planning documents and meeting minutes
- Project specific sites for studies and other planning activities
- Surveys and questionnaires
- Links to other pertinent websites
- Contact boxes to communicate with GHMPO or seek information

If an individual does not want to download a document or print it, GHMPO provides compact discs that make thousands of pages of documentation or resource material available. Most important of all the informational resources is the GHMPO staff itself who are available to provide information about various transportation planning activities. The inquirer can access the staff through email, mail, telephone, and fax or at meetings to be provided direct service.

### **Non-English Speaking Communities**

For major GHMPO planning efforts such as the Long Range Transportation Plan, the Transportation Improvement Program staff will coordinate with local media resources to gain access to these communities and garner their input to these plans. As appropriate outreach meetings will be conducted to reach these communities. Translators will be made available to serve the non-english speaking communities at public information meetings.

GHMPO will utilize the following media resources and techniques to reach the non-english speaking communities:

- Mexico Lindo, local Spanish newspaper
- La Guia, local Spanish magazine

- La Favorita, local Spanish radio station
- La Que Buena, Latino radio station
- Outreach meetings with the Spanish speaking community

### **Consultation Process**

As an ongoing activity the GHMPO will meet with local, regional, State, and Federal agencies responsible for land use management, natural resources, economic development, public transportation, bicycle and pedestrian facilities, freight shippers, safety and security operations, and environmental protection concerning transportation planning activities. The consultation process will provide agencies a reasonable opportunity to comment on various transportation planning activities. Undertaking outreach meetings with the freight community, consulting with the local Chamber of Commerce, coordinating with the local Planning and Public Works departments are some techniques for an effective consultation process.

GHMPO will consult with the following agencies and provide them opportunity to comment on various transportation planning activities:

#### **Affected Public Agencies**

- Hall County Planning Department
- Hall County Public Works
- Hall County School Board
- Hall County Black Historical Society
- City of Gainesville Planning Department
- City of Gainesville Public Works
- Gainesville City Schools
- City of Flowery Branch Planning Department
- City of Oakwood Planning Department
- Main Street Gainesville
- Northeast Georgia Medical Center
- Georgia Department of Transportation
  - Office of Planning
  - District 1 Office
  - Intermodal Office
- Georgia Mountains Regional Development Center
- Georgia Department of Community Affairs
- Georgia Department of Economic Development
- Georgia Department of Natural Resources
  - Historic Preservation Division
  - Environmental Protection Division
  - Wildlife Resource Division
  - State Parks & Historic Sites
- Federal Highway Administration
- Federal Transit Administration
- Atlanta Regional Commission

Representatives of Public Transportation Providers

- Hall Area Transit
- Georgia Regional Transportation Authority
- Georgia Transit Association

Representatives of Freight Shippers

- Freight Representatives with the Greater Hall Chamber of Commerce
- Georgia Motor Trucking Association

Representatives of Users of Pedestrian and Bicycle Facilities

- Chicken City Cyclists
- Friends of the Parks
- Hall County Parks and Leisure
- Bike Town USA
- Gainesville State College
- Brenau University

Representatives of the Disabled Agencies

- Gainesville Disability Resource Center
- Georgia Disability Resource Group

Representatives of Wildlife Preservation

- Elachee Nature Center
- Georgia Sierra Club

Providers of Non-Emergency Transportation Services

- North Georgia Medical Transport

Entities Responsible for Safety/Security Operations

- Hall County 9-1-1 / Central Communications Information Department
- Hall County Sheriff's Department
- City of Gainesville Police Department
- City of Oakwood Police Department
- City of Flowery Branch Police Department

Private Agencies Responsible for Planned Growth

- Council for Quality Growth
- Lake Lanier Islands Development Authority

Private Agencies Responsible for Airport Operations

- Lee Gilmer Memorial Airport

Private Agencies Responsible for Economic Development

- Greater Hall Chamber of Commerce

Private Agencies Responsible for Historic Preservation

- The Georgia Trust for Historic Preservation

### **Visualization Resources**

To strengthen participation in the planning process and specifically to aid the public in understanding proposed plans, GHMPO utilizes a variety of visualization techniques. GHMPO extensively uses maps with aerial photography and display boards to communicate visually its planning when in scenario development or demonstrating networks and regional linkages. A visualization technique can be simply a marker and a piece of paper for small group discussions examining specific issues.

