

Public Participation Plan 2023



September 2023

Dover Kent MPO



Table of Contents

Introduction.....	4
What is the MPO?	4
Why Public Participation is Important	4
Guiding Principles.....	5
Federal Mandates.....	5
MPO Plans and Programs.....	6
The Metropolitan Transportation Plan (MTP)	7
Transportation Improvement Plan (TIP)	8
Unified Planning Work Program (UPWP)	8
Public Participation Plan (PPP).....	8
EJ/Equity Plan	8
Annual Report and Fact Book.....	8
Other Plans	9
Public Review and Comment.....	9
Updates and Progress.....	9
MPO Council, Committees, and Staff	10
MPO Council.....	10
Technical Advisory Committee	10
Public Advisory Committee	10
MPO Staff	11
Meetings.....	11
Vision and Goals	13
Public Participation Methodology.....	13
Meetings.....	13
Internet	13
Visual Displays	13
Polls/Surveys	14
Local Media (Print and Electronic).....	14
Pop-Up Outreach.....	14
Person-to-Person.....	14
Social Media Policy	15
Public Initiatives.....	15
Vision Zero	15
Air Quality.....	15
Pedestrian /Bicycle Safety	15
Traffic Safety	15
Seasonal Driving	16

Other Safety Issues	16
Public Input	16
MPO Initiatives	17
MAPITT.....	17
Parklet Pilot Program	17
Equity Roundtable	17
MPO-A Virtual Experience	17
Performance Measures.....	18
Public Input	18
Other Performance Measures	18
Appendix 1 – Federal Mandates	19

Introduction

What is the MPO?

The Dover Kent County Metropolitan Planning Organization (MPO) serves all of Kent County, including the Sussex County portion of Milford and the New Castle County portion of Smyrna. It works to plan the orderly development of a transportation system to support the region's growth. Plans and programs adopted by the MPO Outline how federal and State transportation funds will be spent and must comply with federal laws governing clean air, Title VI, and transportation safety.

“The reality about transportation is that it's future-oriented. If we're planning for what we have, we're behind the

curve.” — Anthony Foxx
U.S. Sec. of Transportation
2013-2017

In 1992, an agreement between the State of Delaware, Kent County, and the City of Dover established the MPO to:

- Conduct a continuing, comprehensive, coordinated transportation planning program for the region;
- Encourage cooperation among all levels of government;
- Educate government agencies and elected officials, as well as public and private groups;
- Guide development and implementation of a transportation plan that meets all Federal mandates.

Why Public Participation is Important

Those who work in transportation planning must know the community they serve. Why? Because transportation systems and programs affect people's everyday lives. These transportation systems get people from Point A to Point B and everywhere. This is why these transportation systems require planning. Regardless of how many plans and programs come into being, they are worthless without anyone to use them.

There's also a legal responsibility for transparency. The roads, trails, and other facilities that eventually come from transportation plans and programs are typically paid for with public funds. As a metropolitan planning organization, the Dover Kent County MPO is bound by law to have an outlined plan for public involvement, as stated under Title 23 of the Federal US Department of Transportation and the Federal Highway Administration.

(SEE APPENDIX 1)

As the demand for government transparency has grown, so has the importance for planners to know what residents in a community want and need by involving them in the planning process. Those who work in the transportation planning field must take special care to include groups traditionally underserved, including people experiencing poverty, people with disabilities, older people, zero-car households, and minorities.

Guiding Principles

The Dover Kent County Metropolitan Planning Organization's public outreach initiative has developed a public involvement methodology based on the following principles:

1. Public participation is a dynamic source of helpful information.
2. Input from diverse perspectives enhances the process.
3. Engaging the public is challenging, but we can make it happen if we remove participation barriers and communicate clearly and in a compelling way.
4. Public participation means access to all; Environmental justice means reaching those at-risk or underserved.
5. Give the public time to give comments and feedback. Our minimum legally required time for any public comment period is 30 days, but the MPO strives to provide as much time as possible for comments and review.

Federal Mandates

The Federal Mandate outlines the MPO's purpose and applicability and states that the public must be involved at every step of the MPO planning process. It requires that the Public Participation Plan define the process for providing interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. These interested parties include 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 disabled people, and other stakeholders.

