ENGAGING THE PUBLIC

In the Transportation Planning Process

Niles-Buchanan-Cass Area Transportation Study (NATS) Twin Cities Area Transportation Study (TwinCATS)





Developed by the Southwest Michigan Planning Commission In cooperation with NATS and TwinCATS Technical Advisory and Policy Committees www.swmpc.org

Annual Update November 2013

Contact Information

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Website Disclaimer. Many times throughout this Transportation Participation Plan, we refer you to the SWMPC website (<u>www.swmpc.org</u>) for viewing, downloading, reviewing, commenting, and more. However, we recognize that you may prefer to receive a printed copy of a document or to speak with us in person. We are always happy to speak with and meet members of the communities we serve. So, whenever we refer you to our website, also please feel free to call, visit, or write us using the contact information above. Thank you!

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Welcome and Introductions

Hello! We would like to welcome you to the metropolitan transportation planning process.

As the designated Metropolitan Planning Organization (MPO), the Southwest Michigan Planning Commission (SWMPC) cannot stress how valuable public engagement is in the transportation planning process. The purpose of the Public Participation Plan (PPP) is to set forth the standard expectations and procedures for public involvement in this region's transportation planning process. This document similarly presents opportunities for the SWMPC to expand and enhance public engagement as needed to support our decision making processes. Additionally, if you are new to this process, we have included a list of commonly used acronyms in Appendix D of this plan.

<u>Public involvement starts with you.</u> We encourage all our partners and stakeholders to become involved in transportation planning in the southwest Michigan region. It is only through your involvement that we can truly create a regional transportation agenda that is meaningful.

Transportation planning must be done with the public's full involvement. While federal laws and regulations set a framework for public involvement

The SWMPC believes that:

- Public involvement is an important element of a high quality transportation planning process;
- Effective transportation planning must include the participation of those whose everyday lives are critically affected by how they are able to get to work, home, school, shopping, and services;
- It is essential to ask for public participation, not just wait for it. It is essential to respect and seriously consider input that is received, not just collect it;
- Informing and educating the public about transportation planning issues and the transportation planning process is key to obtaining good quality public input; and
- Additional emphasis should be placed on involving persons and groups typically under-represented in transportation planning or with special transportation needs, including low-income, minority, elderly, and disabled populations.

in transportation planning, the Southwest Michigan Planning Commission's two MPOs, the Niles-Buchanan-Cass Area Transportation Study (NATS) and Twin Cities Area Transportation Study (TwinCATS) seeks to go beyond the letter of these laws to fulfill the true spirit of full public participation. The Federal regulations related to participation in transportation decision-making can be found in Title 23; Section 450.212, code of Federal Regulations, as enacted in the Safe, Accountable, Flexible, Efficient Transportation Equity Act- A Legacy for Users (SAFETEA-LU, 2005). You can read more about this requirement in Appendix A.

If you are a regular participant in the transportation planning process, thank you for being involved in the important decisions of your community. For those of you who are new to transportation planning, we are always happy to see new faces and encourage you to participate and bring friends. We hope that this Public Participation Plan will help guide you through the decision making processes of transportation planning so you feel comfortable and confident in your participation. It is your knowledge, opinions, values, and needs that help shape your community.

From all of us at the Southwest Michigan Planning Commission, we would like to tell you that it is an honor to work and plan with you! The following sections contain information about resources for increased participation in the transportationplanning process in Southwest Michigan.

SWMPC Website

The SWMPC website, www.swmpc.org, contains planning documents, maps, community profiles, forums to ask questions or post comments, community calendars, the quarterly newsletter, projects that the SWMPC has worked on or is currently working on, and more. Please visit the website and feel free to suggest ideas for new web content.

SWMPC staff will make considerations for accessibility in future improvements to the website. This includes:

- Making the website more interactive;
- Providing more visual aids on the website to assist with understanding the transportation planning process;
- Ensuring that the website content can be translated by various types of website readers used by individuals with disabilities;
- Providing language translation on the website.

SWMPC Facebook Pages

The Twin Cities Area Transportation Study and the Niles-Buchanan-Cass Area Transportation Study can receive comments and suggestion on the SWMPC fan pages on the social networking website www.facebook.com/swmpc. Individuals who "like" the fan pages can receive News Feed updates, messages, and event invitations from TwinCATS and NATS. They can also view photos, write comments, and link to related web pages, related Facebook pages, and connect with other fans.

GOALS

1. Visibility. Raise the awareness of the MPO as a leader in transportation planning for NATS, TwinCATS, and Berrien County.

2. Engagement. Involve the public in every phase of the transportation planning process.

3. Notification. Notify the public when key decisions are being made and provide opportunities for comment.

4. Communication. Ensure that all communication media and MPO plans are presented in a format understood by partner agencies and the public.

5. Resourcefulness. Be creative-optimize and use resources dedicated to public participation effectively.

6. Proactive. Make it easy for all citizens to get involved and be heard.

7. Accessible. Make a special effort to inform and engage populations that have potential to be under-represented in transportation decision-making.

8. Compliant. Meet or exceed the spirit, intent, and requirements of MPO and other local, state, and federal statutes and regulations.

Newsletter

At least four times a year, the SWMPC publishes a newsletter that is full of updates on projects, workshops, and important public input meetings, and much more. When released, the newsletter is available on the website or in hardcopy by contacting the SWMPC (using the contact info on page three). In 2013, the SWMPC created a transportation specific newsletter to help citizens of southwest Michigan better understand the function that transportation plays in all of our lives. This item will be mailed and emailed to transportation stakeholders and citizens in the region at least 4 times a year.

Email

At least twice a month, the SWMPC Transportation Staff email interested citizens, public agencies, TwinCATS and NATS Committee members, and the media regarding special educational opportunities, meeting reminders, and/or publications of interest that are related to the region and/or transportation topics in general. This provides SWMPC Transportation Staff an opportunity to reach out to a broad range of individuals regarding projects that Staff are currently working on. This outreach method also encourages recipients to share the email with others to expand the email communication list.

SWMPC Website Calendar

SWMPC Transportation Staff publish all monthly Committee meeting dates, special public input meetings and hearing, and training opportunities on the SWMPC Calendar of Events website http://www.swmpc.org/calendar.asp. This is updated regularly as new opportunities are known and if monthly Committee meetings change.

Special Events/Educational Opportunities

The SWMPC periodically participates in or hosts educational events within the community to increase awareness and participation in the transportation decision-making process. This includes setting up informational booths at fairs, festivals, and other events. Details of these special events and educational opportunities can be found on the website. In addition, flyers or brochures are typically mailed, e-mailed, or faxed to the relevant local units of government and often to the local media. These educational events can be scheduled by calling the SWMPC.



Public Meetings or Workshops

Public meetings or hearings are needed for a multitude of reasons and the SWMPC is open to anyone who would like to come. In fact, we encourage you to come and let us know what you are thinking. If you cannot attend, but would like to make a comment, contact us using the contact information in the first section of this document.

To address specialized topics or to convey a large amount of information to interested stakeholders, the SWMPC sometimes plans or hosts workshops, visioning sessions, conferences, training

sessions, brainstorming sessions, or summits. Announcements for all meetings and events are posted on the SWMPC's website and are sent to local media. For a list of media contacts that receive announcements, please see Section VIII-Outreach.

Surveys and Other Opinion-Gathering Techniques

When a large sampling of public opinion is needed about a particular topic, especially a controversial topic, there are several effective ways of gathering a sample of public opinions:

- Surveys (distributed on paper either in person or through survey stations, or distributed electronically via email, website, Facebook, blogs, discussion boards, etc.)
- Focus groups

• Facilitation/mediation, with the goal of consensus-building, amongst a group representing a diverse spectrum of the population

Outreach to Community-Based Organizations and Community Leaders

An effective way to reach the public is to reach out to organizations that engage the public at a grassroots level, who are already aware of the basic goals, needs, issues, and concerns of the community. Grassroots organizations often engage individuals who may not otherwise be civically engaged in government processes, including youth.

Similarly, transportation planners and committee members can learn about the needs, goals, and concerns of the community by conducting "briefings" or "key person interviews" with community leaders. SWMPC staff will continue to seek out community-based organizations and community leaders who represent the broader interests of their communities, and who can help to disseminate information about the transportation planning process.

Outreach Mailing Lists

The SWMPC maintains mailing lists of interested agencies and individuals for TwinCATS, NATS, and particular areas of interest such as regional non-motorized planning or environmental planning. These lists are frequently updated, and are used to mail information about meetings, events, transportation planning document development, public comment periods, surveys, etc. More information about the outreach mailing lists can be found in Section VIII – Outreach. To be added to the outreach mailing list for TwinCATS or NATS, contact the SWMPC transportation planners at the contact information in the first section of this document.

Public Libraries

Public libraries by definition are a provider of information and resources to the public. The SWMPC uses public libraries as outlets for distributing informational materials such as posters, cards, flyers, and displays, and as survey collection sites. Libraries also provide free internet access for those who do not have access to it at home.

Media Appearances

The media can be used as a means of communicating information to the public or asking for input. This could include radio segments, newspaper editorials, and submissions to websites or magazines.

Community Advisory Roles

In future endeavors, SWMPC staff and the TwinCATS and NATS committees will consider ways in which members of the community can give input on a more regular basis. With all of these mechanisms, it is especially important to reach out to members of Environmental Justice areas and/or traditionally underserved groups. These techniques could include any of the following:

- Citizen Advisory Committees / Community Advisory Committees representative groups of diverse stakeholders that meet regularly to discuss issues of common concern;
- Collaborative Task Forces groups assigned one specific task with a time limit, tasked with solving a specific problem, working toward consensus, and presenting recommendations to an official decisionmaking body;

- Citizen Representatives on Decision-Making Committees The SWMPC full board currently has citizen representatives who do not serve as a representative of another government body.
- Speakers' Bureaus and Public Involvement Volunteers volunteers who can be enlisted to circulate to
 meetings of community groups or interface with the media. These volunteers would be trained to speak
 about the transportation planning process or a particular project, and they would bring back public
 comments and concerns to the planning staff and TwinCATS and NATS committee members.

SWMPC transportation planning staff currently use input from the Berrien Coordinated Transportation Coalition, described in Section III. F. This is a forum of transit providers and social service providers that meet three to four times per year to implement the goals set out in the Berrien County Public Transit-Human Services Transportation Plan.

Public Information Materials

The below is a sampling of types of materials that could be used to disperse information to the public. More explanation about how public information materials can visually relay information to stakeholders is provided in the following section, Section VII – Visualization Techniques.

Accessibility of informational materials: Published informational materials should strive to be written at no higher than an eighth grade reading level. In the future, the SWMPC may consider adopting a set of guidelines for accessibility of public information. This would include guidelines for font sizes and colors to keep publications legible, guidelines for web page design, etc. SWMPC staff will also consider how information will be obtained by those who do not have internet access.

Physical Materials

- Advertisements—display and legal notices
- Advertisements in free subscription newspapers (i.e., MailMax and Neighbors)
- Brochures
- Fact sheets
- Fliers in public places (i.e., downtown community bulletin board, stores, sporting events)
- Fliers on buses
- Grocery bags
- Logo items (magnets, mugs, pencils, etc)
- Movie theatre advertisements
- Newsletters and progress bulletins
- Newspaper inserts and articles
- Posters and display boards
- Press releases
- Public bulletin boards
- Public Notices
- Public radio/television sponsorships
- Public service announcements (PSAs)

- Summaries of reports
- Surveys
- Utility bill stuffers

Digital Materials

- Facebook updates
- Blogs, chat rooms, and RSS feeds
- CDs and DVDs
- Emails, text messages, and SMS blasts
- Electronic newsletters
- Groups on social networking websites
- Online advertising
- Online videos and simulations
- PDF-formatted documents
- Powerpoint presentations
- Project website
- Videos and podcasts
- Visualizations
- Phone conferences and webinars
- Teleconferencing

Planning Library



The SWMPC has a library of planning resources, which is open to the public. These resources include: magazines related to planning, zoning, transportation, and environmental issues; community master plans; regional plans; special projects; and guidebooks or manuals for various planning topics. Materials can be checked out through a sign-out process. The library is located in the Southwest Michigan Planning Commission office on the seventh floor of Vincent Place, 185 E. Main St. – Suite 701, Benton Harbor, MI 49022. Hours are 8:30 A.M. to 5:00 P.M. Monday through Friday.

Visualization Techniques

The SWMPC is aware that different people see and interpret documents and statements in different ways. When available, the documents handed out or discussed at meetings will be available in multiple formats. The staff at the SWMPC will use new visualization techniques as they are discovered and deemed appropriate to the area and situation. Below are current techniques in place at the SWMPC to display data and information.

Maps

A map is a representation, usually on a plane surface, of a region of the earth. Maps will be utilized when appropriate for displaying any of the following:

- Roads
- Geographic boundaries of the transportation study areas
- Project locations
- Alternatives to a proposed project
- Many other kinds of data (i.e. population, employer locations, or traffic analysis zones) or changes in data

3-D Visualization

Three-dimensional visualization is more lifelike than a two-dimensional visualization such as a map or site plan. It could include renderings of proposed projects, streetscape designs, or animations.

Graphs

A graph is a pictorial device used to illustrate quantitative relationships with reference to a set of axes. Graphs will be utilized when appropriate for displaying data or changes in data.

Tables

A table is an orderly arrangement of data, especially one in which the data are arranged in columns and rows, in an essentially rectangular form. Tables will be utilized when appropriate for displaying data or changes in data.

Photos

Photos can be used for many situations. They are very useful to use in place of, or simultaneously alongside, verbal descriptions. They can be used to describe new, or to reiterate old, items, ideas, or concepts. Photos will be utilized when appropriate to show the following:

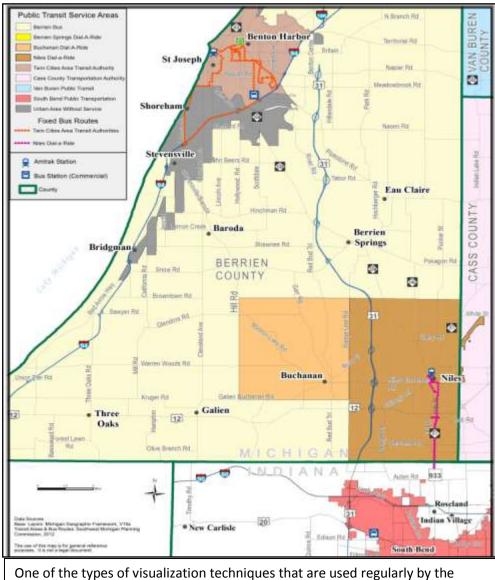
- New concepts or techniques
- People
- Places

Interactive Information

The SWMPC frequently uses interactive activities to engage the public. These can include but are not limited to the following:

- Handheld/instant voting
- Remote input of information from a GPS unit or computer kiosk

- Visual preference surveys
- Role-playing
- Drawing on maps
- Scenario planning
- Board games
- Contests
- Bicycle rodeos
- Walking tours, such as walkability audits or "walkabouts"
- Transportation fairs
- Site visits
- Plan or text markup software (to allow individuals to edit a plan)



MPOs are maps. This shows the various transit providers throughout Berrien County.

