



2021 PUBLIC PARTICIPATION PLAN

Public Review and Comment Period:
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MERCED COUNTY ASSOCIATION OF GOVERNMENTS
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I. INTRODUCTION

About Merced County Association of Governments

As a Metropolitan Planning Organization (MPO), the Merced County Association of Governments (MCAG) addresses issues of mutual concern to the county and the cities in the Merced County region and satisfies federal and state transportation planning and programming mandates. MCAG 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. MCAG represents its member agencies 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.

MCAG 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 MCAG Governing Board and member agency staff guidance for public involvement and interagency consultation in the regional planning process. It contains procedures and strategies MCAG uses to initiate, seek, and foster greater public involvement in all of the agency's transportation planning activities. MCAG's documented participation plan defines a process for providing reasonable opportunities to be involved in the regional and metropolitan planning processes.

Purpose of the Public Participation Plan

MCAG developed this Public Participation Plan (PPP) as a guide to meeting the MPO requirements for early coordination, public involvement, and project development. The PPP is intended to provide direction for public participation activities conducted by MCAG and contains the requirements, procedures, strategies, and techniques used by MCAG to communicate with the public and appropriate affected agencies. This plan defines a process that outlines roles, responsibilities, and key decision points for consulting with affected public agencies and other interested parties and providing reasonable opportunities to be involved in the metropolitan transportation planning process.

MCAG's Commitment to Public Participation

MCAG's public involvement procedures are built on the following guiding principles and commitments to the community it serves:

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



Commitment 1: Early Engagement

- Provide adequate public notice of public participation activities and opportunities, 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), Sustainable Communities Strategy (SCS) and the Federal Transportation Improvement Program (FTIP);
- Provide timely notice and reasonable access to information about MCAG’s issues and processes.

Commitment 2: Access to All

- 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 internet;
- Hold public meetings at convenient and accessible locations and times;
- Make efforts to make it possible for people who do not speak English to participate, whether by interpretation services or Spanish materials or other methods;
- 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;
- No individual shall, on the basis or grounds of disability, race, age, or sex, be excluded from participation in or be denied the benefits of services, programs, or activities, or be subjected to discrimination by MCAG.

Commitment 3: Response to Public Comment

- Demonstrate explicit consideration and response to public input received during the

development of the RTP and FTIP;

- Forward all formal public comments to the MCAG Governing Board and/or appropriate committee for consideration during decision making.

Commitment 4: Open Communication

- Provide additional opportunity for public comment, if the final RTP or FTIP differs significantly from the version that was made available for public comment by MCAG and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
- Coordinate with statewide transportation planning public involvement and consultation processes.

Commitment 5: Review

- Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process.

II. FEDERAL AND STATE REQUIREMENTS

Developing an effective PPP involves the identification of techniques designed to meet the needs of a given situation relating to the development of a transportation plan, program, or project. Current federal and state statutes and regulations provide general guidelines for public involvement processes and procedures. There is great flexibility available to transportation planning agencies in developing specific public involvement and participation plans. However, while the set of techniques for any given situation may differ depending upon such factors as demographics and identified potential impacts, the general approach contains elements that are relevant and responsive to all communities. This information is provided to help practitioners identify legal requirements related to engaging the public that were created to protect and promote good practices. Phrases are provided from statute, regulation and executive orders relating to different aspects of engaging the public. To understand the broader context of those requirements, MCAG encourages interested parties to refer to the complete statute, regulation, or executive order.

Fixing America's Surface Transportation (FAST) Act

Federal surface transportation legislation, known as the Fixing America's Surface Transportation (FAST) Act, (H.R. 22), signed into law in December 2015, underscores the need for public involvement. The law requires metropolitan planning organizations such as MCAG to "provide citizens, affected public agencies, representatives of public transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public

transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, public ports and certain private providers of transportation, including intercity bus operators and employer-based commuting programs and other interested parties” with a reasonable opportunity to comment on transportation plans and programs. In addition, MPOs should consult with agencies and officials responsible for tourism and natural disaster risk reduction in developing plans and TIPs.