The FAST (Fixing America's Surface Transportation) Act requires that MPOs "shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process." (81 FR 93473, 2016)

The Americans with Disabilities Act of 1990 (ADA) states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity." Sites for participation activities and the information presented must be accessible to persons with disabilities.

Title VI of the Civil Rights Act of 1964, together with related statutes and regulations, provide that "no person 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 funds.

The entire institution, whether educational, private or governmental, must comply with Title VI and related Federal civil rights laws, not just the program or activity receiving federal funds."

Executive orders regarding environmental justice and outreach to persons with limited English proficiency are also regulated under Title VI of the Civil Rights Act.

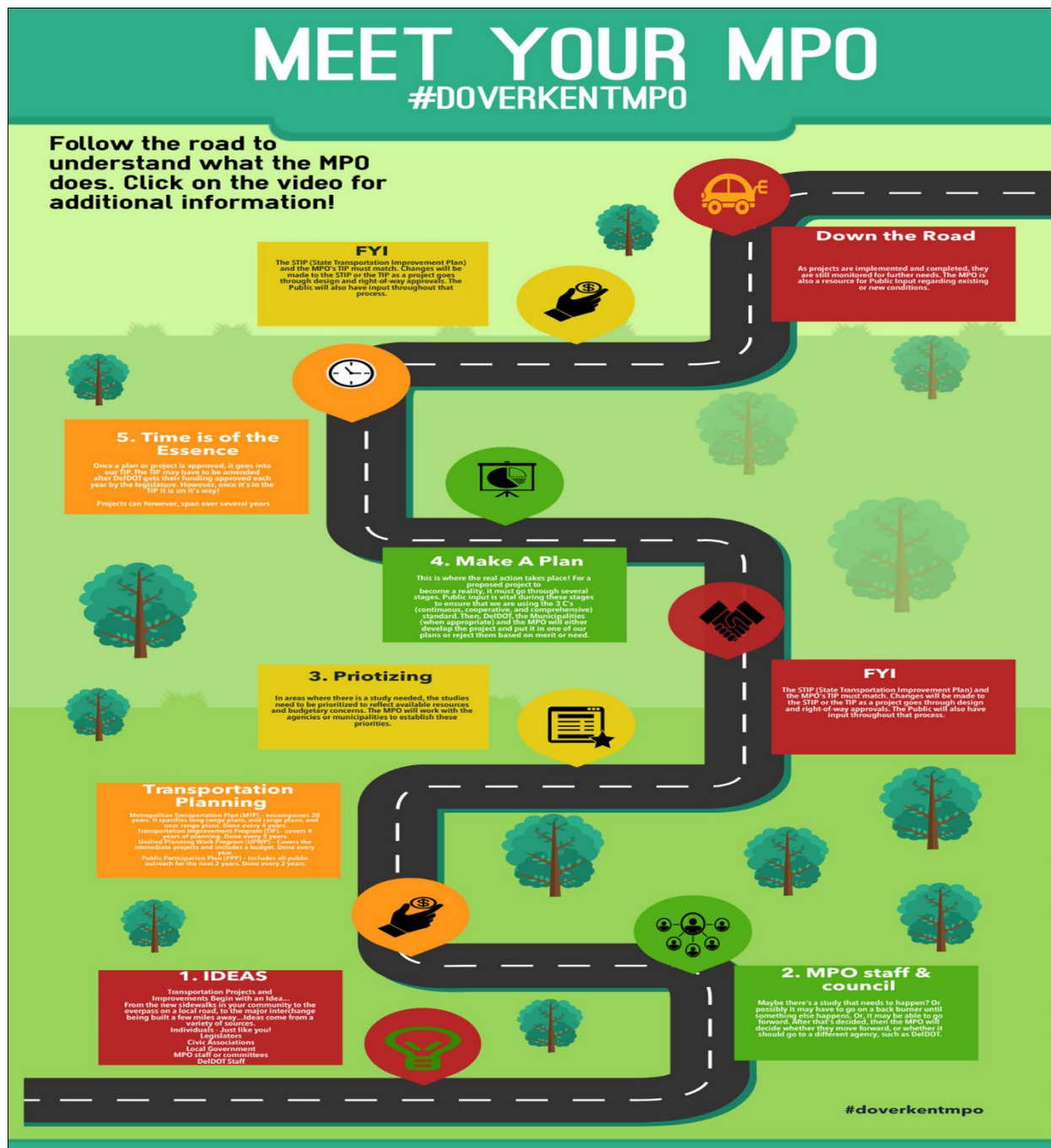
Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994, states that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations." Underserved groups such as low-income and minority populations must be identified and given increased opportunity for involvement in order to ensure effective participation.