Section II – General Procedures for Public Participation

In order to engage the public in the transportation planning process, the SWMPC uses a variety of techniques, as described in the sections that follow.

Notice of Regular Meetings

Once annually, prior to January 1 of each calendar year, a notice with the meeting schedules for NATS and TwinCATS is sent to the local newspapers. Each month seven days prior to the TwinCATS and NATS meetings, press releases and outreach emails are sent out with the agenda items for the upcoming meetings. The media and outreach lists can be found in Section VIII-Outreach.

Establishing Ad Hoc Committees

The NATS and TwinCATS TACs and Policy Committees can individually or cooperatively establish ad hoc committees to solicit ideas and interest for any particular transportation-related issue. Each committee appoints at least one of its members to guide the establishment and implementation of the ad hoc efforts.

Scheduling Meetings and Events

Whether scheduling a meeting, public hearing, or visioning session, the SWMPC staff must decide on the stakeholders who may be impacted by any proposed action. After the stakeholders have been identified, the meeting location will be selected. At the earliest possible time, the meeting place will be reserved (along with any equipment needed) and stakeholders will be notified.

The staff will consider guidelines such as those provided by FHWA (available from http://www.fhwa.dot.gov/planning/ppasgpi.htm) for meeting accessibility when scheduling any meeting. Meeting accessibility considerations include the following:

- Scheduling the meeting at a time and location that is accessible by public transit;
- Using a meeting location that meets Americans with Disabilities Act Accessibility Guidelines (ADAAG) standards for building design, parking, sidewalks, etc.;
- Providing a TTY (teletype unit) phone number for information;
- Providing technology such as an Assistive Listening System; captioning, sign language translation; and computer-assisted note-taking when needed;
- Providing language translation when needed as outlined in the SWMPC Title VI Non-Discrimination Plan adopted in November 2011;
- Providing clear directions to the meeting facility; and
- Providing handouts in alternative formats as outlined in the SWMPC Title VI Non-Discrimination Plan adopted in November 2011;

Additionally, the media will be contacted to establish a schedule for publicizing the event. Unless otherwise required, media information will be in the form of articles in the local sections of newspapers and public service announcements on radio and television. When required, a legal notice will be purchased in local newspapers.

All printed materials about the proposed action(s) will be available to the public within forty-eight hours of the first media release.

All materials and handouts intended for the meeting will be available at and after event. Sign-in sheets are used at every event to collect the contact information of attendees, which is kept confidential but used to send future information about related events. Meeting minutes are available in .pdf format on the SWMPC website within one month of the meeting date. Minutes for TwinCATS meetings are available at http://www.swmpc.org/twincats.asp, and minutes for NATS meetings are available at http://www.swmpc.org/twincats.asp. Minutes and handouts, along with all other SWMPC materials, are also

Other

available in hard copy by contacting SWMPC.

As needed, other meeting techniques will be utilized by the SWMPC to gain public input. These other methods include, but are not limited to, presentations and charrettes (visioning workshops). The staff at the SWMPC will use other techniques as they are discovered and deemed appropriate to the situation.

Section III – Outreach

Media

Below is a list of contacts to which the SWMPC sends press releases and public service announcements. If you receive a newspaper or newsletter, listen to a radio station, watch a news channel, etc., that does not receive notifications of participation opportunities and would like those media outlets to be added to the list, please notify us using the contact information in the first section of this document. The list below is up to date as of the date of this Transportation Participation Plan. For a more current list, please contact the SWMPC.

Newspapers

- Benton Spirit
- Berrien County Record
- Harbor Country News
- Herald Palladium
- Elkhart Truth
- Kalamazoo Gazette
- Leader Publications
- MailMax-Berrien County (mail delivery service)
- Neighbors-Cass County
- New/Nueva Opinion
- Niles Daily Star
- South Bend Tribune-Michigan Edition
- South Haven Local Observer
- South Haven Tribune
- Tri-City Record
- WebElPuente

Radio Stations

- WAOR-FM 95.3, Mishawaka, IN
- WNDV-FM 92.9, South Bend, IN
- WAUS-FM, Andrews University, Berrien Springs, MI
- WHFB Radio Stations, Benton Harbor, MI
- WCSY 103.7 SuperHITS, South Haven, MI
- WIRX Rock 107.1, St. Joseph, MI
- WKZO AM 590, Kalamazoo, MI
- WMUK Public Radio, Kalamazoo, MI
- WSBT Radio NewsTalk 960, Mishawaka, IN
- WSJM News, St. Joseph, MI
- WSMK-99.1 FM, Niles, MI
- WVPE 88.1 FM, Elkhart, IN
- WYTZ 97.5 Y Country, St. Joseph, MI









Television Stations

- FOX 28 News, South Bend, IN
- WNDU-TV (Channel 16), South Bend, IN
- WOTV (Channel 8), Grand Rapids, MI
- WSBT-TV (Channel 22), Mishawaka, IN
- WWMT (Channel 3 News), Kalamazoo, MI
- ABC-57 (Channel 57, News), South Bend, IN
- WNIT (Channel 34), South Bend, IN

Other Contacts

In addition to the media, SWMPC will contact other important stakeholders, agencies, and organizations (as appropriate) with press releases and announcements. Some of these agencies include:

- Michigan House of Representatives (Districts: 59, 78, & 79)
- Michigan Senators (District 21)
- United States House of Representatives
- Unites States Senators
- School Districts
- Community Colleges
- Tourist Councils
- Chambers of Commerce

Social Service Agencies (i.e., Area Agency on Aging, Department of Human Services, Michigan Works! Southwest Michigan Community Action Agency)

- Community Organizations
- Service Organizations
- Senior Centers
- Community Development Organizations / Downtown or Corridor Associations

Interested individuals who ask to be on mailing list. (**To be added to the outreach mailing list for TwinCATS or NATS, contact the SWMPC transportation planners at the contact information in the first section of this document.)

This list will be ever evolving as new contacts, individuals, groups, associations, and organizations are identified. Please contact the SWMPC for a complete and up-to-date list or to add your organization to the list.

Table 1, *Public Participation Plan Goals Matrix*, outlines the strategy that the MPO staff have in place to improve participation by the public. The table highlights those areas that the MPO staff will complete in the next 12-24 months (High), 24-36 months (Medium), and 36-48 months (low). The goals and strategies were developed from the two public input meetings held in February 2012, with comments received via email, and with student input from the Michigan Works Bridge Academy, all comments and notes can be viewed by going to Appendix H of this document.



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1. Visibility – Raise the awareness of the MPOs and their role in regional transportation planning.		
Priority	Activity	Measures
Low	 1.1 Maintain contact list of the following: a. Area churches in the MPO planning region, with specific focus on environmental justice region. b. Human service agencies and organizations c. Senior centers/agencies d. Disability groups e. Schools in the planning region 	 Maintain lists for accuracy and completeness
High	1.2 Create a display explaining the role of MPO transportation planning to place in locations throughout the region.	 Count the number of communities the display in. Count the number of public comments received before and after the placement of displays
High	1.3 Partner with agencies/organizations at community events to discuss transportation planning with the public	 Count the number of agencies and organizations partnered with and the number of different events at which MPO transportation materials are presented and discussed.

2. Engagement – Continuously involve the public in the transportation planning process.			
Priority	Activity	Measure	
High	2.1 Issue frequent press releases to area newspapers regarding the efforts of the MPOs.	• Count the number of press releases sent and printed.	
Low	2.2 Send twice-monthly emails regarding the efforts of the MPOs to a complete transportation contacts list, which should include all interested individuals.	 Maintain contact lists for accuracy and completeness 	
High	2.3 Produce flyers and other publications regarding the efforts of the MPOs.	 Count the total number of flyers or other publications produced. Count the number of locations flyers are distributed in, paying special attention to organizations like 	
	nd TwinCATS Public Participation	$P \mid a$ churches and senior centers.	

High	2.4 Maintain the MPOs' websites, ensuring accurate meeting notices, MPO work program timelines, and notification of events and public input opportunities.	• Check the website at least monthly, making sure that all information is accurate and complete.
High	2.5 Respond to public comments received via email, phone, and written message.	 Check for timely response, made in the same form as the message was received (i.e., phone calls are returned, emails are replied to, and written messages are sent a return letter).
High	2.6 Maintain the SWMPC Facebook page by posting transportation related articles or opportunities of interest at least once weekly.	 Check the frequency of transportation-related Facebook updates. Monitor the number of Facebook followers, and check for growth.
Medium	2.7 Utilize civic /community/religious present information to with their memberships and to gain feedback.	 Count the total number of presentations and input meetings held at such organizations. Count the number of organizations reached out to and partnered with.
Medium	2.8 Develop procedure for responding to official public input that is transparent and can be recorded.	 Check that public input is compiled and prominently displayed on the SWMPC website Check that press releases and/or emails are sent, explaining how public input has been incorporated into transportation documents.

3. Notification – Notify the public when key decisions are being made and provide opportunities for comment.		
Priority	Activity	Measure
High	3.1 Utilize displays, flyers, the official website, personal invitations, and emails to provide notification of important events.	 Keep sign in sheets to track number of attendees at events. Use Google Analytics to track the total number of website views on transportation pages. Keep track of the total number of flyers printed and distributed.

Low	3.2 Display all meeting materials, such as agendas, minutes, and handouts, on the appropriate SWMPC website no less than 5 days in advance of the meeting date.	 Monitor whether meeting materials have been posted appropriately. 	
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4. Communication – Engage with citizens about transportation topics in ways that are informative and	
understandable.	

Priority	Activity	Measure
High	4.1 Ensure that all communications and MPO plans are presented in a format understood by citizens, with written materials that do not surpass an eighth grade reading level.	• Encourage feedback from citizens about their ability to understand material, and note their difficulty.
Medium	4.2 Create standing citizen-involved subcommittees that focus on transportation topics such as freight, rail, and bicycling/walking.	 Make note of the number of subcommittees created.
Low	4.3 Create public service announcements or informational videos regarding various transportation topics.	 Make note of the number of announcements or videos created.
High	4.4 Continue to utilize Facebook postings to communicate with people regarding various transportation topics.	 Count the number of Facebook postings, as well as the number of interactions within postings.
High	4.5 Use maps, graphs, and other pictorial representation techniques to communicate various transportation issues more clearly to citizens.	 Track the number of informational displays made available to the public.

5. Cultivation – Educate incoming MPO board members and advisory committee members about MPO functions, responsibilities, and programs; educate regional high school-aged children about the internal function of MPOs.

Priority	Activity	Measure
Low	6.1 Create a manual for MPO board members detailing the workings of MPOs and their specific responsibilities	 Make note of the steps to create a manual (such as the formation of a subcommittee in charge of its guidance), as well as the existence of a finished manual.
High	6.2 Contact high school students regarding opportunities for internships with the MPO.	 Make note of inquiries from prospective interns. Make note of number of regional outreach efforts.

6. Facilitation	6. Facilitation – Make it easy for all citizens to get involved in transportation activities and to be heard.			
Priority	Activity	Measure		
Low	6.1 Create of a citizen advisory committee that looks at barriers to public participation and possible solutions.	Check for the existence of such a committee.		
High	6.2 Encourage MPO member organizations to advertise dates and locations of transportation- related meetings through websites, newsletters, flyers, emails.	 Count the organizations that regularly post this information Keep track of the methods by which organizations advertise events 		
Low	6.3 Have citizen representatives on the MPO Policy Committees	Track the number of citizen representatives holding voting positions on the committees		
Low	6.4 Make meetings available to citizens through recordings or webcast	 Track the number of meetings made available in video or audio form, either live or recorded on displayed on the SWMPC website. 		

7. Accessibility – Hold meetings at convenient times and accessible locations.			
Priority	Activity	Measure	
High	7.1 Develop list of potential meeting locations that are on fixed bus routes and accessible by people who may walk or bike.	 Check that list is generated, and that it is accurate and complete 	
Medium	7.2 Partner with agencies holding community events to provide information and gain input in accessible places.	 Assess the transportation accessibility at partnered events. 	
Medium	7.3 Hold transportation meetings and other input sessions at a variety of times, both daytime and evening	Track the times of public transportation events.	

•	. Compliance – Meet or exceed the spirit, intent, and requirements of MPO and other local, state, and federal tatutes and regulations.	
Priority	Activity	Measure

High	9.1 Annually review the public participation plan for effectiveness.	•	Check that annual review has been completed.
Low	9.2 Distribute a public survey every other year to help determine what works with the public participation plan and what needs improvement.	• •	Check that surveys have been distributed. Count the number of survey responses and tally the results.

Section III – Introduction to Transportation Planning

Need for Participation

Participation is an integral part of the transportation planning decision-making process. Without meaningful participation from you (the public), the private sector, and other stakeholders of your community, there is a

chance that plans and decisions made could be less responsive to the needs of the community than they should be. With meaningful participation, there can be great improvements in the quality of life for you and other individuals that live, work, and visit the region.

Your knowledge and opinions are vital for the future progress of your community. The SWMPC wants to develop plans that meet the needs and goals and follow the values of the citizens of every community in our region. <u>True participation is central to good</u> <u>decision making!</u>

The fundamental objective of participation is to ensure that the concerns and issues of every individual are identified and, where possible, addressed through the development of policies, programs, and projects in their community.

Federal legislation lays out several different regulations for public involvement in the planning process. A summary of the regulations can be found in Appendix A:

- Title 23; Section 450.212, Code of Federal Regulations (derived from the Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), enacted in 2005).
- The Americans with Disabilities Act of 1990 (ADA)
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898, Federal Actions to Address
 Environmental Justice in Minority Populations and Low-Income Populations, 1994

Purpose

The Public Participation Plan contains the guidelines and expectations for public participation during the transportation planning activities and processes conducted by the NATS and TwinCATS MPOs.

In particular, this plan outlines the procedures, tools, and expectations for outreach and education on transportation issues. It also includes the strategies that will consistently be used to engage the public in the MPO's transportation planning process and an array of techniques available to the MPO.

The intended outcome is to define a give-and-take process that is both engage to the public and informed by public input, creating an environment that fosters a two-way exchange.

• Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 2000

The Southwest Michigan Planning Commission's methodology for addressing Title VI for Environmental Justice is outlined in Appendix B.