GHMPO will utilize these visualization techniques at public meetings, outreach meetings, and committee meetings.

### **How Information Resources are Used**

The ultimate purpose for the use of all of these resources is to open up the planning process and results to any person interested to know. The resources are used to communicate planning concepts, alternatives, impacts, decisions, and results. The goal is to make sure these resources are understandable and provided in “people talk” so they will be of value to the user. Specifically, they are used throughout the planning process to communicate and illustrate and after the completion of the process to educate and explain. In all cases, these resources are in formats for and obtainable by any interested user.

### **Public Notice/Review Period Guidelines**

Public notices are placed in local newspapers, prior to all public review periods for the Long Range Transportation Plan and the Transportation Improvement Program. Public review periods for draft plans and programs run at least 30 days. If the Policy Committee determines that the final plan or program differs significantly from the one which was made available for public comment, and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional 15 days for public comment on the revised plan or program shall be made available.

If the Policy Committee determines it necessary to amend the final plan or program, the Policy Committee may approve the proposed amendment(s) subject to a an additional public review and comment period. For a major amendment, those changes that are controversial and/or regionally significant in nature and would affect the conformity determination of a Long Range Transportation Plan or a Transportation Improvement Program, there would be a 30 day public review and comment period. For a minor amendment, projects that would not affect the conformity determination or the financial constraint of a plan, an advertised 15 day public review and comment period will be held. If no significant comments are received, the amendment(s) will stand as approved with no further action required by the Policy Committee. Results of the public review and comment period will be provided to the Policy Committee, for their information, at the next regularly scheduled meeting. If comments are received which the MPO staff considers as potentially significant, the comments will be presented to the Policy Committee for consideration and appropriate action.

### **Process Conclusion**

When significant written and oral comments are received on the draft transportation plan or program, as a result of the public involvement process, a summary, analysis or report on the content of comments and the MPO responses, is prepared and made part of the final document, which is available at central locations. This summary report is then distributed throughout the established network of committees and the individual commenters.

Plan and/or program amendments and the resulting public comments, will be made part of the Policy Committee minutes and will be kept on file in the MPO office. Amendments and comments also will be incorporated into copies of the affected plans and programs, made available at central locations.

### **Process Review**

Currently, transportation planning documents and items to be considered for adoption by the Policy Committee, are first reviewed by the Technical Coordinating Committee (TCC) and then by the Citizens Advisory Committee (CAC). The full Policy Committee (PC) is the policy making body of the Metropolitan Planning Organization and the Chairman of the CAC is also a member of the PC. A citizen is encouraged to attend and participate in the TCC, CAC or PC meetings.

The GHMPO Committees each meet four times a year, as long as there are sufficient items to discuss and act on by the members. The meeting time, location and the agenda materials are all posted on the GHMPO website.

## **EVALUATION OF PUBLIC PARTICIPATION EFFORTS**

Periodic review of the participation activities to evaluate program effectiveness is beneficial for maintaining a good participation program. Overall evaluation of participation efforts on a regular basis helps answer whether the program is meeting the key Participation Plan objectives. Specific evaluation measures can be used to quantify the level of participation. This can help to determine under what circumstances participation tools are effective or not. Through the evaluation process, the participation strategies can be refined and improved.

The evaluation of the GHMPO participation process will focus on an assessment of each program's overall success and effectiveness in achieving its participation goals. Strong participation numbers and inclusion of a broad range of interests is of particular concern to the GHMPO staff. As additional participation techniques are developed, each new strategy will be evaluated for effectiveness. Table 1 outlines the evaluation criteria, both qualitative and quantitative, of GHMPO's past and current participation techniques.