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 2000, requires that recipients of Federal financial aid must ensure that the programs and activities normally provided in English are accessible to persons with limited English proficiency.

For the complete Federal Mandate, please see Appendix 1.

MPO Plans and Programs

Transportation plans and programs that the Dover Kent County MPO develops are completed through this public process. During the completion of each plan and program, the public can review the MPO's work and provide feedback on the planning process. Final products/reports are adopted after careful consideration of community comments. Public participation comment periods prescribed by the Federal government vary by document.



Video - <https://www.youtube.com/watch?v=fSLhf9I7dNQ&t=17s>

The Metropolitan Transportation Plan (MTP)

The MPO must update and adopt a long-range Metropolitan Transportation Plan (MTP) every four years. The MTP is a strategic planning tool that provides MPO committee members, the transportation department and providers, the public, and other affected groups and individuals with a blueprint to blend transportation, county and municipal land use plans, and Delaware's State Strategies for Policies and Spending plan. It provides a shared vision for the future supported by goals, objectives, and a system assessment. Identifying future transportation needs supports the MTP vision, clearly defined

fundamental strategies, actions, a budget, and an implementation plan. The MTP includes short-range and long-range strategies and actions and must span at least 20 years into the future. Public participation begins many months before the actual publication of the MTP through surveys and public workshops as the MPO works to capture the vision of the residents of Kent County as to what transportation will look like for the county in the next two decades.

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is a short-range plan that contains all Federally-funded transportation projects addressing identified State, municipal, and County goals. The TIP is a prioritized list of projects, including road, bike/pedestrian, bus, and rail transportation, that the Delaware Department of Transportation expects to undertake during a four-year period. TIP projects are identified in the MTP. The TIP is updated at least every four years and amended annually. This is due to updates to the STIP (State Transportation Improvement Program) and the fact that both documents must always match.

Unified Planning Work Program (UPWP)

The Unified Planning Work Program (UPWP) is the annual MPO Budget, and it identifies the planning activities that the MPO intends to accomplish during the fiscal year using Federal, State, and local resources. It outlines responsibilities and procedures for carrying out the cooperative transportation planning process. The UPWP is the management tool for annually directing MPO staff activities.

Public Participation Plan (PPP)

The PPP is a document that describes all efforts by the MPO to inform, educate, and obtain participation from the general public. Its purpose is to ensure that the MPO effectively provides information and receives public input. The MPO strives to be proactive rather than just meeting minimum requirements. The PPP outlines how the public can be involved in transportation decision-making. Our PPP is evaluated every other year and updated or rewritten when necessary. This plan includes tried and true approaches and some new initiatives. Each PPP also includes a specific set of performance measures to analyze the effectiveness of the MPO's Public Outreach initiative.

EJ/Equity Plan

The EJ/Equity Report is a document that gets updated every two years. The plan aims to advance justice, equity, diversity, and inclusion throughout Kent County and how the MPO will expand access and opportunity to all communities while focusing on underserved, overburdened, and disadvantaged communities.

Annual Report and Fact Book

The Annual Report and Fact Book will be published each year, describing projects, giving updates, and providing valuable information to the public including the current year's MPO budget and workplan.

Other Plans

The Dover Kent County MPO, as described in the UPWP, performs planning studies that the staff or consultants prepare. These studies also include opportunities for public participation. These could include plans for safety, bike and pedestrian facilities, transportation development, Land use, air quality, performance measures, environmental justice, or any other related issues affecting Kent County.

Public Review and Comment

The public is given at least 30 days after each plan has been written to review and comment. After the review period, the PAC, TAC, and Council will vote to adopt the plan. Changes after that can be made based on funding, available resources, legislation, or unforeseen circumstances. Any change will be added as an amendment, which will also be published for 30 days to solicit any comments from the public. The amendments get voted for adoption just like the original document.

Updates and Progress

The MPO will continually update the public on the progress and changes of any projects listed in the MTP, TIP, or UPWP. Once projects are included in the State CTP, they will be available on DelDOT's Project Portal page on their website (www.deldot.gov). The MPO will also publish any studies currently in progress or completed, with a project manager's name and contact information. Any current studies can be found on the front page of the MPO website under the button "Current Studies".