Transportation has a tremendous impact on a wide range of activities in the NATS and TwinCATS regions. Transportation makes it possible for us to get where we want to go as well as enjoy products and services from all over the world. Transportation planning involves many ways to get around. A few examples are as follows:

- Cars
- Trucks (passenger and freight)
- Bicycles
- Walking
- Buses
- Carpooling, Vanpooling, and Ridesharing
- Trains
- Planes
- Boats

Transportation planning seeks solutions to transportation problems that do the following:

- Support economic vitality,
- Increase safety,
- Increase security,
- Increase accessibility and mobility options,
- Protect the environment and improve air quality,
- Enhance system integration and connectivity between modes,
- Promote efficient system management and operation, and
- Emphasize system preservation.

What is Transportation Planning?

Figure 1 gives a graphic representation of the interconnected and continuous flow of the transportation planning process. Transportation planning is an ongoing process that sets out to accomplish the following:

- <u>Visioning & Goals</u> Identify a community or regional vision and determining how transportation fits into this vision;
- <u>Objectives & Measures of Effectiveness</u> Develop goals, objectives, and measures of effectiveness (MOEs);
- <u>Problem Identification</u> Identify potential problems, or gaps, between the desired goals, objectives, MOEs, and the projected system performance;
- <u>Alternatives</u> Identify alternative solutions to problems and their underlying causes;
- <u>Analysis & Evaluation</u> Analyze and evaluate alternative solutions/strategies based on costs, benefits, and impacts;
- <u>Plan Approval</u> Develop a Transportation Participation Plan, Long Range Transportation Plan (LRP), Transportation Improvement Program (TIP), and Unified Work Program (UWP) that go through the MPO approval process (as illustrated in Section IV – Table 1);
- <u>Program Development</u> Develop a program by identifying top priority projects for funding;
- <u>Project Development & Operation</u> Create a plan for project development and operation that identifies a detailed strategy including analysis of options within the planned design concept and scope, and;

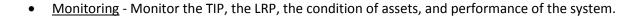




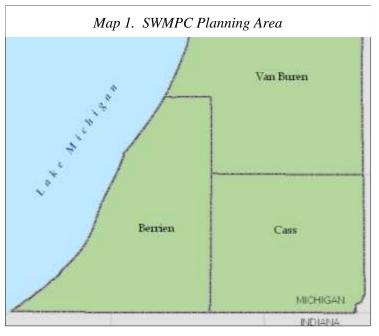
Figure 1. Transportation Planning Process

What is the Southwest Michigan Planning Commission?

The Southwest Michigan Planning Commission (SWMPC) is one of fourteen regional planning organizations in Michigan established in 1968 by Governor George Romney. Governor Romney took this step in response to a

growing number of federal programs (housing, water quality, economic development, and transportation) that recognized the area-wide nature of many problems.

Thus, each county in Michigan is served by one of the fourteen regional planning organizations that have professional planners to help them address long and short range planning issues. As Map 1 shows, the SWMPC is the Regional Planning Organization that serves Berrien, Cass, and Van Buren Counties.



Within the State, metropolitan areas with

population concentrations of 50,000 residents or more are recognized as urbanized areas. These populations are identified by the United States Census Bureau. Each of these urbanized areas is required to have a Metropolitan Transportation Planning Organization (MPO) to assist them with transportation planning. Besides being a Regional Planning Organization, the SWMPC is also considered a MPO.

MPOs, in cooperation with local municipalities, counties, states, transit operators, other key transportation entities, and public and private entities within the metropolitan area engage in a transportation planning process.

The MPO process seeks to establish common goals and distribute State and Federal transportation funds in a way that is mutually beneficial for agencies and residents within the metropolitan area.

In the SWMPC's region, there are two urbanized areas that have 50,000 or more people. These two areas are the Niles-Buchanan-Cass Area (NATS) and the St. Joseph/Benton Harbor Twin Cities area (TwinCATS). Each of the two areas is considered a separate study area for the purpose of transportation planning. The two areas are shown in Maps 2 and 4.

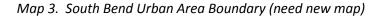
Niles-Buchanan-Cass Area Transportation Study (NATS)

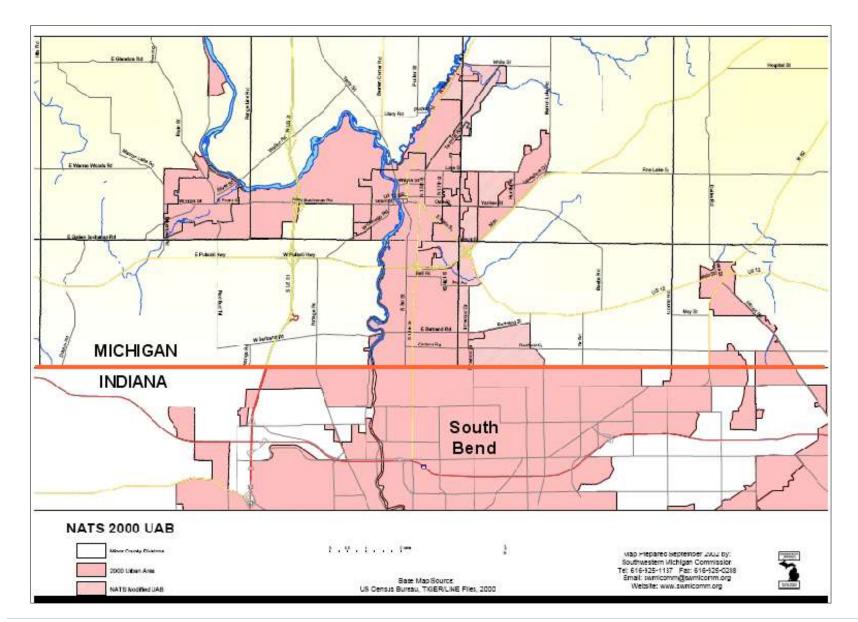
NATS is the ongoing transportation study for the Niles-Buchanan-Cass urbanized area. The NATS urbanized area is located just across the Michigan-Indiana border and is adjacent to South Bend, Indiana. This area does not meet the population requirements to be a MPO on its own, but the United States Census of 2000 has designated it as part of the South Bend, Indiana, urbanized area, as you see in Map 4. However, because of the state boundary, the SWMPC has entered into an agreement to carry out the transportation planning for this area. Jurisdictions that are located in the Niles-Buchanan-Cass urbanized area, as you see in Map 2, are:

- City of Buchanan
- City of Niles
- Village of Edwardsburg
- Bertrand Township
- Buchanan Township
- Howard Township
- Mason Township
- Milton Township
- Niles Township
- Ontwa Township

Map 2. NATS Area



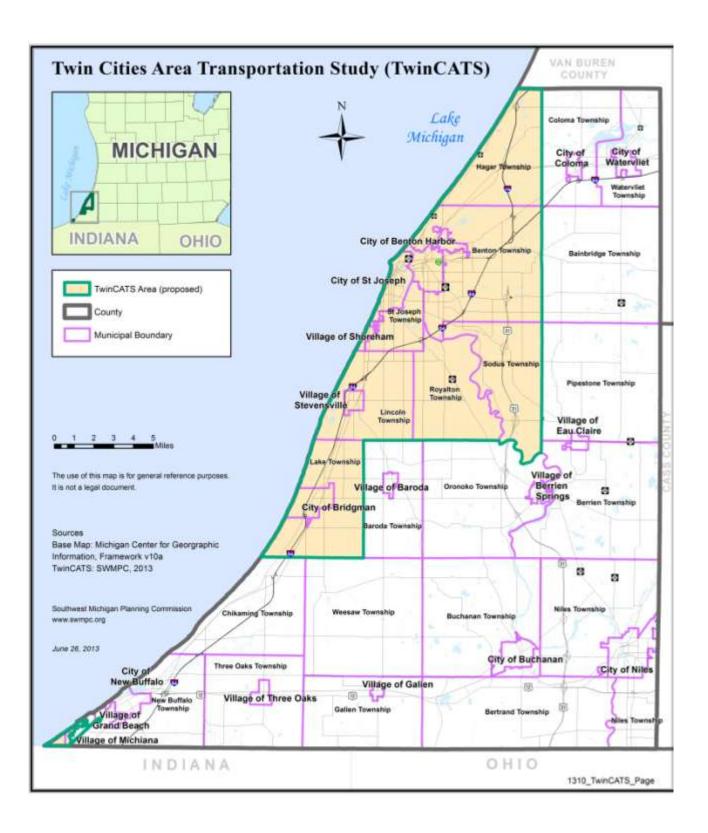


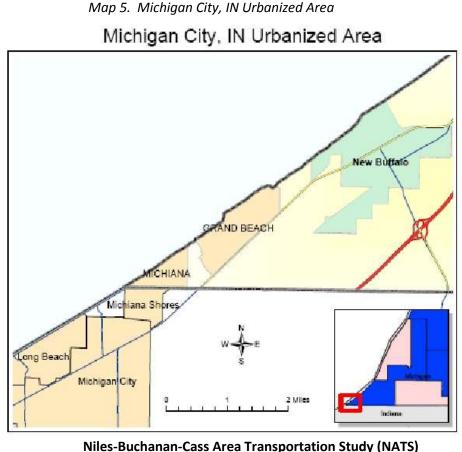


Twin Cities Area Transportation Study (TwinCATS)

TwinCATS is the ongoing transportation study for the Benton Harbor/St. Joseph urbanized area. The most recent addition to TwinCATS is the Grand Beach/Michiana area, which has been designated as a satellite of TwinCATS as it is not contiguous with the existing study area boundary. The Grand Beach/Michiana area does not meet the population requirements to be a MPO on its own, but the United States Census of 2000 has designated it as part of the Michigan City, Indiana urbanized area, Map 5. However, because of the state boundary, the SWMPC has entered an agreement to carry out the transportation planning for this area. Jurisdictions that are located in the Twin Cities urbanized area, as you see in Map 4 on this page, are as follows:

- City of Benton Harbor
- City of Bridgman
- City of St. Joseph
- Village of Shoreham
- Village of Stevensville
- Benton Township
- Hagar Township
- Lake Township
- Lincoln Township
- Royalton Township
- St. Joseph Township
- Sodus Township
- Grand Beach (satellite)
- Michiana (satellite).





Niles-Buchanan-Cass Area Transportation Study (NATS) & Turin Citics Area Transportation Study (Turin CATS)

Twin Cities Area Transportation Study (TwinCATS)

185 E. Main St., Benton Harbor, MI 49022 Phone: (269) 925-1137 Fax: (269) 925-0288

> www.swmpc.org/nats.asp www.swmpc.org/twincats.asp

The member communities in both NATS and TwinCATS have appointed representatives to present and discuss transportation issues related to the MPO through the Technical Advisory Committee (TAC) and Policy Committee. The TAC Committees are to provide technical advice to the Policy Committees in all aspects of the transportation planning process. The purpose of the Policy Committees are to provide policy level guidance, direction and necessary approvals to all aspects of the transportation planning process carried out by the lead planning organization responsible for coordinating the transportation planning process in the MPOs. Deliberations, findings, and approvals of the Policy Committee shall be made after due consideration of the recommendations of the Technical Advisory Committee. The lists that follow are the member agencies that comprise each Policy Committee.

NATS Policy Committee

*=Non-voting member

Michigan Depart of Transportation Bureau of Planning Michigan Department of Transportation - Coloma TSC Michigan Department of Transportation - Southwest Region **Berrien County Board of Commissioners Berrien County Road Commission Berrien County Planning Commission** Buchanan Dial A Ride **Cass County Board of Commissioners Cass County Road Commission** City of Niles Dial-a-Ride Four Flags Area Chamber of Commerce City of Niles City of Buchanan Village of Edwardsburg **Bertrand Township Buchanan Township** Howard Township Milton Township Niles Charter Township Ontwa Township Pokagon Band of Potawatomi Indians *FTA *Southwest Michigan Planning Commission *Michiana Area Council of Governments

TwinCATS Policy Committee *=Non-voting member

MDOT-Lansing MDOT-Southwest Region MDOT-Coloma TSC Berrien County Planning Commission Berrien County Road Commission **Cornerstone Chamber of Commerce** Southwest Michigan Regional Airport Benton Harbor, City of Bridgman, City of St. Joseph, City of Grand Beach, Village of Michiana, Village of Shoreham, Village of Stevensville, Village of Benton Charter Township Lake Charter Township Lincoln Charter Township **Royalton Township** Sodus Township St. Joseph Charter Township Twin Cities Dial-a-Ride St. Joseph River Harbor Authority *Southwest Michigan Planning Commission *Berrien County Coordinated Transportation Coalition *Federal Highway Administration, Michigan Division (Ex-Officio) *Federal Transit Administration *Northwest Indianan Regional Planning Commission (NIRPC) *Regional Interagency Consumer Committee *TCATA Local Advisory Committee

Section IV – Participants in Transportation Planning

States

Federal

Government

Tribal

Government

Figure 2. Stakeholders

Local

Government

Private

Sector

User

Groups

Regional

Agencies

Local

Participants

Legal

System

Who Should Participate in Transportation Planning Decision Making?

- YOU!
- Local agencies
- Regional agencies
- State agencies
- Federal agencies
- Tribal governments
- Human service agencies
- Persons with low income
- Persons from minority groups
- Senior citizens
- People under the age of 18
- Rail passengers
- Rail freight industries
- Residents of the affected communities
- Anyone who does business in the community
- Community organizations, groups, and associations
- Private transportation providers
- Public providers and riders of transit and paratransit
- Trucking/freight industries
- Boaters, bikers, pedestrians, and drivers

The following section provides the citizen a description of the major governing bodies for the two MPOs that are involved in decision making for various documents. Table 1, page 29, displays what transportation planning documents must be approved be each governing body, the public comment period, and when evening public hearings are required.

Southwest Michigan Planning Commission

The SWMPC is governed by a forty member Board of Commissioners that meets quarterly. Additionally, a twelve-member Administration Committee that is a subset of the larger Board also meets quarterly. Thus, Commission business is addressed eight times a year. All meetings are open to the public.

The Administration Committee typically deals with detailed matters and issues that are better approached at a smaller scale. Typically, the Administration Committee is asked to assess issues and make positive or negative recommendations to the SWMPC Board of Commissioners, unless the Board has passed final decision-making authority to the Administration Committee. The Board of Commissioners is also free to appoint subcommittees to study specific issues in depth.

The SWMPC Board of Commissioners approves all official Commission work product, annual work programs, and budgets. They also provide guidance to the executive director relative to the focus of the organization.