The FAST Act also requires MCAG - when developing the RTP and FTIP – to coordinate transportation plans with expected growth, economic development, environmental protection, and other related planning activities with the region. Toward that end, this PPP outlines key decision points for consulting with affected local, regional, state, and federal agencies.

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 related to the concept of environmental justice.

Executive Orders

An Executive Order is an order given by the President to federal agencies. As a recipient of federal revenues, MCAG 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

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. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Avoiding, denying, reducing or significantly delaying benefits to minority populations and low-income communities, and;

- Ensuring full and fair participation by all potentially affected communities in the transportation decision making process.

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 to develop and implement a system providing those services so all persons can have meaningful access.

Executive Order 12372: Intergovernmental Review of Federal Programs

Executive Order 12372 calls for intergovernmental review 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 MCAG Governing Board and its standing committees 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 three minutes in length, however the agency encourages interested citizens to provide written copies of presentations to the Board or committees, particularly if the statement is too long to be presented in its entirety. Citizens not able to attend the meetings may submit their concerns and ideas in writing to staff, who will then present the comments to the respective Boards and/or committees 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.

MCAG complies with the ADA by providing accessible formats, notifications and locations for workshops, meetings and public hearings, consulting with individuals from the disabled community, conducting outreach by maintaining an extensive contact/email lists, and by other means of notification and accommodation to participate in the planning process.

Code of Federal Regulations

The Code of Federal Regulations (CFR) is an annual codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government. The CFR is divided into 50 titles representing broad areas subject to Federal regulation. Each title is divided into chapters that are assigned to agencies issuing regulations pertaining to that broad subject area. It presents the official and complete text of agency regulations in one organized publication and provides a comprehensive and convenient reference for those who may need to know the text of general and permanent Federal regulations. The MPO public participation requirements outlined in the CFR (23 CFR 45.316) are carefully considered and addressed throughout this entire PPP.

2008 California Legislation

State law (SB 375, Steinberg, Chapter 728, 2008 Statutes) calls on agencies such as MCAG to develop a Sustainable Communities Strategy – a new element of the Regional Transportation Plan – to integrate planning for growth and housing with long-range transportation investments, to strive to reduce greenhouse gas emissions for cars and light trucks. The law also calls for a separate Outreach Strategy and Public Participation Plan for the development of the Regional Transportation Plan and the Sustainable Communities Strategy, respectively. Appendix A contains the Outreach Strategy and Public Participation Plan for MCAG’s long-range transportation plan and Sustainable Communities Strategy.

Other Requirements

A number of other federal and state laws call on MCAG to involve and notify the public in its decisions. MCAG 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.

III. OPPORTUNITIES FOR PUBLIC ENGAGEMENT

MCAG's Boards and Committees

Below are descriptions of each of MCAG's standing or advisory boards, committees, and commissions. They offer the organization an excellent opportunity for expanding public participation opportunities during the transportation planning process. This is accomplished not only by active membership but also by presentations made before them and attendance at open meetings. To find out more about each group, who staffs them and how to get involved with the work they are doing, contact MCAG at (209)723-3153, email Public Affairs department at info@mcagov.org or visit the MCAG website at www.mcagov.org.

MCAG Governing Board

The Governing Board establishes policy and guides MCAG's work programs. It is an 11-member board that includes the supervisor for each of Merced County's five districts and an elected official from each of the six incorporated cities in Merced County: City of Atwater, City of Dos Palos, City of Gustine, City of Livingston, City of Los Banos, and City of Merced. The board also serves as the Board of Directors for the Merced County Regional Waste Management Authority and the Transit Joint Powers Authority for Merced County. The Governing Board typically meets at 3:00pm on the third Thursday of every month at various locations throughout Merced County. For information about a specific meeting date and location, call MCAG at (209) 723-3153.