MPO Council, Committees, and Staff

MPO Council

The MPO Council governs the organization and comprises State and local decision-makers or their representatives. Voting members include the Mayor of Dover, the Kent County Levy Court President, and a Mayor or Council President from another Kent County municipality to represent all other municipalities in the county. Council members include the Governor of Delaware or their representative and representatives from the Delaware Department of Transportation (DelDOT) and the Delaware Transit Corporation (DTC). Representatives from the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) are non-voting members of the Council.

The MPO Council must adopt and implement the Metropolitan Transportation Plan, Transportation Improvement Program, air quality conformity determinations, Unified Planning Work Program, and Public Participation Plan. The Council is the final decision-making authority for the MPO.

Technical Advisory Committee

The Technical Advisory Committee (TAC) consists of 14 voting members from the technical staff representing State, County, and municipal agencies in the region with responsibilities for the transportation of people and goods, environmental resources, land use, economic development, public lands, and agriculture. Delmarva Central Railroad, the FHWA, the FTA, and the Delaware Motor Transport Association are non-voting members of the TAC. The TAC provides technical assistance in preparing MPO plans and programs and advises the MPO Council on technical issues.

Public Advisory Committee

The Public Advisory Committee (PAC) consists of up to 17 public representatives. Members include business people, civic leaders, and others interested in and affected by transportation planning decisions. The City of Dover appoints three representatives to the committee, Kent County appoints six representatives, and the State of Delaware has two members appointed by the Governor's office, one by DART and one by DelDOT. The MPO Executive Director recommends up to four additional members, which the Council approves.

At the direction of the MPO Council, the PAC works to:

- Identify the community's transportation needs;
- Alert the public to upcoming events and encourage attendance;
- Communicate with the public about MPO plans and programs;
- Ensure that the MPO produces plans, programs, and policies that the public can understand;
- Provide the MPO Council and TAC with facts about and feedback from the public;
- Monitor the implementation of this Public Participation Plan.

The PAC is the one committee that is made up of members of the public. While many are identified as stakeholders based on other community participation or personal interests, their primary duty as part of the PAC is facilitating more public participation.

MPO Staff

The MPO has a small but dedicated paid staff. The staff includes:

- An Executive Director who manages the staff, prepares policies and contracts, manages the MTP and UPWP, meets with partner agencies, handles all personnel and human resource matters, is responsible for the MPO budget, and represents the MPO on several committees. The Executive Director works at the direction of the Council.
- A Principal Planner who meets with outside contractors on studies or programs, manages the TIP, manages the MPO's air quality and performance measures mandates, conducts in-house studies, oversees public workshops, and sits on several committees.
- A Public Outreach Manager who manages the website and all social media, works with local press outlets for press releases and stories, prepares the monthly newsletter, conducts any outreach efforts to support MPO activities, ensures all programs and projects have suitable time for public review, and sits on several committees. The public outreach manager works directly with the PAC.
- A part-time GIS Manager who creates and publishes static maps, interactive maps, and crowdsourcing maps to convey all the projects, studies, and programs in which the MPO and its partner agencies are involved.
- A Transportation Planner who assists with in-house studies, does research, writes narratives for studies, conducts public workshops, and contributes to updating all MPO plans.
- An Executive Assistant who coordinates the office, does all invoicing and internal accounting, handles program support and administration, takes minutes at all meetings, maintains the MPO mailing list, handles all correspondence, supports in-house studies, and works with the rest of the staff to assist in any of their duties.

Part of the Public Participation initiative is that anyone may stop by the MPO office anytime to see what the staff is working on. Transparency is vital to public trust.

Meetings

The Council meets on the 1st or 2nd Wednesday of odd months (subject to change for holiday schedules). The PAC meets on the 2nd Thursday of even months, and the TAC meets on the 3rd Tuesday of even months. Unless otherwise published, all meetings are held in the Camden Town Hall Council Room (the King Meeting Room). Times, agendas, and minutes are available on the MPO website. All meetings are open to the public, and the public is encouraged to attend.

Virtual meetings and workshops may enhance or substitute for the traditional in-person PAC, TAC, and/or MPO Council meetings. Virtual meetings will be advertised on the MPO website, the MPO social media platforms, and, when possible, in the newspaper. The public will continue to be encouraged to attend.