Technical Advisory and Policy Committee

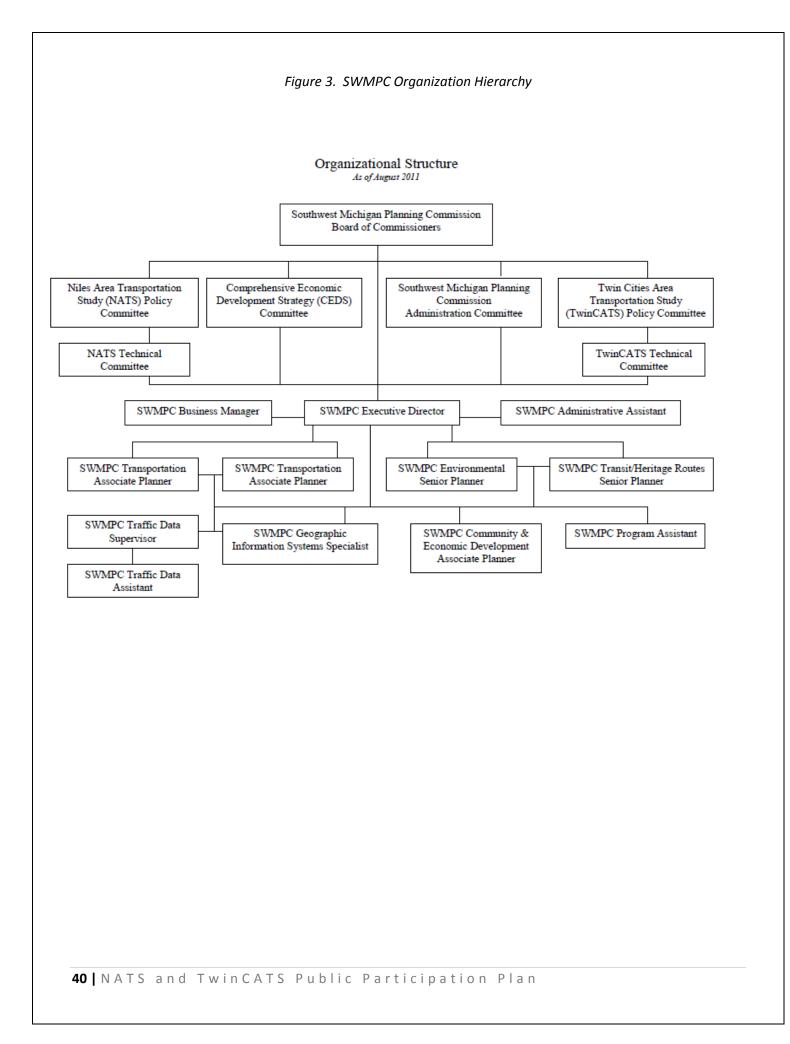
Technical Advisory Committee (TAC). NATS and TwinCATS each have their own Technical Advisory Committee (TAC). Each TAC proposes, reviews, and recommends actions and programs to their respective Policy Committee. The TACs are primarily comprised of representatives from member municipalities with technical or programmatic expertise in the transportation field. Meetings are held once per month, and citizens are welcome and encouraged to attend these meetings.

The TwinCATS and NATS pages on the SWMPC website contain meeting schedules and meeting materials (<u>www.swmpc.org/twincats.asp</u>; <u>www.swmpc.org/nats.asp</u>, along with current board member lists.

Policy Committee. NATS and TwinCATS each have their own Policy Committee. Each Policy Committee endorses and recommends policies, resolutions, and statements that are reviewed and approved by the SWMPC regarding transportation issues that affect their respective urbanized area. The Policy Committee is responsible for review and consideration for approval of recommendations from their respective TAC regarding adoption of or amendments to their LRP, Transportation Participation Plan, UWP, and TIP. With a few exceptions, their actions are passed on to the SWMPC for approval. Meetings are held once per month, and citizens are welcome and encouraged to attend.

Figure 3 shows the organizational hierarchy of the SWMPC and how the MPO Committees and staff fit into this structure.

The TwinCATS and NATS pages on the SWMPC website contain meeting schedules and meeting materials, along with board member lists. All meeting materials can be found my going to the following websites www.swmpc.org/twincats.asp and www.swmpc.org/nats.asp.



Local Advisory Committee

Local Advisory Councils (LACs) are bodies that are created by law to help a transit system be more accessible. Local Advisory Councils vary greatly across transit agencies. Many agencies actively engage LAC representatives in partnership for making their systems responsive to users. There are a few things every Local Advisory Council must have:

- Every transit system in Michigan must have an LAC.
- At least half of the LAC must be people representing seniors and people with disabilities
- It must meet at least once a year.
- It must review and comment on the transit system's accessibility plan.

Below are a listing of LAC groups for each public transportation provider in the region. If you are interested in attending a local advisory council meeting, please visit the following website http://mywaythere.org/events.asp for meeting dates and contact persons.

Berrien Bus Local Advisory Council

The Berrien County Board of Commissioners appoints the Local Advisory Council (LAC). LAC members represent:

- Area Agency on Aging
- Citizen
- Southwest Michigan Disability Network

Buchanan Bus Local Advisory Council

The City of Buchanan City Council Board of Commissioners appoints the Local Advisory Council (LAC). LAC members represent:

- 4 Citizen Representatives
- User of public transit
- Disability Network

Cass County Transit Local Advisory Council

- Cass County Council on Aging
- Area Agency on Aging
- Cass County Veterans Affairs
- Woodlands Behavioral Health Care
- 2 Users of public transit
- Department of Human Services
- Cass County Administrator
- Disability Network

Twin Cities Area Transportation Authority Local Advisory Council

The Twin Cities Area Transportation Authority Board of Trustees appoints the Local Advisory Council (LAC). LAC members represent:

- Area Agency on Aging
- Senior
- Senior
- Benton Harbor Senior Services
- Senior
- Person w/ disability and User

Niles Dial A Ride Local Advisory Committee

LAC members and who they represent, include:

- Area Agency on Aging
- Person w/ disability and User
- Person w/ disability and User
- 65 years and older and User
- Person w/ disability and User

Berrien Regional Interagency Coordinated Coalition (RICC)

The Berrien RICC (Regional Interagency Consumer Council) is a group of people with disabilities who advocate for issues that are important to people with developmental disabilities. RICC members work to create change in their local communities, learn about and connect to local resources, and tell the Michigan Developmental Disabilities Council what it is like to be a person with a disability in Berrien County. This group meets at Disability Network Southwest Michigan and is funded and overseen by the Michigan Developmental Disabilities Council.

Berrien Coordinated Transportation Coalition

The Berrien Coordinated Transportation Coalition was formed in 2009 to steer the development of the Berrien County Public Transit-Human Services Transportation Plan, produced by the Southwest Michigan Planning Commission. The coalition's goals for Berrien County are as follows:

- Improve coordination;
- Improve efficiency;
- Improve quality of transportation services;
- Increase awareness of available services, and;
- Expand capacity of human and public transportation services.

The Coalition is an informal forum for discussion about transportation needs in Berrien County. It meets three to four times per year. The Coalition serves in an advisory role for SWMPC transportation planning staff, including the Mobility Managers. The membership of the Berrien Coordinated Transportation Coalition is made up of the following:

- Area Agency on Aging
- Berrien Bus
- Berrien County Health Department
- Buchanan Dial-a-Ride
- Child and Family Services
- Community Connections
- Consortium for Community Development
- Disability Network Southwest Michigan
- Heartland Alliance / Opportunity Center
- KPEP
- Michigan Department of Human Services
- Michigan Disability Resources
- Michigan WORKS!
- Niles Dial-a-Ride
- Southwest Michigan Community Action Agency
- Twin Cities Dial-a-Ride
- United Way







MPO Connection with Public Transit

The MPO works with all transit agencies in the TwinCATS and NATS planning areas to ensure that all federal highway and transit administration requirements are met.

Both the planning regulations and Section 5307 require public participation. The planning regulations require that the metropolitan transportation planning process include a proactive participation plan that: provides complete information, timely public notice, and reasonable public access to key decisions and supports early and continuing involvement of the public in developing plans and TIPs. (The grantee's projects must be programmed in the TIP to be eligible for funding.) Section 5307 grantees also have specific requirements for public participation related to the POP. POP public participation requirements do not apply to funds flexed into a Section 5307 grant.

FTA allows a grantee to rely on the locally adopted public participation requirements for the TIP in lieu of the process required in the development of the POP if the grantee has coordinated with the MPO and ensured that the public is aware that the TIP development process is being used to satisfy the POP public participation requirements. To comply with the latter requirement, the MPO's public participation plan should state that the MPO's public participation process satisfies the grantee's public participation process for the POP and the public

notice for the TIP must have an explicit statement that public notice of public involvement activities and time established for public review of and comments on the TIP will satisfy the POP requirements.

If the grantee relies on its own process to satisfy POP public participation requirements, it must:

a. Develop a proposed POP in consultation with interested parties, including private transportation providers. The grantee may rely on the MPO to assist in this process. A transportation advisory committee of the MPO may be informed or used as a reviewer of the POP. Private providers should be involved throughout this process.

b. Ensure that the proposed POP provides for the coordination of Section 5307 public transportation projects with transportation projects assisted with other federal sources. Coordination may occur at many levels, from simple information sharing to total consolidation of services. Participation in the public transportation-human services planning process satisfies this requirement.

c. Make available to the public information concerning the amount of funds available under the Section 5307 program and the POP that the recipient proposes to undertake with such funds.

d. Publish the proposed POP in sufficient detail and in such a manner as to afford affected citizens, private transportation providers, and, as appropriate, local elected officials, reasonable and adequate opportunity to examine the proposed program and to submit comments on it and on the performance of the grantee. The public notice is published in the general circulation newspaper in the service area of the grantee and should indicate where citizens can examine the proposed program and budget in detail and submit comments on the proposed program and the performance of the grantee. If the service area includes a significant number of persons with limited English proficiency, the grantee should distribute the notice to these populations. (See the Title VI section of this guide.)

e. Provide an opportunity for a public hearing to obtain the views of citizens on the proposed POP. Most grantees include in the public notice an announcement that the proposed POP is available for review and that, if requested, a public hearing will be held. Some local laws or grantee policies make the public hearing mandatory.

f. Consider comments and views received, including those of private transportation providers, in preparing the final POP.

g. Make the final POP available to the public. If the proposed POP is not amended, including a statement that the proposed program will be the final program, unless amended, satisfies the requirements regarding the final POP.

REFERENCES

23 CFR 450.314, 316, 322 and 324 ; FTA Circular 9030.1D, Ch. IV, Section 6

SOURCES OF INFORMATION -MPO's public participation plan and the TIP public notices or grantee notice of the POP the past three years.

Section V – Important Transportation Documents

The SWMPC uses a variety of techniques to gain public input on its transportation planning documents. Public participation is needed throughout every step of the development of each document. At a minimum, the SWMPC is legally required to hold a public comment period prior to approval or amendment of the LRP, Transportation Participation Plan, UWP, and TIP. The requirements for the public comment period differ for each type of document, as shown in Table 2.

The general approval process for a transportation planning document is as follows:

- 1. Draft approval recommendation by TwinCATS or NATS Technical Advisory Committee (TAC)
- 2. Draft approval by TwinCATS or NATS Policy Committee
- 3. Public comment period
- 4. Final draft approval recommendation by TwinCATS or NATS TAC
- 5. Final draft approval by TwinCATS or NATS Policy Committee
- 6. Final document approval by SWMPC full board
- 7. Submission to MDOT
- 8. Approval by MDOT and submission to FHWA and FTA

The public can comment on the documents by sending mail, faxes, and e-mail to SWMPC staff or by attending a scheduled public input meetings, or attending the NATS, TwinCATS, or SWMPC Board meetings. When comments are received, staff of the SWMPC reviews the observations and takes them to the respective TAC and Policy Committees for further review and discussion. Follow-up occurs as appropriate. The public comments are recorded anonymously in the appendices of the documents, the committee members' responses to the comments are submitted to MDOT along with the documents. All final documents are available on the SWMPC website at http://swmpc.org/twincats.asp (TwinCATS) and http://swmpc.org/nats.asp (NATS).

Table 2: Transportation Plan Requirements

Document	Action	Public Comment Period	Evening Public Hearing Required [*]	When Hearing Is Required	SWMPC Approval Required
Public Participation Plan (PPP)	Adopt new plan	45 days	Yes	During comment period	Yes
	Amendment	45 days	Yes	During comment period	Yes
Long Range Transportation Plan (LRP)	Adopt new plan	10 days	Yes	At start of planning process	Yes
	Amendment	7 days	No	n/a	No
	Administrative amendment	none	No	n/a	No
Transportation Improvement Program (TIP)	Adopt new plan	10 days when projects are released 10 days when document is released	No	n/a	Yes
	Amendment	7 days	No	n/a	No
	Administrative amendment (modification)	none	No	n/a	No
Unified Work Program (UWP)	Adopt new plan	10 days	No	n/a	Yes
	Major amendment (more than 20% change in budget or scope)	10 days	No	n/a	Yes
	Minor amendment	Public can comment at meeting where amendment is reviewed	No	n/a	No

In addition to soliciting public comments on transportation planning documents, the SWMPC involves the public in the planning process through other processes and techniques listed in Sections V and VI. The SWMPC also frequently assists other government agencies and community organizations with distributing public information, organizing public meetings, and soliciting public input for relevant plans and projects.

Public Participation Plan (PPP)

Overview. This document, the transportation Public Participation Plan, has been developed by the SWMPC in order to involve citizens, stakeholders, and interested individuals in the transportation planning decision-making processes of the region. The Plan establishes the goals, objectives, and strategies for obtaining participation in the transportation planning process.

Goals. Public participation goals are developed or updated through contributions from stakeholders in the region. Staff from the SWMPC host meetings or attend meetings of various groups, organizations, and commissions from around the region to gain input into the goals. Current public participation goals are in the box to the right.

SWMPC transportation planning staff have been encouraged through FHWA and MDOT partners to begin the implementation of measurable strategies for the PPP.

Review and Approval Process. The Public Participation Plan must be reviewed and updated at least every four years. Comments on the Transportation Participation Plan can be made following the general process identified in the Comment Review Process, listed above. In addition, regarding review and approval of the Participation Plan, SWMPC staff will complete the following tasks:

- Annually review the Participation Plan for effectiveness.
- Make public, through the contacts listed in Section VII-Outreach, any proposed changes through a 45-

GOALS

 Visibility. Raise the awareness of the MPO as a leader in transportation planning for NATS, TwinCATS, and Berrien County.

2. *Engagement*. Involve the public in every phase of the transportation planning process.

3. Notification. Notify the public when key decisions are being made and provide opportunities for comment.

4. Communication. Ensure that all communication media and MPO plans are presented in a format understood by partner agencies and the public.

5. Resourcefulness. Be creative-optimize and use resources dedicated to public participation effectively.

6. Proactive. Make it easy for all citizens to get involved and be heard.

7. Accessible. Make a special effort to inform and engage populations that have potential to be under-represented in transportation decision-making.

8. Compliant. Meet or exceed the spirit, intent, and requirements of MPO and other local, state, and federal statutes and regulations.

day review and comment process during which the SWMPC will conduct at least one public meeting in the NATS area and one public meeting in the TwinCATS area to present changes to the plan and any comments received to date.

• The Transportation Participation Plan will continue to be reviewed and edited until the TAC and Policy Committee deem it appropriate and recommend approval to the SWMPC.

• The SWMPC will review and will either approve the Plan or make recommendations for change and send it back to the committees to review.