**Table 1 - Evaluation Criteria**

Participation Tool	Evaluation Criteria	
	Quantitative	Qualitative
<b>Outreach Meetings</b>	Attendance	Was Input Used in Planning Process?
	Diversity of Representation	Meeting Convenience: Time, Place, and Accessibility
	Quantity of Feedback Received	Effectiveness of Meeting Format
<b>Media Relations</b>	Extent and Quantity of Media Coverage	Timing of Notification
	Number of Avenues Used to Reach Non-English Speaking Communities	Effectiveness of Notification and Communication Tools
		How Often Contact is Made
<b>Mailing List</b>	Number of Additions to a Mailing List	Concise and Clear Information Portrayed
	Diversity of Representation	Effectiveness of Notification Format
<b>Public Information Meetings</b>	Number of Meetings/Opportunities for Public Involvement	Effectiveness of Meeting Format
	Number of Comments Received	Public Understanding of Process
	Number of Participants	Quality of Feedback Obtained
	Number of Avenues Used to Reach Minorities and Non-English Speaking Communities	Timing of Public Participation
	Diversity of Attendees	Meeting Convenience: Time, Place, and Accessibility
<b>Consultation Process</b>	Number of Agencies Invited	Was Public's Input Used in Developing the Plan?
	Number of Agencies Attended	Effectiveness of Communication Format
	Number of Specific Small Group Meetings	Coordination Between the Agencies
	Number of One-on-One Meetings	Agencies Understanding of Process

## **Participation Plan Evaluation**

The Participation Plan shall be formally reviewed every five years and updated as necessary by the GHMPO to assure that is promoting an effective process, which provides full and open access to public and interested public agencies. After changes have been implemented the revised plan will go through the GHMPO Committees – Technical Coordinating, Citizen Advisory and Policy – followed by a 45 day comment period before official adoption. The Participation Plan’s 45 day comment period will be advertised in a local newspaper – the Gainesville Times. During this period the draft plan will be made available on the GHMPO website and upon request a hard-copy will be available for the public. All comments received will be reviewed, considered, and incorporated, as appropriate into the plan. A report documenting the participation and review process, including comments received, will be made part of the final document, which will be available on the GHMPO website.

As stated earlier in the document, this plan is intended to be a living document, which can incorporate revisions and edits from the public and/or interested public agencies. It is also designed to be flexible and offer a number of varied techniques for effective participation.

## APPENDIX A: GHMPO ORGANIZATIONAL STRUCTURE

The GHMPO is administered through three committees, which hold regular quarterly meetings.

**The Policy Committee** is the decision making body for the organization. It is made up of the following officials or their designees:

- Mayor, City of Flowery Branch
- Mayor, City of Gainesville
- Chairman, Hall County Commission
- Mayor, City of Oakwood
- Commissioner, Georgia Department of Transportation

**The Technical Coordinating Committee** provides recommendations from a technical perspective on the plans and programs adopted by the GHMPO. The voting membership is made up of administrators, engineers and planners from the member jurisdictions, Hall Area Transit and GDOT. The non-voting membership includes representatives of various State and Federal transportation agencies, local law enforcement, chamber of commerce, school boards and major local institutions.

**The Citizens Advisory Committee** provides recommendations from the public's perspective, and consists of 17 appointees from the member jurisdictions as follows: Hall County (8), Gainesville (5), Flowery Branch (2), and Oakwood (2).

**The GHMPO staff**, which is housed in the Hall County Planning Department, administers the planning program and provides technical guidance and administrative support to the committees.

## APPENDIX B: REGULATORY REQUIREMENTS GOVERNING THE PUBLIC PARTICIPATION PROCESS

### 23 CFR Part 450.316: Interested parties, participation, and consultation; 49 CFR Part 613.300

This participation plan is guided by the June 9, 2006 proposed rulemaking for public participation procedures for metropolitan planning organizations incorporating the changes to the Code of Federal Regulations due to the passage of the legislation, *Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU)*. It is anticipated that the final rule will not be in place until 2007, therefore, ARC has made a good faith effort to put into place a participation plan based on the proposed rules. If the governing rules change, the participation plan will be amended to follow the final rule, if necessary.