Citizens Advisory Committee

The 17-member Citizens Advisory Committee (CAC) provides policy and program recommendations directly to the MCAG Governing Board. All members are appointed by the MCAG Governing Board. The CAC meets at 8:30am on the first Friday of every month at MCAG.



Social Services Transportation Advisory Council

The purpose of Social Services Transportation Advisory Council (SSTAC) is to solicit the input of transit dependent and transit disadvantaged persons, including the elderly, disabled, low-income persons, and youth regarding transit needs in Merced County. Members of the SSTAC are appointed by the MCAG Governing Board, representing a broad range of service providers representing the elderly, disabled, and persons of limited means. In the appointment of council members, MCAG strives to attain geographic

and minority representation. The SSTAC is convened annually, at minimum, for the Unmet Transit Needs process as required by the Transportation Development Act.

Technical Review Board

The Technical Review Board (TRB) is comprised of the city managers from each of the six cities in the region and the executive officer of Merced County. The TRB provides recommendations on policies and programs directly to the MCAG Governing Board. TRB meetings are held at 8:30 AM on the second Wednesday of the month at various locations throughout the county. For information about a specific TRB meeting, contact MCAG at (209) 723-3153.

Valleywide Committees

MCAG staff is actively involved with Valleywide committees comprised of staff from the eight MPOs in the San Joaquin Valley. These groups meet regularly on issues of mutual interest and/or of regional concern. In addition to the committees listed below, the San Joaquin Valley MPOs are also active in the state's high-speed rail efforts, promotion of State Route 99, goods movement through the region, RTP/SCS development and other areas of regional significance. Together, the eight valley MPOs have developed, and contribute to, a San Joaquin Valley Council of Governments website: www.sjvcogs.org.

Model Coordinating Committee

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 MPOs and the San Joaquin Valley Air Pollution Control District (SJVAPCD) are represented, as well as the Federal Highway Administration, the Environmental Protection Agency, the California Air Resources Board, and Caltrans.

San Joaquin Valley Regional Planning Agencies Directors' Committee

The Directors' Committee is comprised of the Executive Directors from each of the eight MPOs in the San Joaquin Valley. This committee was formed to provide regular opportunity to discuss issues of mutual concern to all of the valley MPOs. Meetings are typically held at 10:00am on the first Thursday of the month at various locations throughout the valley. The meeting schedule, as well as agendas and minutes, can be found at www.sjvcogs.org.

San Joaquin Valley Regional Policy Council

The San Joaquin Valley Regional Policy Council is a 16-member council that was established to discuss and build valley-wide consensus on issues of regional significance in the San Joaquin Valley. The Council consists of two elected officials and one alternate appointed from each of the eight MPO governing boards. Meeting agendas, minutes and information about the Council are available at www.sjvcogs.org.

Interested Parties

MCAG encourages involvement of a broad range of people and organizations in the RTP/SCS planning process by reaching out to a wide variety of potential participants. Per state law, MCAG has expanded its list of interested parties which includes the public, stakeholders, and community groups, to whom we conduct outreach.

The following list of interested parties are target audiences MCAG aims to reach in the region:

- affordable housing advocates
- business organizations
- city managers
- community development representatives
- commercial property interests
- community-based organizations
- educational community and institutions
- elderly and retired persons
- elected officials
- environmental advocates
- federal land management agencies
- freight shippers
- general public
- non-emergency transportation service providers
- health and wellness representatives
- home builder representatives
- homeowner associations
- landowners
- planners
- private providers of transportation
- private sector businesses and citizens
- providers of freight transportation services
- public agencies
- public health and wellness representatives
- public sector
- representatives of the disabled
- representatives of transportation agency employees
- representatives of users of pedestrian walkways and bicycle transportation facilities
- representatives of users of public transit
- special interest non-profit agencies
- subregional organizations such as Councils of Governments
- transit operators
- transportation advocates

- Limited English Proficiency populations
- minority and low-income populations
- neighborhood and community groups
- neighborhood councils
- organizations serving rural area residents
- women’s organizations
- schools and school-based groups

IV. PROJECT OR PLAN SPECIFIC PUBLIC PARTICIPATION REQUIREMENTS

There are two key transportation initiatives that are specifically 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 Plan (FTIP). The long-range RTP and Sustainable Communities Strategy (SCS) prioritizes and guides all Merced County regional transportation development over 20-25 years. The FTIP is the programming document that identifies funding for those programs and projects that are included in the RTP/SCS.