Vision and Goals

Public involvement is the centerpiece of the planning process. Grantees of FTA and FHWA funds are specifically required to "develop explicit procedures, strategies, and desired outcomes for public involvement." The Dover Kent MPO strives to exceed minimum requirements toward public involvement and to ensure that every voice gets heard.

The Dover Kent MPO goals include:

- Inclusion of every community, especially those traditionally underserved.
- To be a part of every transportation and land use decision-making process as deemed appropriate.
- Identify important strategies to support community outreach.
- Relay important information in plain language.
- Provide the public with complete information, timely public notice, and full access to key decisions before adopting or amending its plans and programs.

Public Participation Methodology

Meetings

- Conduct meetings, workshops, open houses, and events at various locations;
- Provide video highlights of meetings on the web;
- Present to groups, religious and civic organizations, and agencies;
- Host webinars;
- Sponsor focus groups;
- Participate in forums or summits when possible;
- Participate on committees and subcommittees of associated agencies and organizations.

Internet

- Maintain website with up-to-date and interactive content;
- Use social media to attract more public input;
- Create fun graphic elements to use online;
- Create filters and geotags (i.e., Snapchat);
- Create videos to provide information or to support safety campaigns;
- Provide maps, interactive maps, and story maps;
- Provide crowdsourcing elements for public input;
- Interview key people or organizations for [Journeys Live!](#).

Visual Displays

- Create infographics;
- Produce the monthly newsletter, [Journeys](#);
- Provide photography at every event;
- Create a display for events that will better explain the MPO;
- Provide dynamic presentations for meetings;

- Produce brochures, posters, and bookmarks;
- Produce the Annual Report and Fact Book;
- Create any special mailings for events, such as postcards, when deemed appropriate.

Polls/Surveys

- Use technology to attract more survey participants (i.e., using tablets) at pop-ups;
- Distribute printed surveys;
- Use electronic surveys on the web;
- Use polls on social media;
- Solicit survey participants for significant planning efforts (i.e., MTP);
- Use partner agencies (i.e., transit hubs) when possible to achieve better results.

Local Media (Print and Electronic)

- Press Releases;
- Stories when appropriate;
- Evergreen material;
- Blog content;
- Radio Interviews;
- Paid Advertising when appropriate.

Pop-Up Outreach

- Mini-events at libraries;
- Surveys at local businesses;
- Special outreach efforts for Bike to Work Day, Earth Day, Dump the Pump, etc.;
- Setting up outreach at a specific feature (bike path, crosswalk, roundabout, etc.);
- Outreach at the State Fair;
- A limited number of informational giveaway items (such as bike lights).

Person-to-Person

- Mailing list;
- Committee membership;
- Email;
- Phone Outreach;
- Website suggestion box;
- Web Forum.

The Dover Kent County MPO is committed to social equity and getting all voices heard. The MPO will endeavor to make information accessible to all, including the low literacy and non-English speaking populations. This includes using translation services or more visual choices in educational and informative resources. The MPO will also constantly improve outreach to underserved populations.

Social Media Policy

As more and more people use the internet to share and receive information, social media has become an essential way for Dover Kent MPO to communicate with the public. The MPO uses platforms like Facebook, Instagram, Twitter, YouTube, TikTok, and LinkedIn to engage with our communities. The MPO's user name is always @doverkentmpo.

Depending on the post, leaving a comment or sending a message on social media may be considered feedback for discussion or an official public comment. The MPO may use any comments left on our page in other documents, as direct quotes, and as official feedback.

Sometimes, Dover Kent MPO shares articles and information from other sources, like newspapers or government websites. This is for informational purposes only, and it doesn't mean the MPO endorses or takes responsibility for its accuracy.

Dover Kent MPO will not allow explicit or offensive language or permit content that promotes discrimination based on race, age, religion, gender, etc. Sexual content, or any content that promotes illegal activity or links to such content, is also prohibited. No comments supporting or opposing political candidates or ballot propositions are allowed. If someone repeatedly breaks these rules, they might get blocked or have their content removed by the MPO.

Public Initiatives

In addition to the plans described previously, the MPO participates in several other initiatives that require public involvement. The MPO uses any and all public participation methodologies to enhance public involvement on these issues.

Vision Zero

This is a federal initiative to end traffic fatalities and serious injuries by taking a systemic approach to road safety. The MPO works with state agencies and other interested parties working toward reducing fatalities and serious injuries on Delaware highways.