Long Range Transportation Plan (LRP)

The LRP is a long-term look at the priorities and objectives for the region. The plan must cover at least a 20-year horizon, with the first four years being the current actions of the region. Updates of the LRP occur on a four-year cycle. Participation is essential to the development of the LRP and any amendments that occur. Comments on the LRP can be made following the process identified in the Comment Review Process listed above.

The SWMPC's participation process for developing or updating the LRP is listed below.

- The SWMPC staff and TwinCATS and NATS committee members will conduct a thorough interagency
- plan review to ensure that the LRP considers the plans and desired outcomes of other entities in the region, including those related to transportation, land use, and housing. Plans to be reviewed include master plans / comprehensive plans, land use/zoning regulations, strategic plans, community visions, regional visions. Agencies within the TwinCATS and NATS boundaries as well as bordering communities and regions will be consulted.
- SWMPC staff will host meetings or attend meetings of groups, organizations, and commissions from around the NATS and TwinCATS areas, to establish the range of participation opportunities for creating the goals, objectives, policies, and strategies of the LRP.
- Special efforts will be made to gain input from transportation-disadvantaged populations (i.e., minority, low-income, disabled, seniors, children, and carless individuals), as outlined in Appendix B: Environmental Justice. The SWMPC may attend

What Moves You Berrien and Cass Counties: How Will We Arrive in 2040?



Niles-Buchanan-Cass Area Transportation Study Long Range Transportation Plan 2013-2035

meetings of groups and organizations that help or associate with these populations as a tool to reach these populations.

- Using techniques listed in Section VI Toolbox of Techniques for Public Participation, staff will announce and host a public meeting (i.e. open house) to kick off the LRP update process, announce a timeline, and begin to develop goals. A meeting will be held for each of the study areas at convenient times and at accessible locations.
- Input and comments on the proposed priority projects of the LRP will be sought.
- The final draft of the proposed LRP will be made public for a minimum 10-day review and comment period prior to the SWMPC's Board of Commissioner's meeting.
- The final draft will be available for download on the website or in hard copy by contacting the SWMPC using contact information in the first section of this document.

Amendments to the Long Range Plan occasionally occur. The process for amending the LRP is as follows:

- Notices of proposed amendments requesting public comment are distributed to contacts identified in Section VIII-Outreach. The public comment period is 7 days prior to the respective Policy Committee meeting.
- The last day of public comment may also coincide with the date of the Policy Committee meeting.

Transportation Improvement Program (TIP)

The TIP is a four-year implementation program, updated every two years for TwinCATS and NATS, which contains a list of all projects approved by the SWMPC for federal aid along with other regionally significant projects. Comments on the TIP can be made following the process identified above. The review and approval process of the TIP is as follows:

- Every two years, the TwinCATS and NATS Technical Advisory committees each designate a TIP Project Selection Subcommittee of five to seven members, representing Act 51 agencies, transit agencies, and MDOT.
- The Project Selection Subcommittee members revise and approve the project application. They also finalize and approve the process for prioritizing project applications.
- The project application and project prioritization process are approved by the TwinCATS and NATS technical advisory and policy committees.
- SWMPC announces a Call for Projects, and distributes the TIP application. The Call for Projects is announced to all Act 51 agencies (cities, villages, and counties) and transit agencies within the TwinCATS and NATS boundaries, announced at the TwinCATS and NATS Technical Advisory Committee meetings, and announced in a press release and a public outreach mailing.
- The Act 51 agencies submit project applications to SWMPC staff. The transit agencies and MDOT submit separate applications (their projects have a dedicated funding stream and do not compete against the Surface Transportation projects submitted by Act 51 agencies).
- The SWMPC staff review the applications for accuracy and completeness, score the projects according to the agreed-upon project prioritization process, and make the applications and the scores available to the public and to the Project Selection Subcommittee.
- A Project Selection Public Hearing is scheduled, and a press release, and outreach mailing are sent out seven days in advance of the hearing.
- At the hearing, the Project Selection Subcommittee prioritizes the projects and accepts public comments. The Project Selection Subcommittee votes to recommend the draft project list to the TwinCATS and NATS Technical Advisory and Policy committees.
- SWMPC staff present the draft project list at the TwinCATS and NATS meetings, and a vote of approval is made by the TAC and the Policy Committee.
- Air quality conformity analysis is conducted by the InterAgency Working Group, as necessary.
- Proposed projects are plotted on Environmental Justice (EJ) maps to identify whether or not they lie within an EJ targeted area. If the proposed project lies within a targeted area, the project is evaluated by SWMPC staff to ensure that the EJ area is not negatively impacted by the project.

- If any particular concerns are raised by the staff, committee members, or the public about whether a project is environmentally just, a special public meeting is held to discuss the concerns.
- The draft project list is released for a 10-day public comment period. Notice of this comment period will be announced to contacts listed in Section VII-Outreach.
- At the end of the 10-day public comment period, public comment is accepted at the respective TAC and Policy Committee meetings (schedules are available online or by contacting the SWMPC using the contact information in the first section of this document) in which the TIP document is considered for recommendation for approval.
- The TIP document is developed, considered by the TAC and Policy Committee, and recommended for approval by the SWMPC Board of Commissioners.
- The full document is released for a 10-day comment and review period prior to the meeting of the SWMPC Board of Commissioners.
- At the end of the 10-day public comment period, public comment is accepted at the SWMPC Board meeting at which the TIP is being considered for approval.
- The SWMPC Board will review and will either approve the TIP or make recommendations for change and send it back to the committees to review.

Amendments to the TIP do not require SWMPC Board approval. Where appropriate, they must be run through air quality conformity and environmental justice analysis. A seven-day public comment period must be announced through a press release and outreach mailing before the amendment is recommended by the TwinCATS and NATS TACs and approved by the Policy Committees. Some minor amendments can be administratively processed (modified) by SWMPC staff. For a full description of administrative amendments, see the current TIP documents, available at http://swmpc.org/twinCATS) and http://swmpc.org/twincats_docs.asp (TwinCATS) and http://swmpc.org/nats_docs.asp (NATS).

Unified Work Program (UWP)

The UWP is the annual program of the SWMPC's work activities. The UWP is the product of regional participation and collaboration between the Michigan Department of Transportation (MDOT) and the SWMPC. When complete, it is submitted to MDOT and the Federal Highway Administration for approval.

The public is given the opportunity to review and comment on the UWP, following the general process identified in the Comment Review Process listed above. Notice of the comment period will be announced to contacts listed in Section VII-Outreach. SWMPC staff will follow the following procedure to adopt a new UWP:

- The draft UWP will be available online, at the SWMPC office, and at each of the respective NATS or TwinCATS member jurisdictions for public access.
- The TAC and Policy Committee must review the UWP and recommend approval by the SWMPC Board of Commissioners. A public review and comment period of no less than 10-days will be provided prior to the respective SWMPC's approval of the work program.
- At the end of the 10-day public comment period, public comment is accepted at the SWMPC Board meeting at which the UWP is being considered for approval.

• The approved UWP will be available online or by contacting the SWMPC, using contact information in the first section of this document, for a hard copy.

Major amendments and/or revisions, representing a change of more than 20 percent of the total budget or any program element budget, or a change in scope, will require a ten-day public review and comment period and approval by the SWMPC Board.

Minor amendments that do not represent a change of more than 20% of the program budgets require the approval of the respective Policy Committee at a public meeting.

Annual Report

The SWMPC publishes an annual report of activities at the end of each fiscal year. It summarizes the activities and accomplishments based on those outlined in the approved UWP at the beginning of the fiscal year.

An annual report of the transportation planning activities within the NATS and TwinCATS areas will be available for public review online and in hard copy by contacting the SWMPC using the contact information in the first section of this document.

APPENDIX A – Federal Regulations

Source: Michigan Department of Transportation 2006, Michigan Statewide Planning Process Participation Plan

The Federal regulations related to participation in transportation decision-making can be found in **Title 23**; **Section 450.212, Code of Federal Regulations**, as enacted in the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU, 2005). These regulations leave the methods for carrying out participation to the discretion of each state; however, participation processes must provide the following:

- Early and continuous opportunities for involvement
- Public meetings at convenient and accessible locations and times
- Timely information on transportation issues, processes and procedures
- Reasonable access to technical and policy information
- Electronic accessible and available public information via the Web
- Adequate notice of involvement opportunities at key decision points
- Methods for considering and responding to public input
- A course of action for seeking out and considering the needs of traditionally underserved groups
- Periodic review and evaluation of the participation process

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, as well as the information presented, must be accessible to persons with disabilities. ADA requires specific participation – particularly for developing paratransit plans – such as the following:

- Outreach by developing contacts, mailing lists, and other means of notification
- Consultation with disabled individuals
- The opportunity for public comment
- Accessible formats
- Public hearings
- Summaries of significant issues raised during the public comment period
- Ongoing efforts to involve persons with disabilities in planning

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, and 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." Traditionally underserved groups such as low-income and minority populations must be identified and given increased opportunity for involvement in order to ensure effective participation.

More detail about the SWMPC's strategies for addressing Environmental Justice are outlined in *Appendix B: Environmental Justice*.

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.

APPENDIX B – State Regulations Concerning Public Participation

The Michigan Open Meetings Act 267 of 1967 applies to any "public body," defined as a state or local legislative or governing body, including a board, commission, committee, subcommittee, authority or council, empowered by state constitution, statute, charter, ordinance, or resolution to perform a governmental or proprietary function. The law states the following provisions:

- All meetings of a public body shall be open to the public and shall be held in a place available to the general public. All persons shall be permitted to attend any meeting (except a permitted closed meeting) and shall be permitted to record the proceedings of the meeting.
- A person shall not be required to provide his or her name or to register as a condition of attendance at a meeting.
- A person shall not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.
- For regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar year or fiscal year a public notice stating the new dates, times, and places of its regular meetings.
- For a rescheduled meeting, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting.
- The public notice shall include the name, telephone number, and address of the public body to which the notice applies, and it shall be posted at the principal office of the public body.
- Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the general public, and the purpose for which a closed session is held. The minutes shall include all roll call votes taken at the meeting.
- Proposed minutes shall be available for public inspection not more than 8 business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than 5 business days after the meeting at which the minutes are approved by the public body.

• Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.

APPENDIX C - Environmental Justice

Environmental Justice (EJ) is a federal directive (Executive Order 12898, enacted in 1994) requiring all federal programs to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects as the result of its programs, policies, and activities on minority populations and low-income populations. Populations that require special consideration include historically marginalized groups such as African Americans, Asian Americans, Hispanic or Latino Americans, Native Americans and low-income households.

In addition to the general EJ mandate, the US DOT published its own Order (5610.2) in the Federal Register on April 15, 1997. This Order requires the incorporation of EJ principles in all US DOT programs, policies and activities. The US DOT integrates the goals of the Executive Order through a process developed within the framework of existing requirements, primarily the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964 (to ensure that no person is excluded from participation in, denied the benefits of, or is subjected to, discrimination).

Within the MPO areas, efforts are undertaken to ensure that transportation system improvements that are implemented do not have disproportionately negative effects on minority and low-income populations. In addition, system investments must provide for an equitable distribution of benefits to areas that are traditionally underrepresented in the planning process. Transportation projects may bring new benefits in terms of greater connectivity to destinations and faster, safer travel. At the same time, these projects can also bring new concerns with increased noise, air pollution, or impediments during construction processes. In order to ensure that transportation investments in the NATS equitably benefit on all of the region's diverse populations, and that they do not have a disproportionately adverse impact on any of these populations, SWMPC undertook procedures listed in the methodology section below.

Methodology to Identify Environmental Justice Populations

In June of 2007, SWMPC revisited its procedures for identifying NATS EJ Populations. Staff turned to representatives from MDOT to determine the procedures used at the state level for EJ analysis. The methodology described below outlines the procedures used for NATS EJ analysis and parallels what is being used by the State of Michigan.

Minority group population numbers were assembled from the following 2010 US Census sources:

- 1. Total Population (Summary File 1, Table 1);
- 2. Black or African American alone (Summary File 1, P3);
- 3. American Indian and Alaskan Native alone (Summary File 1, P3);
- 4. Asian alone (Summary File 1, P3); and
- 5. Hispanic or Latino (Summary File 1, P5).

All but Hispanic or Latino population numbers were drawn from populations of one race. Since the US Census does not consider Hispanic or Latino to be a race designation, there will be, by definition, individuals who identified themselves as two or more races within the Hispanic or Latino designation.

Low-income population numbers were drawn from the following 2011 American Community Survey (ACS) sources:

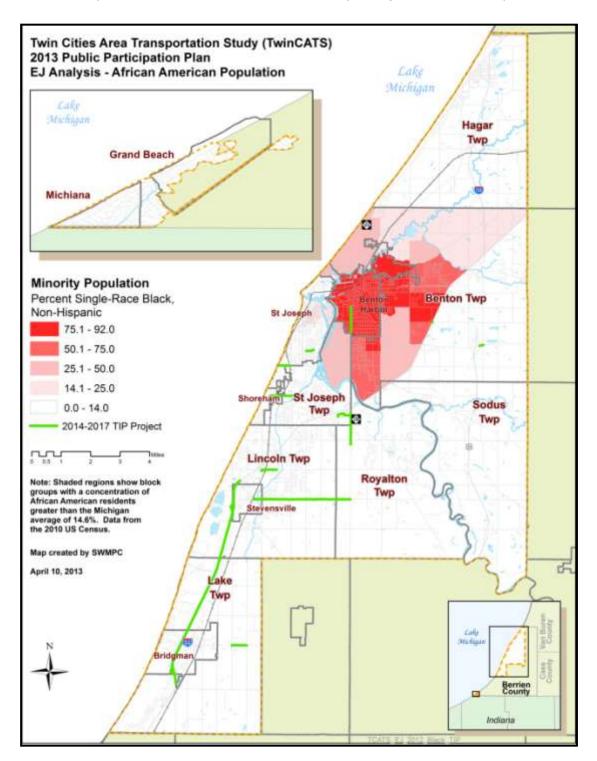
- 1. Population for whom poverty status is determined (ACS 2007-2011 5-Year Estimates, Table S1701) and,
- 2. Population for whom annual income was below poverty level (ACS 2007-2011 5-Year Estimates, Table S1701).

The 2010 US Census did not include a "long form", where questions about income had been had been asked in Census 2000 and prior decennial census datasets. Instead, the American Community Survey, which helps the Census Bureau collect data continuously, now measures income in its questionnaire. 5-Year Estimates were used because they provide a large enough sample for the Census Bureau to report data at the Census Block Group level in our region. Census Block Groups are also the smallest geographic summary area for which race and poverty data are available. At the block group level, individual concentrations of population can be more carefully identified.