Regional Transportation Plan

The RTP is the comprehensive guide for transportation investments (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 revenue will be spent. The RTP is generally updated every four years with the opportunity for amendments as needed.

Due to its comprehensive, long-term vision, the RTP provides the easiest and best opportunity for interested residents and public agencies to influence MCAG’s policy and investment priorities for transportation in Merced County. It is at the RTP development stage where investment priorities and major planning-level project design concepts are established and broad, regional impacts of transportation on the environment are addressed. Under California Senate Bill 375 (Steinberg, Chapter 728, 2008 Statutes), the RTP must include a 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.

Opportunities for public participation with the RTP are different for RTP updates compared to 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, MCAG 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, as well as an amendment to FTIP.

In general, outreach for RTP updates include public meetings, workshops, and surveys during the RTP development period to solicit public dialogue and comments on the RTP process including, but not limited to, topics and 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 30 days)
- Legally noticed public hearing

The RTP and SB 375 call for a separate Public Participation Plan that specifically addresses outreach for the RTP and the SCS. Appendix A includes MCAG's RTP/SCS Public Participation Plan that details the extensive public consultation and participation strategies MCAG will use to communicate with Merced County residents, public agency officials and stakeholder groups over many months, including them in the transportation planning process from beginning to end. This program will help ensure that environmental justice issues are addressed and that interested members of the public have ample opportunity to understand and provide meaningful input while the RTP is in its early stages and throughout the planning process.

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). 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. Changes to projects that are included in the financially unconstrained portion of the RTP (as information only) do not require an amendment.

RTP Administrative Modification

An administrative modification is a revision to the RTP for minor changes to project/project phase costs, or funding sources. It does not require public review and comment, demonstration that the project can be completed based on expected funding, nor a finding that the change is consistent with federal transportation conformity requirements. As such, the public participation process for RTP administrative modifications follows the requirements as outlined for the FTIP, as applicable.

Federal Transportation Improvement Program

The Federal Transportation Improvement Program (FTIP) implements the policy and investment priorities expressed by the public and adopted by MCAG in the 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 Merced County area surface transportation projects including transit, highway, local roadway, bicycle, and pedestrian investments that:

1. Receive federal funds, or are
2. Subject to a federal required action, or are
3. 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” or “adoptions” 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) allow eligible projects to be moved between FTIP fiscal years as long as the project cost and scope do not change. MCAG staff is federally authorized to utilize EPSP without additional state or federal approval action. MCAG does not require a formal public participation process for EPSP actions. A more detailed description of the EPSP is available from MCAG staff upon request and is incorporated into the FTIP document.

Federal rules allow MPOs to group or combine projects that are not considered to be of appropriate scale for individual listing. Such groups are often referred to as “Grouped Projects” also previously referred to as “Lump Sums.” MCAG uses this ability to program Grouped Projects 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 the FTIP, a detailed list of projects contained in each group called a “Grouped Projects Detailed Listing.”

Modifications to the projects or costs within the Grouped Projects Detailed Listings are conducted on an as-needed basis and do not require a formal public participation process. However, any changes to the overall Grouped Project costs or scope are done in accordance with the amendment types below. Grouped Projects Detailed Listings are made available through the MCAG website and distributed to Caltrans and FHWA.

FTIP Technical Corrections

Technical corrections may be made by MCAG staff as necessary. Technical corrections are not subject to an administrative modification or an amendment and may include revisions such as:

1. Changes to information and projects that are included only for illustrative purposes;
2. Changes to information outside of the FTIP period;
3. Changes to information not required to be included in the FTIP per federal regulations;
4. Changes to correct simple errors or omissions including data entry errors.