The proposed rule below is taken from the U.S. Dot, Federal Highway Administration 23 CFR Part 450.316: Interested parties, participation, and consultation as well as the Federal Transit Administration 49 CFR Part 613.300:

- (a) The MPO shall develop and use a documented Participation Plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies or entities responsible for safety/security operations, providers of non-emergency transportation services receiving financial assistance from a source other than title 49, U.S.C, Chapter 53, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.
  - (1) The Participation Plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:
    - (i) Providing 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 metropolitan transportation plan and the TIP;
    - (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
    - (iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

- (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
  - (v) Holding any public meetings at convenient and accessible locations and times;
  - (vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
  - (vii) Seeking out and considering 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;
  - (viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was initially made available for public comment;
  - (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
  - (x) Periodically reviewing the effectiveness of the procedures and strategies contained in the Participation Plan to ensure a full and open participation process.
- (2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.
- (3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised Participation Plan is adopted by the MPO. Copies of the approved Participation Plan shall be provided to FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.
- b) In developing metropolitan transportation plans and TIPs, the MPO shall consult, as appropriate, with agencies and officials responsible for other planning activities within the MPA that are affected by transportation. To coordinate the planning functions to the maximum extent practicable, such consultation shall compare metropolitan transportation plans and TIPs, as they are developed, with the plans, maps, inventories, and planning documents developed by other agencies. This consultation shall include, as appropriate, contacts with STATE, local, Indian Tribal, and private agencies responsible for

planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation, and historic preservation. In addition, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

- (1) Recipients of assistance under title 49, U.S.C., Chapter 53;
  - (2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and
  - (3) Recipients of assistance under 23 U.S.C. 204.
- c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.
  - d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.
  - e) The MPOs are encouraged to develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (\*c), and (d) of this section, which may be included in the agreement(s) developed under Part 450.314.

## **Title VI of the Civil Rights Act of 1964 – Nondiscrimination in Federally Assisted Programs**

Sec. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

## **The Americans with Disabilities Act of 1990**

Sec. 201. Definition.

As used in this title:

- (1) Public entity. – The term “public entity” means –
  - (A) any State or local government
  - (B) any department, agency, special purpose district, or other instrumentality of a State of States or local government; and
  - (C) the National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).
- (2) Qualified individual with a disability. The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and

services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

#### Sec. 202 Discrimination.

Subject to the provisions of this title, no qualified individual with a disability shall, be reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

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

This order was signed by President Clinton in 1994 reinforced the requirements of Title VI of the Civil Rights Act of 1964 that focused federal attention on the environmental and human health condition in minority and low-income communities:

Each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.

#### **A.5 State of Georgia's Open Meetings Law (Georgia Code 50-14-1)**

Georgia's Open Meetings Law requires that state and local governmental bodies conduct their business so citizens can review and monitor their elected officials and others working on their behalf. The Law requires that government meetings be open to the public. The Law also requires governmental bodies to provide reasonable notice of all meetings. (*Georgia's Sunshine Laws: A Citizen's Guide to Open Government, Office of the Georgia Attorney General, 2001*)

#### **A.6 Georgia Open Records Process (Georgia Code 50-18-70)**

Open records requests may be made to any custodian of the desired records. A written request is not required, but is advisable to eliminate any dispute as to what was requested or when the request was made. The records custodian is allowed a "reasonable amount of time" to determine whether the records requested are subject to access under the Law. However, the custodian must respond to all requests within three business days. If the records exist and are subject to inspection but are not available within three business days, a written description of such records and a timetable for their inspection and copying must be provided within that time period. K Records maintained by computer shall be made available where practicable by electronic means, including Internet access, subject to reasonable security restrictions preventing access to nonrequested or nonavailable records. If access to a record is denied in whole or in part, the records custodian must provide in writing the specific legal authority exempting such record from disclosure. (*Georgia's Sunshine Laws: A Citizen's Guide to Open Government, Office of the Georgia Attorney General, 2001*)