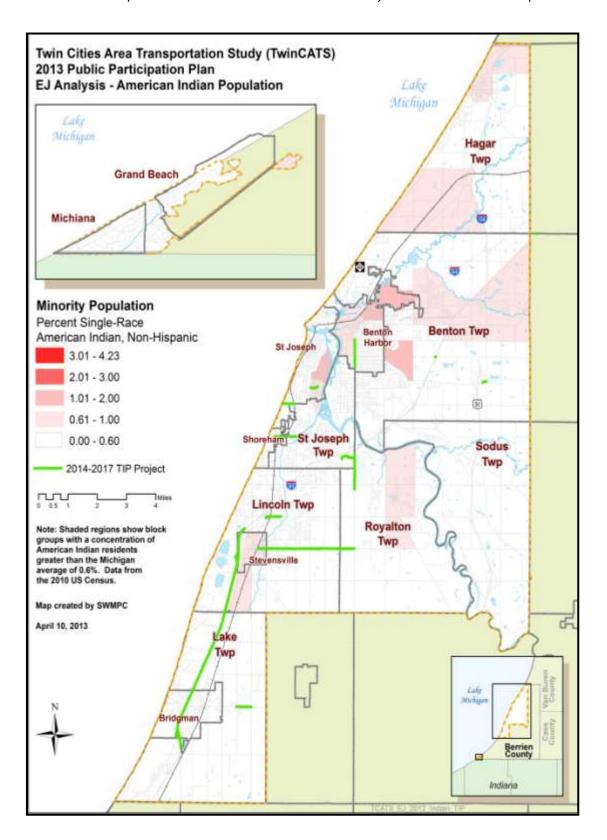
To determine whether a census block group constituted an "EJ area", SWMPC calculated the percentage of the total population in each census block group that belonged to each of the designated EJ groups. The percentage of the population that belonged to each EJ group was then compared to the proportion of the overall population of Michigan that the group constitutes. SWMPC then created maps for each of the EJ groups, shading areas where the concentration of that particular EJ group was higher than the proportion that the group represents of the state of Michigan's overall population.

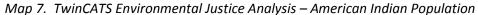
The EJ maps were then overlaid with the 2014-2017 TIP and LRP project location information to determine potential impacts to EJ populations.

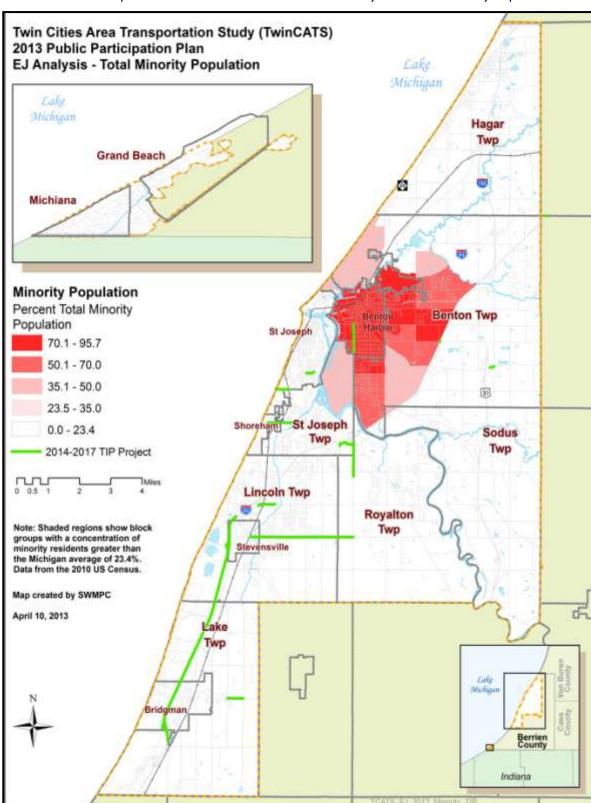
TwinCATS EJ Maps



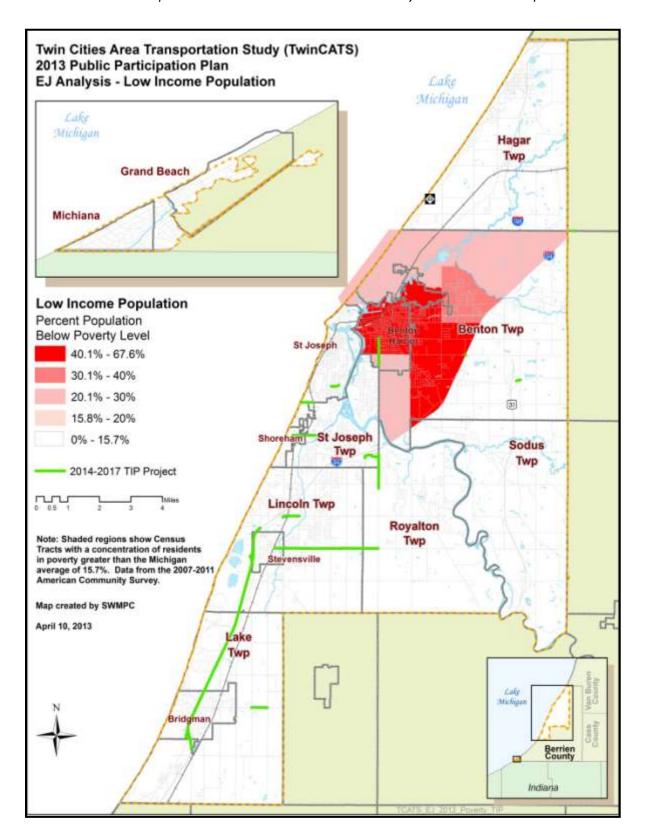
Map 6. TwinCATS Environmental Justice Analysis – African American Population





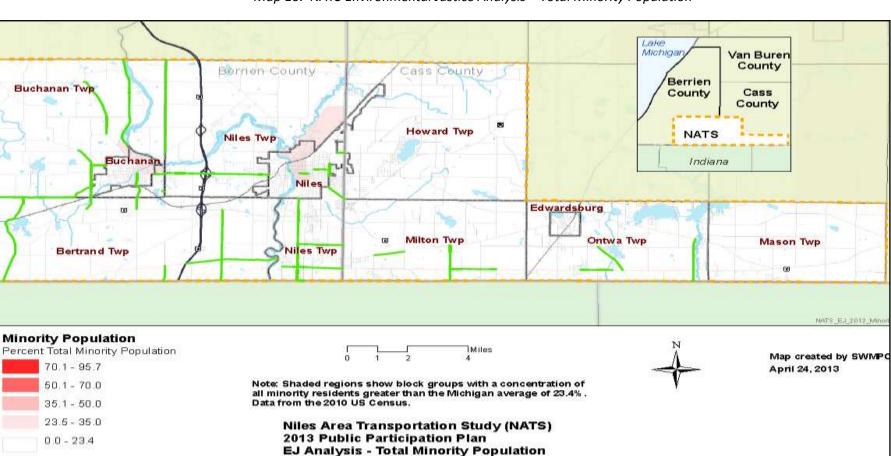


Map 8. TwinCATS Environmental Justice Analysis – Total Minority Population



Map 9. TwinCATS Environmental Justice Analysis – Low Income Population

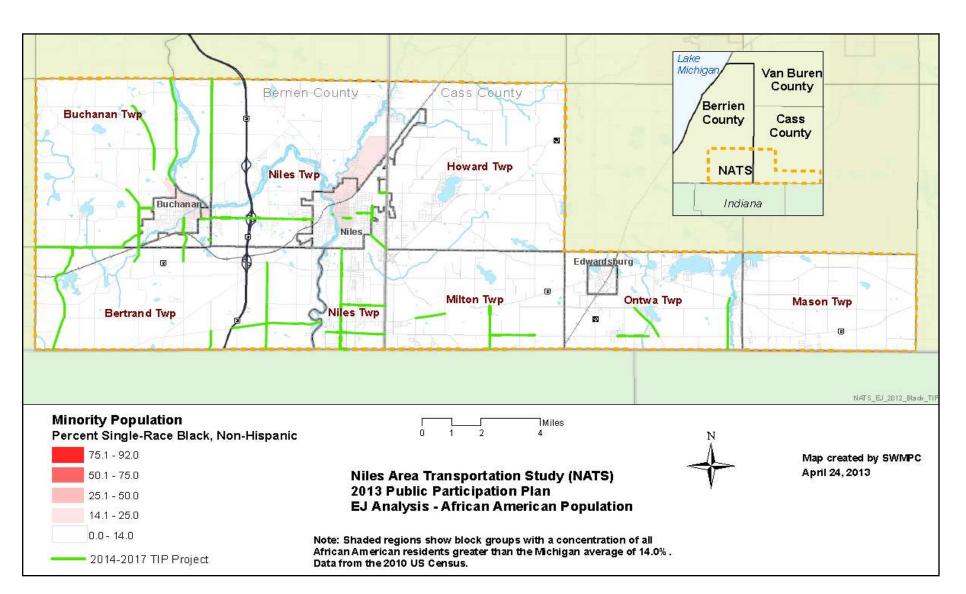
NATS EJ Maps



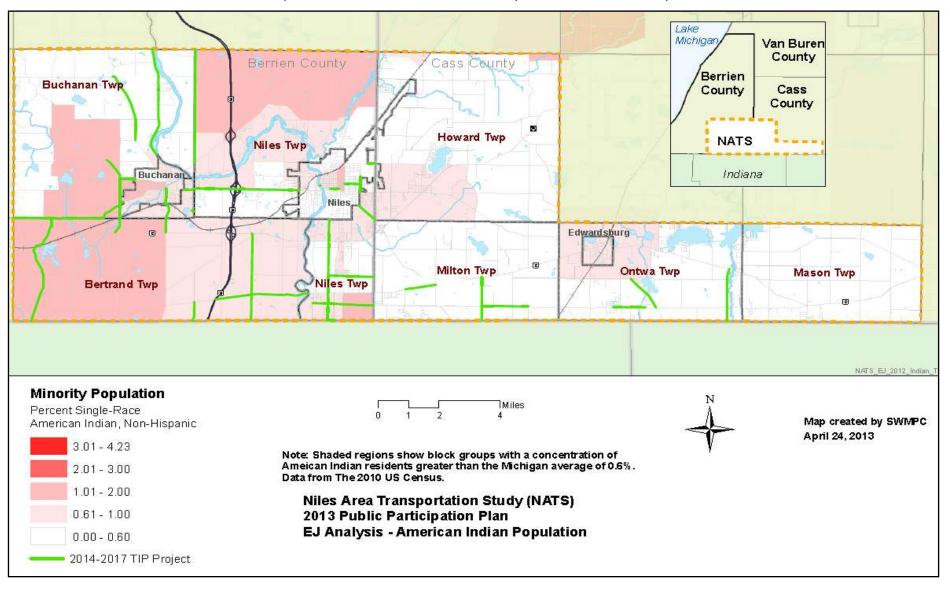
Map 10. NATS Environmental Justice Analysis – Total Minority Population

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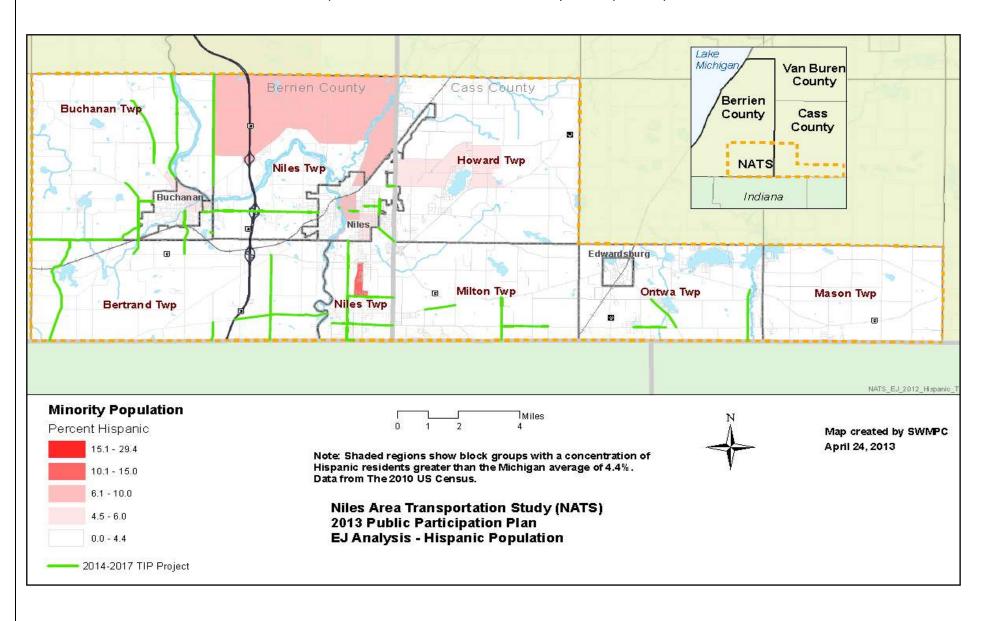
2014-2017 TIP Project



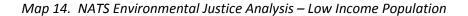
Map 101. NATS Environmental Justice Analysis – African American Population

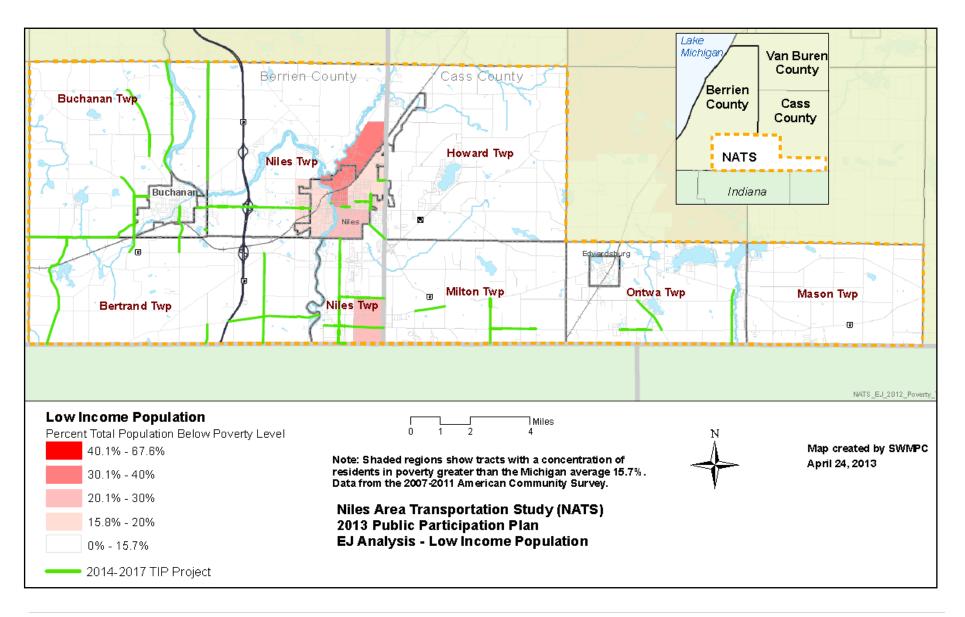


Map 12. NATS Environmental Justice Analysis – American Indian Population



Map 13. NATS Environmental Justice Analysis – Hispanic Population





APPENDIX D – Acronyms

Not all of the acronyms below are found in the above document. However, many are acronyms that are commonly used in transportation planning and are provided here for educational purposes.