Air Quality

Air quality has two components: air quality improvement and air quality alert days. The MPO is a member of the Air Quality Partnership Committee and the Delaware Air Quality Conformity Interagency Consultation Working Group.

Pedestrian/Bicycle Safety

As of 2021, Delaware is the 2nd most deadly State for pedestrians, according to the National Highway Safety Traffic Administration. Safety education for bicycles, pedestrians, and vehicles is addressed in many campaigns.

Traffic Safety

Distracted driving, driving while impaired, driving while tired, and general safety behind the wheel are all addressed in several campaigns.

Seasonal Driving

Films and infographics with Winter tips, Summer tips, long road trips vs. short trips, holiday driving, driving while impaired, driving while tired, etc., are all addressed in several campaigns.

Other Safety Issues

Films and infographics regarding pulling over for emergency vehicles, not idling, stopping for school buses, etc., are all addressed in several campaigns.

Public Input

When the MPO receives ideas or suggestions from the public on any other issue, it will be considered for a future campaign, film, or infographic.

MPO Initiatives

The MPO takes a proactive role in transportation education, development, and engagement. Below are several new initiatives being pursued by the MPO.

MAPITT

This is an app that the public can download on a smartphone and use to log any transportation issue on the spot. The app is available from the Apple App Store and Google Play.

Parklet Pilot Program

A parklet is a sidewalk extension that provides more space and amenities for people using the street.

Usually, parklets are installed on parking lanes and use one to several parking spaces.

Parklets typically extend out from the sidewalk at the level of the sidewalk to the width of the adjacent parking space.

Parklets are intended for people. Parklets offer a place to stop, sit, and rest while taking in the activities of the street.

Dover/Kent County MPO conducted outreach to all municipalities in Kent County. The parklet pilot program was designed to provide opportunities for:

- behavior change;
- traffic calming;
- connect to multimodal facilities;

The MPO purchased and makes available a "mobile parklet" for municipalities to utilize. The MPO also developed a "how-to guide" which is available on the MPO website, and provides technical assistance to anyone interested in parklets.

Equity Roundtable

The MPO held its first-ever Equity Roundtable in 2023. It served as a valuable vehicle for exchanging ideas, developing new strategies, and essential brainstorming toward making transportation planning in Kent County more equitable to people of all ages, abilities, and incomes.

MPO – A Virtual Experience

This new initiative is an innovative way to educate the public about the MPO, safety concerns such as pedestrian safety or using a roundabout, and a unique and fun survey approach.

Performance Measures

Performance measures to evaluate the Public Participation Plan are done based on public input and analytics that the awareness and usage of public materials can quantify.

Public Input

- **Surveys** – Surveys will document the essential awareness of what an MPO is and why it is in Kent County. By measuring the number of people who have heard of the MPO every year, the MPO will know if awareness campaigns are reaching all their communities.
- **Attendance at Workshops** – The number of people and feedback from the audience at any of the MPO workshops will help determine whether the MPO is reaching all communities.
- **Social Media Audience** – Social media audiences should continually grow, but it's better when the growth is slow and steady. What is essential when measuring the effect of the MPO social media audience is that everyone coming to an outlet to like, follow, or friend is from an organic source. Maintaining steady, organic growth is the goal.
- **Social Media Engagement** – While the audience determines the awareness of the MPO, engagement will help measure whether that audience is listening. Comments, likes, and conversations on social media measure awareness.
- **Social Media Reputation** – Mentions, shares, and reposts can measure the reputation of the MPO brand. This is a way of measuring how much of the MPO's audience is now viewing it as an information source for transportation issues.
- **Google Analytics** – Google Analytics measures users coming to the MPO website, how long they stay, how they found the website, how many pages they visit, etc. This is valuable information to learn how people react to what information is available on the MPO website.

Other Performance Measures

The MPO may also conduct a survey or an electronic poll to measure how effective the MPO is within the community. This Public Participation Plan will periodically be updated based on the community's needs and public feedback.

Appendix 1 – Federal Mandates

Metropolitan Transportation Planning and Programming (23 CFR 450, Subpart C)

§ 450.300 Purpose. The purposes of this subpart are to implement the provisions of 23 USC 134 and 49 USC 5303, as amended, which:

- (a) Sets forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan and a transportation improvement program (TIP), that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing transportation-related fuel consumption and air pollution; and
- (b) Encourages continued development and improvement of metropolitan transportation planning processes guided by the planning factors set forth in 23 USC 134(h) and 49 USC 5303(h).