These technical corrections cannot significantly impact the cost, scope, or schedule within the FTIP period, nor will they be subject to a public review and comment process, re-demonstration of fiscal constraint, or a conformity determination.

Amendment Type 1 – Administrative Modifications

Administrative modifications include minor changes to project cost, schedule, or funding sources and do not require published public notices, public review and comment, or a public hearing with the exception of certain types of Federal Transit Administration Projects which must go through a formal amendment process. Administrative modifications only require approval by MCAG. State and federal agencies are notified, but do not take approval action on administrative modifications. Administrative modifications do not require re-demonstration of fiscal constraint or conformity determination. These modifications are posted on MCAG's website at the time of action and subsequently posted on Caltrans' website.

Amendment Type 2 – Formal Amendment: Funding Changes

Type 2 formal amendments primarily include project cost changes that are greater than minor changes identified under administrative modifications procedures. The projects in a Type 2 formal amendment do not change in design concept or scope and the conformity analysis years as assumed for the regional analysis of the currently conforming RTP/SCS and the FTIP remain unchanged. Type 2 formal amendments do not require published public notices or a public hearing, with the exception of certain types of Federal Transit Administration Projects. These amendments require approval by MCAG, Caltrans and FHWA/FTA. Publicly accessible notification of a Type 2 formal amendment is posted on MCAG's website at least seven days prior to action and distributed to local agency partners through MCAG's standing committees. MCAG will consider public comments on the amendment prior to approval action.

Amendment Type 3 – Formal Amendment: Exempt Projects

Type 3 formal amendments significantly revise, add, or delete projects to/from the FTIP that are exempt from regional air quality emissions analyses or are non-regionally significant projects or project phases. These amendments typically include transit or safety projects. Type 3 formal amendments require approval by MCAG, Caltrans and FHWA/FTA. Public notification of a Type 3 formal amendment is posted on MCAG's website at least seven days prior to action and distributed to local agency partners through MCAG's standing committees. Type 3 formal amendments do not require published public notices or a public hearing, with the exception of certain types of Federal Transit Administration Projects. MCAG 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 formal amendments primarily include adding or deleting projects that have already been appropriately modeled for air quality purposes as part of the adopted RTP/SCS. 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 formal amendments may be accompanied by an RTP/SCS amendment to maintain consistency. The FTIP amendment and RTP/SCS amendment (if applicable) follow the same public process. Type 4 formal amendments require approval by MCAG, Caltrans, and FHWA/FTA.

Public notification of a Type 4 formal amendment includes the following:

1. Legally noticed 30-day public comment period
2. Legally noticed public hearing
3. Posting of amendment information on MCAG’s website during public comment period
4. Publishing amendment information as part of the following publicly available MCAG agendas: Technical Review Board and MCAG Governing Board
5. Consideration of, and response to, public comments received during comment period

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

Type 5 formal amendments are the highest level amendment and primarily involve deleting or adding new projects that must be modeled for their impacts, or significantly changing the design, concept, scope, or schedule of an existing project. Type 5 formal amendments require an Air Quality Conformity document that demonstrates conformity with applicable air quality requirements and a new regional emissions analysis. An RTP amendment may be needed to maintain consistency. The FTIP amendment, Air Quality Conformity document, and RTP amendment (if application) follow the same public process. Type 5 formal amendments require action by MCAG, Caltrans, and FHWA.

Public notification of Type 5 formal amendments include:

1. Legally noticed 30-day public comment period
2. Legally noticed public hearing
3. Posting of amendment information on MCAG’s website during public comment period
4. Publishing amendment information as part of the following publicly available MCAG agendas: Technical Review Board and MCAG Governing

Board

5. Consideration of, and response to public comments received during comment period

Federal Transit Administration Program of Projects – Public Participation Requirements

As required by federal law and guidance, a Program of Projects (POP) for FTA projects must be developed by the Designated Recipient of FTA funds. The POP is a list of proposed FTA-funded projects that must undergo a public review process. Guidance provided by FTA allows the FTIP to function as the POP as long as the public is notified through public notice that the FTIP public review process satisfies the public participation requirements of the POP. Once the FTIP is approved, the document will function as the POP for recipients of FTA funds in the MCAG region.