AASHTO – American Association of State Highway	EPA – Environmental Protection Agency		
and Transportation Officials	FAA – Federal Aviation Administration		
ADA – American with Disabilities Activities	FEIS – Final Environmental Impact Study		
ADT – Average Daily Traffic or Average Daily Trips	FHWA – Federal Highway Administration		
AMPO – Association of Metropolitan Planning Organizations	FONSI – Finding of No Significant Impact		
APA – American Planning Association	FTA – Federal Transit Authority		
APTA – American Public Transportation Association	FY – Fiscal Year		
BMP – Best Management Practice	GIS – Geographic Information Systems		
BMS – Bridge Management System	GPS – Global Positioning Systems		
BTS – Bureau of Transportation Statistics	HOV – High-Occupancy Vehicle		
CAA – Clean Air Act	HSR – High Speed Rail		
CAAA – Clean Air Act Amendments	I/M – Inspection and Maintenance		
CE – Categorical Exclusions	IHS – Interstate Highway System		
CFR – Code of Federal Regulations	IM – Interstate Maintenance		
CIP – Capital Improvement Program	ISTEA – Intermodal Surface Transportation Efficiency Act of 1991		
CMAQ – Congestion Mitigation and Air Quality Improvement Program	ITS – Intelligent Transportation Systems		
CMP – Congestion Mitigation Process	LOS – Level of Service (traffic flow rating)		
DEIS – Draft Environmental Impact Statement	LRT – Light Rail Transit		
DOT – Department of Transportation	LRP – Long Range Plan or Long Range Transportation Plan		
EA – Environmental Assessment	M & O – Management and Operations		
EIS – Environmental Impact Statement	MIS – Major Investment Study		
EJ – Environment Justice	MOA – Memorandum of Agreement		
CELNATS and TwinCATS Dublic Dartic	instion Dlan		

- MOU Memorandum of Understanding
- MPO Metropolitan Planning Organization
- MSA Michigan Statistical Area
- MTP Metropolitan Transportation Plan
- NAA Nonattainment Area
- NAAQS National Ambient Air Quality Standards
- NATS Niles-Buchanan-Cass Area Transportation Study
- NEPA National Environmental Policy Act of 1969
- NHS National Highways System
- PASER Pavement Surface Evaluation and Rating
- PE Preliminary Engineering
- PL Planning Funds
- PPP Public Participation Plan
- RFP Request for Proposals
- ROD Record of Decision
- ROW Right of Way
- RR Railroad

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users

- SIB State Infrastructure Bank
- SIP State Implementation Plan
- SOV Single-Occupancy Vehicle

SPR – State Planning and Research Funds

STIP – State Transportation Improvement Plan

STP – Surface Transportation Program

STPP – Surface Transportation Policy Project

SWMPC – Southwest Michigan Planning Commission

TAC – Technical Advisory Committee

- TAZ Traffic Analysis Zone
- TCM Transportation Control Measure

TDM – Transportation Demand Management

TDP – Transit Development Program

TEA-21 – Transportation Equity Act for the 21st Century

TIFIA – Transportation Infrastructure Finance and Innovation Act of 1998

TIP – Transportation Improvement Program

TOD – Transit Oriented Development

TSM – Transportation System Management

TwinCATS – Twin Cities Area Transportation Study

UWP/UPWP – Unified Work Program/Unified Planning Work Program

VMT - Vehicle Miles Traveled

VOC – Volatile Organic Compound

VPD - Vehicles Per Day

APPENDIX E - Glossary

Not all glossary terms are found in the above document, but they are nonetheless provided to further inform the reader.

Environmental Justice (EJ) - A federal directive requiring all federal programs to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Populations considered to be EJ populations include African Americans, Asian Americans, Native Americans, or Hispanic Americans, the elderly, and low-income households.

Federal Highway Administration (FHWA) - A branch of the U.S. Department of Transportation that administers the Federal-Aid Highway Program and provides financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

Fiscal Constraint - The concept that the total cost of a given area's transportation projects cannot exceed the funding that area can reasonably expect to receive. Federal law requires both the LRP and the TIP to be fiscally constrained.

Freight - Goods carried by a vessel or vehicle, especially by a commercial carrier.

Geographic Information Systems (GIS) - A collection of computer hardware, software, and geographic data for capturing, managing, analyzing, and displaying all forms of geographically referenced information.

Intermodal Surface Transportation Equity Act of 1991 (ISTEA) - Expanded upon the 1974 Federal-Aid Highway Act that mandated the formation of an MPO for all areas greater than 50,000 in population. ISTEA specified a greater importance of public participation in the transportation planning and decision making process. MPOs are required to maintain a formal public participation process.

Long Range Transportation Plan/Long Range Plan (LRP) - The long-range, multi-modal plan updated every four years, documenting policies, initiatives, and projects designed to meet the surface transportation needs of the region.

Metropolitan Planning Organization (MPO) - An organization designated by the governor and local elected officials as the agency responsible, along with the state, for planning in urbanized areas (with population of 50,000 – 200,000 people, which are designated by the U.S. Census). The organization serves as a forum for cooperative decision-making by local elected officials.

Multi-Modal - Planning and infrastructure focusing on connectivity between modes (such as trucks, boats, cars, bicycles, pedestrians, buses, and planes) as a means of facilitating linked trip-making for people and freight.
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Niles-Buchanan-Cass Area Transportation Study (NATS) - Niles-Buchanan-Cass urbanized area and transportation study area that is designated by the United States Census.

Nonmotorized - A transportation mode not using motorized vehicles (e.g., bicycling, walking, horseback riding, and rollerblading).

Problem - Gaps between the desired vision, goals, and objectives and the current or projected performance of the system.

Public - Anyone who resides, has interest, or does business in a given area that may potentially be affected by transportation decisions.

Public Comment - Feedback from the public, as part of the region's public participation process, that is welcomed by all individuals regardless of their previous level of participation or education in the planning related decision-making process.

Public Participation Plan - Public participation efforts include a variety of techniques targeting the entire community (including ethnic populations and low-income households) and assures the public has the opportunity to help shape the substance of plans and projects.

Public Transit -

- 1. Passenger transportation service operating on established schedules along designated routes or lines with specific stops and designed to move relatively large numbers of people at one time, and
- 2. Passenger transportation service operating on an on-demand basis, where there are flex-routes that are determined by the passenger's traveling needs (such as Dial-A-Ride).

Regional Planning - Planning that address issues such as transportation, environment, social, and economic concerns that are best looked at on a larger basis than municipality by municipality. Planning on a regional level can be very beneficial as it allows cities, villages, and townships to pool resources and tools that will in turn benefit the region as a whole. The SWMPC's region is Berrien, Cass, and Van Buren Counties.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - "Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users". SAFETEA-LU is a bill that President George W. Bush signed into federal law on August 10, 2005. It authorizes the Federal Surface Transportation Programs for highways, highway safety, and transit for the 5-year period of 2005-2009. It is the successor of the Transportation Equity Act for the 21st Century (TEA-21), which was enacted in 1998. **Technical Advisory Committee (TAC)** - Council reporting to SWMPC's governing body; identifies and responds to regional issues involving existing and future transportation systems, including roads, transit, airports, and rail. Recommends action on regional transportation plans and implementation through the TIP.

Transportation Equity Act for the 21st Century (TEA-21) - Adopted in 1998, TEA-21 further defined the public participation goal of ISTEA (See Intermodal Surface Transportation Efficiency Act of 1991), by requiring that Metropolitan Planning Organizations provide for consideration of projects and strategies that will:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

Transportation Improvement Plan (TIP) - A four-year list, updated every two years or when needed, of regional transportation improvement projects designed to implement the goals and objectives of the LRP.

Title VI of Civil Rights Act of 1964 - See Appendix A.

Transportation Study - The SWMPC region contains the following two (2) transportation study areas:

- TwinCATS St. Joseph/Benton Harbor (Twin Cities) Area Transportation Study
- NATS Niles/Buchanan Area Transportation Study.

Twin Cities Area Transportation Study (TwinCATS) - St. Joseph/Benton Harbor (Twin Cities) urbanized area and transportation study area that is designated by the United States Census.

Under Represented Population (or Transportation-Disadvantaged Population) - Low-income, minority, disabled, elderly, and youth populations that typically are not represented by the population of individuals at public meetings. They are not able to attend meetings for various reasons and therefore have little or no voice in the decision-making process. See Environmental Justice.

United States Department of Transportation (USDOT) - A department in the United States government whose mission it is to serve the country by ensuring a fast, safe, efficient, accessible, and convenient transportation system, while enhancing quality of life today and in the future.

United States Environmental Protection Agency (USEPA) - A federal agency responsible for setting limits on how much of a pollutant can be present in the environment. Working with each state, the USEPA helps develop a State Implementation Plan (SIP) outlining the strategy the state will follow to improve air quality.

APPENDIX F – 2011-2012 Approval Schedule

- November 21, 2011 Draft presented to TwinCATS Policy Committee
- November 22, 2011 Draft presented to NATS Policy Committee
- January 15, 2012-March 1, 2012 Draft plan released to the public for 45 day comment period
- February 2012 Public input meetings held at Benton Harbor Michigan Works and Niles District Library
- March 2012 Public comments presented to TwinCATS and NATS Policy Committees
- March 2012 Inclusion of public comments into Plan
- April 2012 Final approval by TwinCATS and NATS Policy Committees
- July 2012 Final approval by Southwest Michigan Planning Commission Board

APPENDIX G – SWMPC Limited English Proficiency Plan

The purpose of the Limited English Proficiency Policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to Limited English Proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq., and implementing regulations provided that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

Executive Order 13166

Executive Order 13166 "improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents are consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination against Persons with Limited English Proficiency." (See 65 FR 20123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English maybe a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the Southwest Michigan Planning Commission and government, private and non-profit entities, and sub-recipients.

LEP Coordinator:	K. John Egelhaaf, Executive Director
	185 E. Main St., Suite 701
	Benton Harbor, MI 49022
	Phone: 269-925-1137 x 12
	Fax: 269-925-0288
	Email: <u>egelhaafj@swmpc.org</u>

SWMPC has developed this LEP plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to SWMPC services as required by Executive Order 13166. A LEP person is one who does not speak English as their primary language and who has limited ability to read, speak, write or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the extent of obligation for SWMPC to provide LEP services, a U.S. Department of Transportation four factor LEP analysis was undertaken. It considers the following:

1. The number or proportion of LEP persons eligible in SWMPC's service area who maybe served or likely to encounter a SWMPC program, activity, or services

- 2. The frequency with which LEP individual come in contact with SWMPC services
- 3. The nature and importance of the program, activity or service provided by SWMPC to the LEP population
- 4. The resources available to SWMPC and overall costs to provide LEP assistance

Four Factor Analysis

1. Determine the number of LEP persons eligible to be served or likely to be encountered by a program, activity or service

Counties Served	Total County Populations	Speak a Language Other than English	Speak English less than very well	Speak Only English
Berrien County	156,813	10,812	3,776	141,013
Cass County	52,293	2,023	667	45,973
Van Buren County	76,258	6,304	2,804	64,741
Totals	285,364	19,139	7,247	251,727
Sources	2010 Census	2000 ACS Data		2000 ACS Data

According to the data gathered from the 2000 Census and the 2010 Census we were able to determine that in the service area, 7,247 people identified themselves as not being able to speak English very well. Individuals that identified themselves as Spanish speaking in the service area not being able to speak English "not well" or "not at all".

- ✓ Berrien County 1,092 people
- ✓ Cass County 204 people
- ✓ Van Buren County 1,307 people

There is sufficient numbers to support offering materials in a second language for all SWMPC activities, especially in the counties of Berrien and Van Buren. SWMPC will do the following:

- If a request is made to make meeting materials available in Spanish 14 business days prior to a meeting then those meeting materials will be translated into Spanish
- If a request is made at the meeting (the day of the meeting) to provide meeting materials in Spanish, then the SWMPC will have 14 business days to transcribe the meeting materials into Spanish and provide them to the requested party via email or mail. (Note the party requesting materials must provide an email address or mailing address).

2. Determine the frequency with which LEP persons come in contact with the program SWMPC staff will keep sign in sheets and requests from individuals to provide materials in another language. This will include documenting phone inquiries and verbal inquiries.

3. Determine the importance of the program, activity or service to people's lives.

There currently does exist a population of non-English speaking residents in the SWMPC service area, SWMPC will still provide translation of materials upon request. See Number 1 under Four Factor Analysis.

4. Determine the resources available and cost.

The majority of the SWMPC service area 285,364 people identified themselves as speaking only English (251,727). Those that identified themselves as not speaking English less than very well is a small population of 7,247. The population of those not speaking English less than very well is located in Berrien and Van Buren Counties. If a translator is requested for a public meeting, that request must be made 14 business days prior to the meeting. SWMPC's LEP Coordinator will contact the translator resources listed below and make a request for a translator to be available for the requested meeting. Berrien County and Van Buren County has translator resources at the following locations:

Berrien County

- Andrews University (269) 471-3181 (Berrien Springs)
- Amigos en Accion (269) 461-4181 (Eau Claire)

Van Buren County

- Connie's Translating Service (269) 424-9952 (Hartford)
- Good Samaritan Baptist Church (269) 427-0110 (Lawrence)

Language Assistance Measures

Tools for Identifying a LEP Person in need of Language Assistance

Examine records for any language assistance request from past meetings and events to anticipate the possible need for assistance at upcoming meetings.

- When SWMPC, or one of its programs or activities host meetings, conferences or workshops, a sign in table staffed by SWMPC staff will greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.
- "I Speak Cards" (Attachment G) will be available at these meetings at the sign in table. While staff may not be able to provide translation assistance at the meeting, the cards are an excellent tool to identify language needs for future meetings. The cards available at the office.
- Instruct all SWMPC staff to report any occurrence where they experienced direct or indirect contact with LEP individuals to the LEP Coordinator.

SWMPC LEP Assistance

SWMPC will offer the following LEP procedures to people who have identified themselves as not speaking English at least "well":

- "I Speak Cards" will be located at the front counter at the SWMPC office located at 185 E. Main St. Suite 701, Benton Harbor, MI 49022. SWMPC will also include "I Speak Cards" in all meeting binders so when SWMPC staff attends meetings the cards will be readily available.
- If a translator is requested for a public meeting, that request must be made 14 business days prior to the meeting. SWMPC's LEP Coordinator will contact the translator resources listed below and make a request for a translator to be available for the requested meeting.