§ 450.302 Applicability. The provisions of this subpart are applicable to organizations and entities responsible for the transportation planning and programming processes in metropolitan planning areas.

§ 450.304 Definitions. Except as otherwise provided in subpart A of this part, terms defined in 23 USC 101(a) and 49 USC 5302 are used in this subpart as so defined.

§ 450.306 Scope of the metropolitan transportation planning process. (a) The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

- (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
 - (2) Increase the safety of the transportation system for motorized and non-motorized users;
 - (3) Increase the security of the transportation system for motorized and non-motorized users;
 - (4) Increase accessibility and mobility of people and freight;
 - (5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
 - (6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
 - (7) Promote efficient system management and operation; and
 - (8) Emphasize the preservation of the existing transportation system.
- (b) Consideration of the planning factors in paragraph (a) of this section shall be reflected, as appropriate, in the metropolitan transportation planning process. The degree of consideration and analysis of the factors should be based on the scale and complexity of many issues, including transportation system development, land use, employment, economic development, human and natural environment, and housing and community development.

(c) The failure to consider any factor specified in paragraph (a) of this section shall not be reviewable by any court under title 23 USC, 49 USC Chapter 53, subchapter II of title 5, USC Chapter 5, or title 5 USC Chapter 7 in any matter affecting a metropolitan transportation plan, TIP, a project or strategy, or the certification of a metropolitan transportation planning process.

(d) The metropolitan transportation planning process shall be carried out in coordination with the statewide transportation planning process required by 23 USC 135 and 49 USC 5304.

(e) In carrying out the metropolitan transportation planning process, MPOs, States, and public transportation operators may apply asset management principles and techniques in establishing planning goals, defining TIP priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance, as well as strategies and policies to support homeland security and to safeguard the personal security of all motorized and non-motorized users.

(f) The metropolitan transportation planning process shall (to the maximum extent practicable) be consistent with the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in 23 CFR part 940.

(g) Preparation of the coordinated public transit-human services transportation plan, as required by 49 USC 5310, 5316, and 5317, should be coordinated and consistent with the metropolitan transportation planning process.

(h) The metropolitan transportation planning process should be consistent with the Strategic Highway Safety Plan, as specified in 23 USC 148, and other transit safety and security planning and review processes, plans, and programs, as appropriate.

(i) The FHWA and the FTA shall designate as a transportation management area (TMA) each urbanized area with a population of over 200,000 individuals, as defined by the Bureau of the Census. The FHWA and the FTA shall also designate any additional urbanized area as a TMA on the request of the Governor and the MPO designated for that area.

(j) In an urbanized area not designated as a TMA that is an air quality attainment area, the MPO(s) may propose and submit to the FHWA and the FTA for approval a procedure for developing an abbreviated metropolitan transportation plan and TIP. In developing proposed simplified planning procedures, consideration shall be given to whether the abbreviated metropolitan transportation plan and TIP will achieve the purposes of 23 USC 134, 49 USC 5303, and these regulations, taking into account the complexity of the transportation problems in the area. The simplified procedures shall be developed by the MPO in cooperation with the State(s) and public transportation operator(s).

Interested Parties, Public Involvement, and Consultation (23 CFR 450.316)

(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, 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; Federal Highway Administration, DOT § 450.318
 - (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 made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
 - (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 the 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 should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, metropolitan 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 USC Chapter 53;

(2) Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the US Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 USC 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) MPOs shall, to the extent practicable, 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 §450.314.

Any questions or comments regarding the Public Participation Plan can be addressed to:

Helen Wiles, Public Outreach Manager
Dover/Kent County MPO
Helen.wiles@doverkentmpo.org
302.387.6026

The Dover Kent County MPO is committed to social equity and getting all voices heard. The MPO will endeavor to make information accessible to all, including the low literacy and non-English speaking populations. This includes using translation services or more visual choices in educational and informative resources. The MPO will also constantly improve outreach to underserved populations.

The preparation of this document was financed in part with funds provided by the Federal Government, Including the Federal Transit Administration, through the Joint Funding Simplification Program, and the Federal Highway Administration of the United States Department of Transportation.