This public participation plan follows the procedures for public involvement associated with the FTIP development and therefore satisfies public participation requirements for the POP. More specifically, this plan satisfies the Transit Joint Powers Authority for Merced County's public participation for the POP. All public notices of public involvement activities and time established or public review and comment on the FTIP will state that they satisfy the POP requirements for FTA programs.

Annual Listing of Obligated Projects

By federal requirement, at the end of each calendar year MCAG publishes an annual listing of obligated projects which is a record of project delivery for the previous year. The listing is also intended to increase the awareness of government spending on transportation projects to the public. Copies of this annual listing may be obtained from MCAG's website at www.mcagov.org. Hard copies are also available upon request by contacting MCAG at (209) 723-3153 or info@mcagov.org.

Air Quality Conformity Public and Interagency Consultation

A dialogue between agencies regarding air quality conformity considerations must take place in certain instances prior to adoption of the RTP/SCS or FTIP. These consultations are conducted through the San Joaquin Valley Interagency Consultation Group which includes representatives of the United States Environmental Protection Agency, the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the California Air Resources Board (CARB), the San Joaquin Valley Air Pollution Control District, the eight San Joaquin Valley MPOs, and Caltrans. These agencies review updates and, in

certain instances, amendments to the RTP/SCS and FTIP to ensure they comply to federal transportation conformity regulations via air quality transportation conformity analysis.

Intergovernmental Review via Regional and State Information Clearinghouses

The intent of intergovernmental review, per Executive Order 12372, is to ensure that the Merced County region's federally-funded or assisted projects do not inadvertently interfere with state and local plans and priorities. Applicants in Merced County with programs and/or projects for intergovernmental review should submit documentation to MCAG and/or the State Clearinghouse in Sacramento (as required by Executive Order 12372) which are responsible for coordinating state and local review of applications for federal grants or loans.

Overall Work Program (OWP)

The OWP is a critical document for the scheduling and distribution of work, especially the allocation of resources needed to address each task required of MCAG. In effect, the OWP constitutes a set of instructions for the planning and programming work to be carried out by staff or consultants each year. Throughout the course of each year, MCAG staff works with local agencies, Caltrans, other transportation planning agencies, other public and private associations, and the general public, independently and through MCAG committees to develop the program for the year. A draft of the OWP is taken through the MCAG committee process with a final adoption by the Governing Board typically occurring in May.

Unmet Transit Needs Assessment

Each year, pursuant to the Transportation Development Act (TDA) requirements, MCAG, as the Regional Transportation Planning Agency (RTPA) and MPO for Merced County, is required to identify any unmet transit needs that may exist in the Merced County region. Should any unmet transit needs be identified, a further determination must be made to establish whether or not those needs are reasonable to meet. In accordance with state law, TDA funds must be allocated first to unmet transit needs, which are found to be reasonable to meet, before any remaining funds can be distributed to local jurisdictions for non-transit purposes. At the conclusion of each Unmet Transit Needs process, the MCAG Governing Board must adopt a resolution making one of the following three findings:

1. There are no unmet transit needs;
2. There are no unmet transit needs that are reasonable to meet;
3. There are unmet transit needs, including transit needs that are reasonable to meet.

Under TDA regulations, the Unmet Transit Needs Assessment must include the following elements:

1. An annual assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including but not limited to, the elderly, disabled, including individuals eligible for paratransit and other special transportation services, and persons of limited means, including but not limited to, recipients under the CalWORKs program;
2. An analysis of the adequacy of existing public transportation services and specialized transportation services, including privately and publicly-owned services; and
3. An analysis of the potential alternative public transportation services and specialized transportation services, including privately and publicly-owned services.