- If a request is made to make meeting materials available in Spanish 14 business days prior to a meeting then those meeting materials will be translated into Spanish
- If a request is made at the meeting (the day of the meeting) to provide meeting materials in Spanish, then the SWMPC will have 14 business days to transcribe the meeting materials into Spanish and provide them to the requested party via email or mail. (Note the party requesting materials must provide an email address or mailing address).
- SWMPC website, reading and language translator is currently being developed by the SWMPC's website host and will be available soon.

SWMPC Staff Training

All SWMPC staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services SWMPC offers;
- Use of LEP "I Speak Cards";
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint

Outreach Techniques

The following are options that SWMPC will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or workshops in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agenda will be printed in an alternative language, based on known LEP population in the area.
- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into **"Documents and meeting materials can be produced in Spanish upon request".**
- Key printed materials including meeting notices, meeting minutes and meeting documents can be translated into Spanish upon request. This request must be made 14 business days prior to the scheduled meeting or can be made on the date of the scheduled meeting.
- If the request is made on the date of the meeting then SWMPC will have 14 business days to translate all meeting materials into Spanish and email or mail the items to the requested party.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and be easily updated. At a minimum, SWMPC will follow the Title VI Program update schedule for the LEP Plan. It is expected that major updates will not occur until the full release of the 2010 Census data or unless SWMPC finds it necessary and critical for an update before such time.

Each update should examine all plan components such as:

- ✓ How many LEP persons were encountered?
- ✓ Were their needs met?
- ✓ What is the current LEP population in the SWMPC service area?
- ✓ Has there been a change in the types of languages where translation services are needed?
- ✓ Is there still a need for continued language assistance for previously identified SWMPC programs? Are there other programs that should be included?
- ✓ Have available resources, such as technology and staff changed?
- ✓ Has SWMPC fulfilled the goals for the LEP Plan?
- ✓ Were any complaints received?

Dissemination of SWMPC Limited English Proficiency Plan

SWMPC will include the LEP Plan on the website <u>www.swmpc.org</u>, <u>www.swmpc.org/transportation.asp</u>, together with its Title VI Policy and Complaint Procedures. The SWMPC Notice of Rights under Title VI to the public will be posted in the office and in selected printed materials also refers to the LEP Plan's availability.

Any person, including social service, nonprofit, and law enforcement agencies and other community partners with Internet access will be able to access the plan.

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the documents via phone, in person, by mail or email. LEP persons may obtain copies/translation of the plan upon request.

LEP Complaint Procedure

The LEP Complaint Procedure can be found in Section III of this document. Title VI complaints and LEP Complaints will be handled the same way as outlined in Section III of this document.

Any questions or comments regarding this plan should be directed to:

LEP Coordinator: K. John Egelhaaf, Executive Director 185 E. Main St., Suite 701 Benton Harbor, MI 49022 Phone: 269-925-1137 x 12 Fax: 269-925-0288 Email: egelhaafj@swmpc.org

Appendix H – Public Comments

Comment Received:

"A couple of RICC members I asked mentioned doing outreach to businesses and the chamber of commerce so they understand the economic benefits of sidewalks and aren't fighting transportation projects (This may not necessarily fall under public participation, and I think it's something you're already involved in, but I wanted to pass along the thought).

Some other thoughts I had:

What about building a contact list of organizations that serve people with disabilities. Likely, it would be some duplication of the older adult and low income citizens, but you might get a hold of some newbies...

- Some brief acknowledgment to a member of the public who comments noting that their comment has been received and considered, and where it will "show up" or how it matters. (maybe a postcard that says "thanks for your comment. This will be considered when we..." to make it a bit more concrete--and give positive reinforcement-- to members who may not know the process...whether something will be right away or in a few years.
- Would having an open call of interest, maybe on the website, (i.e., if you are interested in becoming involved in transportation, including public transit, roads....please contact x") do anything to bring more general public into the process, you think? Then they wouldn't need to wait for a specific public input session or meeting? You may just get a ton of random emails, so who knows?

Comment Received:

You might find this information of use for the participation plan - ADA and Public Participation.

<u>http://bikeped.rutgers.edu/ImageFolio43_files/gallery/ADA/Documents/Project_Action_ADA_Public_Participatio</u> <u>n_Handbook.pdf</u>

You have probably seen this link- but just in case...

http://www.planning.dot.gov/PublicInvolvement/pi_documents/1a-b.asp

Comment Received:

This might have some information that could be added to enhance the participation plan update- Found the link(s) on MDOT website

Evaluating Meeting Sites:

http://www.ada.gov/business/accessiblemtg.htm#evalaccess

Getting people with disabilities involved:

http://www.ada.gov/business/accessiblemtg.htm

Comment Received:

"If you want people to show up for meetings, make sure that when something comes up, you let people know ahead of time so people don't just show up."

Comment Received:

I noticed that the Participation Plan references the TCATA LAC but not the Niles DART (or Buchanan, Berrien Bus, or Cass for that matter) LAC.

Comment Received:

I completely felt like a slacker when I downloaded your PPP and it said that it was 85 pages!!

Then I started going through it and realized your PPP is really pgs 37 to 49. That seems like it would be a much more "public" friendly document, do you think the "public" is going to sift through the first 40 pgs to see where they should participate?

Comment Received:

Below are my comments on the Public Participation Plan.

The map on page 12 does not appear to include South Haven.

It would be good to have a separate section on services that SWMPC provides to communities outside of the two study areas.

In the Facebook section, please state how non-Facebook members can receive updates that are provided to Facebook members. For those of us working in City government, it is impossible to keep one's personal Facebook messages separate from public statements related to City positions and political positions. For city management staff, it is often better to avoid any use of Facebook or Twitter to avoid this problem.

Perhaps state that there is an email list where all announcements will be sent. This is an easy way for any person with internet email to be sure that they are contacted on all informational messages from SWMPC.

Comment Received:

Issues students are concerned about:

Expand "bus" routes to more areas

Expand bicycle paths to increase safety

More sidewalks so kids don't have to walk in the streets, homeowners shovel walks in winter so kids don't have to walk in the street

Bike "Park"

Fixing roads

High speed train connecting Chicago to Detroit

Question #1: How should we get people involved in transportation issues?

Advertise that they need ideas or want input

Community "block" parties, or picnics, so planners attend social gathering, come to the people

\$ fundraisers for specific local needs/games with prizes to attract people

Question #2, What is the best way to communicate with people of all ages?

Surveys: paper copies @ popular places

students - "inserts" in school newspaper, student announcements

social media [Facebook]

city council website (?)

give "reward" or gift for the first # designated to complete survey

Volunteer work in connection with TwinCats/NATS

Gear info/activities for summer when students are not in school

Drivers – new drivers, work into Drivers Ed., this age group just hitting the roads and experiencing for themselves road conditions.

Local newspaper, on-line editions, Radio, TV

Question #3: How do we tell people what is going on with transportation issues?

Public Meetings

Host at community schools after and during school, students can attend portions of meeting

Web cast meetings

bill boards

advertisements

Comments Received:

It is not realistic to ask for public participation and hold your meetings in the morning when most people work, If I am just a statistic you can add to your list of people you notified for public participation, I would like to be removed from your list. If you are truly sincere on having public participation, you would hold at least a quarterly meeting in the evenings.

Please remove me from your list if you have no intention of doing this.

Comment Received:

Just a general note, and not in any way suggesting that something be changed at this point. For future reference only, but didn't want to miss the opportunity while you guys are thinking about this stuff. These comments are probably more of a critique of the requirements and expectations placed upon public agencies, versus anything SWMPC is doing on its own.

Seems like a rather large document for a PLAN. Almost a complete regurgitation of the entire SWMPC website (yes, I'm exaggerating). I know there are requirements and minimums to include and all, and I don't pretend to know what they are for this specific task, but I'm sure you guys had fun with all that. However, not sure why it should need to be such a completely self-contained document and more than just a primer (or even primer+). It seems to go beyond a plan on HOW to engage the public more thoroughly, and it's more like an exhaustive guidebook for any member of the public that wants to learn about transportation planning and management and operations, etc. I'm thinking, perhaps more info on how members of the public can engage the representatives on the MPO committees, to advocate for certain issues/approaches, versus how they can become a quasi-member of the committees. Afterall, nearly any aspect of public concern is already addressed by some form of representation on the committees (last but not least of which is through a member of public's local elected representatives). Also, while we all come to the table as public agency & private entity reps, etc.; we also come as members of the public - by virtue of our citizenship as a taxpayer in or near the MPO boundaries (versus some type of bureaucratic aliens transported down to work each day).

Comment Received

In the future instead of holding meetings (or in addition to), what if you guys started reserving a spot on the radio station (6th floor) in an attempt to get public input?

It would be a good idea to do a pilot test to see how much feedback you get from the public.

I think it would be nice to promote that you will be on the radio and the benefits are that people wouldn't have to leave their homes, they could continue handling business if they are in the car, etc...Could it be the future of public participation?!

Transportation Participation Plan Public Input Meeting MI Works-Benton Harbor, MI February 15, 2012 Notes

Attendees: George Rockey and Daniel Pittner (Central County Senior Center); T.J. Taylor (Twin Cities Area Transportation TCATA), Suzann Flowers and Trevor Thomas (SWMPC).

Flowers and Thomas gave a brief presentation regarding what they would be discussing. The group then discussed some specific transportation communication issues and transportation issues that the attendees wanted to discuss.

Specific topics discussed:

- Berrien County Transit Feasibility Study-status update, need to provide progress of the project.
- Best way to reach seniors would be items written
 - Senior Center newsletters-these are mailed to seniors and come out monthly. Each senior center has a newsletter

- Many seniors do not feel comfortable using the computer or the Internet and prefer to have items mailed to them
- Another good way to reach seniors is through word of mouth, social activities at agencies, and other social events
- Community groups-Optimist clubs, rotary clubs, lions clubs
- Churches
- Transit issues discussed
 - Limited availability of Berrien Bus to operate past 5:00p.m.
 - Predictability of buses
- Other items discussed
 - o Sidewalks need to be kept clear in the winter
 - Electric mobility devices in the roadway
 - Lack of sidewalks in area
 - M-139 and the Korean 7th Day Adventist church in Berrien Springs

Transportation Participation Plan Public Input Meeting Niles District Library-Niles, MI February 22, 2012

Notes

Attendees: Suzann Flowers (SWMPC), Maritza Ramirez (Student Niles High School), and Walt Stone (citizen).

Flowers gave a brief presentation regarding what they would be discussing. The group then discussed some specific transportation communication issues and transportation issues that the attendees wanted to discuss.

Specific topics discussed:

- Better coordinated transportation network-better coordination with project development
- Communication
 - Younger generation utilizes Facebook to get social and news information
 - Younger generation listens to 92.9, 105.1 and 98.1 (last 2 are Spanish radio stations)
 - Older generation listens or watches CNN, PBS
- Church newspapers and publications are made available to church members
- Utilize video to discuss transportation issues like a public service announcement for the media, similar to MACOG uses for bicycle safety
- Older Spanish speaking families read Spanish since their English may not be as good
- Non-profit vehicle acquisition for low cost vehicles by the government
- Have booth or partner with group at farmers markets and fairs and festivals
- Drivers education courses to discuss what to do when driving near pedestrians and bicyclists

Suggestions received from Michigan Works-Bridge Academy discussion held on March 7, 2012

- Be careful with using too many words on a page-bullets are easy to read
- Using large words may not help explain the message

- Explain savings that could be achieved with walking and biking. Giving reasons to walk and bike, some examples and better justification
- To get people to participate use a survey that offers gifts, money, prizes
- Tell people about survey on Facebook at the Bridge Academy

APPENDIX I: LEGAL NOTICES

AEFP Public involvement

Affidavit of Publication

STATE OF MICHIGAN } COUNTY OF BERRIEN }

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Lynne Cobianco, being duly sworn, says:

That she is Classified Manager of the Herald Palladium, a Daily newspaper of general circulation, printed and published in St Joseph, Berrien County, Michigan; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

SS

January 15, 2012

PUBLIC INVOLVEMENT STARTS WITH YOU!

The Southwest Michigan Planning Commission (SWMPC) encourages citizens, partners, and stakeholders to share their comments on how SWMPC engages the public as outlined in our Public Participation Plan, available for public comment January 15, 2012- March 1, 2012.

Share your comments by contacting Suzann Flowers at the SWMPC:

Email flowerss@swmpc.org Phone (269) 925-1137 x 17; Fax (269) 925-0288 Mail 185 E. Main St., Ste 701 Benton Harbor, MI 49022; OR at public input meetings: February 15, 2012, 4:00-6:00 pm at Michigan Works-Benton Harbor (499 W. Main St., Benton Harbor, MI) or February 22, 2012, 6:00-8:00 pm at the Niles District Library- Community Room (620 E. Main St., Niles, MI) OR at Facebook www.facebook.com/swmpc

The Plan is online at http://www.swmpc.org/participation.asp; or prints are available at the front desk of libraries in Berrien and Cass Counties, HP/adv. Jan. 15, 2012

That said newspaper was regularly issued and circulated on those dates. SIGNED:

alien

Subscribed to and sworn to me this 15th day of January 2012.

Karin Clawford, Notary Public Berrien Co, Michie My commission expires 10/18/2012

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN SS COUNTY OF BERRIEN]

Donna Knight, Being Duly sworn, says:

That she is the classified manager of the Niles Daily Star, a daily newspaper of general circulation, printed and published in, Berrien County Michigan; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates

January 12, 2012

That said newspaper was regularly issued and circulated on those dates. SIGNED:

Subscribed to and sworn to methis 16th day of February, 2012.

NOTARY PUBLIC, BERRIEN COUNTY, MI 09/20/2014

PUBLIC INVOLVEMENT STARTS WITH YOUI

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OR at Facebook_www.face; book.com/swmpg

The Plan is online at http://www.swmpo.org/participation.asp ; or prints are available at the front desk of libraries in Berrien and Cass Counties.

Ad Number: 4337553, Publication: PUBLIC INVOLVEMENT STARTS WITH YOU!

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State of Indiana St. Joseph County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned *Jacki Krolczyk* who, being duly sworn says that she is of competent age and is <u>Advertising Director</u> of the South Bend Tribune, a daily newspaper which for at least five (5) consecutive years has been published in the City of South Bend, county of St. Joseph, State of Indiana, and which during the time, has been a newspaper of general circulation, having a bona fide paid circulation, printed in the English Language and entered, authorized and accepted by the post office department of the United States of America as mailable matter of the second-class as defined by the act of Congress of the United States of March 3, 1879, and that the printed matter attached hereto is a true copy, which was duly published in said newpaper.

1 time(s), the dates of publication being as follows:

January 15, 2012

Dacki L

Subscribed and sworn to before me this 15th day

of January

Leslie Ann Winey

2012

Leslie Ann Winey Notary Public Resident of St. Joseph County

My commission expires December 21, 2016 Charges: \$11.53