To further implement the Unmet Transit Needs Assessment process, the MCAG Governing Board has adopted definitions for both “unmet transit needs” and “reasonable to meet”. All unmet transit needs identified during the annual Unmet Transit Needs Assessment process are reviewed by the Social Services Transportation Advisory Council (SSTAC).

Public participation is an important component of the Unmet Transit Needs process. The TDA requires MCAG to hold at least one public hearing for the purpose of receiving public input regarding potential unmet transit needs in the region. Although the TDA only requires MCAG to hold one public hearing, staff makes the effort to go beyond the minimum requirements to provide public hearings throughout the region. Public notice of the hearings, including the date, time, location, and specific purpose is provided at least 30 days in advance of the meeting through publication in one or more newspapers of general circulation. Written notification is also provided to those persons and organizations that have indicated an interest in the unmet transit needs process, including private social service agencies and public transit operators that are represented on the SSTAC. Transit service to and from the hearings is available at no cost to residents that would like to attend but do not have access to transportation.

Public hearings are held to give members of the public the opportunity to identify potential unmet transit needs in the region. After the conclusion of a hearing(s), a report is prepared that addresses the three required Unmet Transit Needs Assessment elements listed above, analyzes any identified unmet transit need with the definition of “reasonable to meet,” and provides a recommended finding for the Governing Board to adopt. Any new comments received after the public hearing, or during the Governing Board’s meeting to adopt the Unmet Transit Needs finding, are assessed during the subsequent year’s Unmet Transit Needs Assessment process.

V. PUBLIC PARTICIPATION PLAN EVALUATION & UPDATES

MCAG's Public Participation Plan is not a static document, but an on-going strategy that will be periodically reviewed and updated based on experiences and the changing circumstances of the agency and the transportation community it serves. This plan may be subject to occasional minor changes. Any major updates will include a review by MCAG's formal committees and Governing Board, a public hearing and a 45-day public review and comment period.

VI. PUBLIC PARTICIPATION STRATEGIES

MCAG uses several strategies to provide interested parties with reasonable opportunities to be involved in the transportation planning process. Staff understands the importance of educating members of the public on MCAG's mission and an overview of the issues/projects under consideration prior to involvement in planning activities.



Below is a list of participation strategies that serves as a menu for

MCAG staff to use in the development of specific outreach strategies for each plan/program on a case-by-case basis. The following list is not exclusive, meaning additional strategies may be identified for specific projects or circumstances.

Strategies for Outreach and Engagement in Low Income Communities and Communities of Color

- Build relationships and initiate partnerships with community groups representing low-income residents and/or communities of color to target outreach and increase engagement.
- Tailor meetings or customize presentation materials for audiences with different needs, including interpretation.
- Conduct outreach in centers of community activity, such as places of worship, schools, libraries, health centers, markets, community centers, transit facilities, etc.
- Ensure that all outreach events are near transit routes, as well as accessible by wheelchair,

and held at reasonable times for accommodating a variety of schedules.

- Align outreach efforts with community groups who are organizing food giveaways, mobile farmers market, etc.
- Include information on meeting notices for requesting communication or language assistance services.
- Utilize community and ethnic media outlets to announce public participation opportunities.

Strategies for Outreach and Engagement with Limited-English Proficient Populations

- Build relationships and initiate partnerships with community groups that work with limited-English proficient populations, for increased capacity and reach.
- Provide in-language information on meeting notices for requesting translation assistance at public workshops and meetings.
- Equip the agency website with appropriate translation tools and provide translation of important documents and web content regarding key initiatives.
- Utilize “on-call” interpreters for staffing public workshops and meetings and provide language assistance at public meetings and workshops, as requested.
- Upon request, provide printed in-language materials at public workshops and meetings, as well as at other public locations, including community centers, schools, transit facilities, or public libraries etc.
- Contract with Spanish communications firms to translate, tailor, and disseminate news releases, public notices, flyers, and/or advertisements to community and ethnic media outlets. Similarly, work with communications firms for major Asian Pacific and Indo-Aryan language groups of the region.
- Form public review committee during plan development to review documents for readability.

Strategies for Outreach and Engagement in a Virtual Environment

- Distribute accessible materials, such as slides or documents, prior to the event.
- Let participants choose the option to join the meeting in the format that is best for them, such as using audio and video from a device. or dial-in using a telephone.
- Record the meeting so that it can be accessed by those who were unable to attend, or by those who may want to re-watch.
- Describe all images and caption videos for blind and/or hard of hearing persons, as well as for those joining by telephone.
- Provide language interpretation and, if requested by hard-of-hearing or deaf individuals, utilize an American Sign Language Interpreter or Communication Access Realtime Translation (CART) captioner to provide captions for the virtual event in real time.

- Offer participants a clear way to provide feedback or comments after the event.

Additional Outreach and Engagement Strategies

- Provide cultural and community competency training to staff to improve internal capacity for interacting and engaging with the region’s diverse residents and organizations.
- Build relationships with the individuals and organizations that represent the interests of underserved populations throughout the region.
- Use advisory committees in developing and coordinating major transportation planning initiatives.
- Continue to robustly use “visualization” techniques, including maps, charts and graphics to illustrate regional transportation plans, population trends, explain choices under deliberation, etc.
- Increase MCAG visibility and exposure in underserved communities by sponsoring, exhibiting, or presenting at major community events and gatherings.
- Award grants to community-based organizations to organize and tailor meetings, customize presentation materials, provide incentives, and remove barriers to participation.

Below are several tools to utilize in the outreach process. Multiple tools may be used during the same outreach effort, depending on the plan or program.

Public Workshops/Meetings

- Open houses
- Facilitated discussions
- Question and answer sessions
- Break-out sessions for smaller group discussions
- Interactive exercises
- Customized presentations
- Provide videoconferencing or virtual meeting options
- Conduct meeting entirely in alternative language
- Demonstration events to showcase project components
- Vary time of day for workshops (day/evening)

Visualization Techniques

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

- PowerPoint slide shows and/or videos
- Renderings and drawings

Polls/Surveys

- Electronic surveys
- Intercept interviews where people congregate, such as transit hubs
- Printed surveys distributed at meetings, community events, etc.

Focus Groups

- Recruit participants by interest area or area of expertise/field
- Recruit participants randomly/voluntarily through an open public recruitment process

Printed Material

- User-friendly documents, including use of executive summaries and simplified language
- Postcards
- Maps, charts, photographs, and other visual means of displaying information
- Translated material into Spanish, or other languages as deemed appropriate

Targeted Distribution (Mail/Email)

- Work with community-based organization to deliver material to community members, businesses, and schools
- Mail/Email to targeted contact lists – either MCAG’s, and outside agency’s or purchased
- Distribute flyers to key community organizations
- Place notices on monitors inside transit vehicles and at transit hubs

Local Media

- News releases and press advisories
- Submit human interest stories that center around MCAG projects
- Invite reporters to public hearings, etc.
- Opinion pieces/commentaries
- Purchase display ads or radio spots
- Participate in, or place speakers on, radio/tv talk shows
- Public Service Announcements
- Include minority media outlets in all activities listed above

Electronic Access to Information

- Keep website updated with current content and simplified layouts
- Audio/video of current and past public meetings/workshops

- Electronic duplication of open house/workshop material
- Online access to maps, charts, plans, etc
- Post event/meeting information on website calendars
- Interactive online survey, visuals, and opportunities to comment
- Videos explaining plans, programs, concepts

Newsletters

- MCAG's monthly electronic newsletter
- Submit articles for publication in community/corporate/online newsletters

Public Notification Tools

- Email blasts for e-newsletters, press releases
- Social media accounts
- Printed materials
- Electronic access to information
- Local media
- Notices placed in local papers, on MCAG's website and distributed through the media
- Public utility bill inserts
- Advertise on music streaming sites, such as Pandora or Spotify