Chapter 7: Stakeholder Involvement Guidance and Public Involvement Plan

ATTACHMENT 1: Additional Public Involvement Resources

ATTACHMENT 2: Steps for Developing a Project Public Involvement Plan

ATTACHMENT 3: Public Involvement Plan Development Worksheets

ATTACHMENT 4: NCHRP Public Involvement Survey

ATTACHMENT 5: Sample Comment Form and Newspaper Notice

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7. Stakeholder Involvement Guidance and Public Involvement Plan

Chapter 7 provides guidance on public involvement and stated public involvement principles of the Colorado Department of Transportation (CDOT) for National Environmental Policy Act (NEPA) projects. It is intended to fulfill Federal Highway Administration (FHWA) requirements to submit a description of the public involvement component of plans, programs, and projects considered and undertaken by CDOT. It is not intended to cover public involvement requirements required by other state, Federal, local, or Tribal laws and regulations.

This chapter also outlines public involvement considerations for CDOT staff on all Federal-aid projects as updated because of regulation changes, refinement of requirements, and guidance on public involvement activities expected to be implemented during the development of projects. In keeping with CDOT's philosophy for public involvement, a similar process will be followed for all state-funded projects, as addressed in CDOT's *Environmental Stewardship Guide* (CDOT, 2017) and this Manual.

7.1 Public Involvement Overview

Public involvement is a process by which the influence of various stakeholders is organized in relationship to decision-making. Public involvement is a key component of the environmental review and project development process. Federal laws and regulations establish basic requirements for public involvement, but developing a public involvement process that is appropriate for the project and that will lead to sustainable decisions requires careful planning and consideration, often involving elements that go beyond basic Federal requirements.

Developing a public involvement plan for a project requires knowledge of the issues that could affect, or be affected by, a project, as well as identifying and understanding the risks involved in making project decisions. Appropriate identification of internal and external stakeholders is part of this process. Stakeholders are knowledgeable about the project area and community needs. Public participation contributes to better decisions because decision-makers have more complete information-in the form of additional facts, values, and perspectives obtained through public input to bring to bear on the decision process.

Because the influence of stakeholders in decision-making changes with the decisions being made, the steps in the decision-making process change accordingly. A public involvement plan provides a framework for how stakeholders interact with the project and with decision-makers. While the plan is likely to evolve and change as circumstances dictate, a well-developed public involvement plan will chart the path the project team will take to ensure that all appropriate public involvement steps have been completed.

Meaningful public involvement is a process that lasts throughout the project lifecycle; it is not a single event or an activity. It begins early in the planning process and includes full representation from all affected communities (FHWA, 2022). Meaningful public involvement:

- Increases trust between the organization and the community
- Increases the likelihood that projects, programs, or plans will be accepted
- Creates more effective solutions
- Improves a community's knowledge of the project, program, or plan
- Empowers people from different backgrounds to become involved in transportation decision-making
- Delivers a better project, program, or service with diverse ideas that promote equity and inclusion
- Ensures against compliance concerns with authorities such as Title VI and NEPA that require public input and nondiscrimination

Note that a public involvement plan is not the same as a project coordination plan. If a coordination plan is required per 23 USC 139 (typically associated with an Environmental Impact Statement [EIS]), the public involvement plan can be incorporated into a coordination plan to demonstrate how stakeholders relate to discussions and decisions with resource and regulatory agencies.

Chapter 4 provides additional details regarding the preparation of a project coordination plan. Section **7.2** of this Manual discusses the development of a public involvement plan.

Although public involvement begins in planning and extends through to construction, this chapter focuses on public involvement during the NEPA process.

7.1.1 Definition of Stakeholders

Stakeholders can be external or internal to CDOT and include the general public, businesses, governmental agencies, non-governmental organizations, CDOT Maintenance, and other groups that have an interest in or will be affected by the outcome of a decision. Specific stakeholders, such as low-income communities, minority communities, Limited English Proficiency (LEP) communities, elderly, disabled, Native American Tribes, resource agencies and regulatory agencies, may also be required by legislation or regulations and based on jurisdiction.

A thorough demographic analysis is critical to meaningful public involvement and identification of impacts due to a project. It is important to identify low-income, minority, and LEP populations early so that these populations can become involved and have a meaningful opportunity to participate during every phase of a NEPA project. For additional resources, **Chapter 9, Section 9.15** of this Manual provides guidance on the environmental justice analysis to identify low-income and minority populations and additional resources, such as FHWA's Environmental Justice Reference Guide (2015)

Stakeholders include the general public; businesses; local, state, and Federal governmental agencies; non-governmental agencies; citizen and community groups; civic and professional organizations; and other interest groups.

Environmental Justice Executive Order 12898 requires federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects on minority and low-income populations in all its operations. This is an amplification of the non-discrimination mandate of Title VI of the Civil Rights Act of 1964. The resultant USDOT and FHWA Orders require CDOT to ensure that Environmental Justice is appropriately addressed, within the framework of existing laws, such as NEPA, in all its operations.

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and USDOT's Promising Practices for Meaningful Public Involvement in Transportation Decision-Making (2022).

Guidance from the Council for Environmental Quality (CEQ, 1997) describes six principles to consider when identifying stakeholders and impacted community members:

▸ Consider the composition of the affected area to determine whether minority populations, low-income populations, or Tribes are present.

▸ Consider the potential for multiple or cumulative effects to human health or the environment, even if certain effects are not within the control or subject to the discretion of the agency proposing the action.

▸ Recognize the interrelated cultural, social, occupational, historical, or economic factors.

▸ Seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation.

▸ Assure meaningful community representation as early as possible in the process.

▸ Seek Tribal representation that is consistent with the government-to-government relationship between the United States and Indian Tribal Governments.

7.1.2 Tribal Sovereignty and Government-to-Government Consultations

Consultation with Native American Tribes recognizes the government-to-government relationship between the US government and sovereign Tribal groups.

The US government and the State of Colorado have unique relationships with American Indian governments as set forth in the Constitution of the United States, treaties, statutes, court decisions, and executive orders and memoranda. These form the basis of cooperative relationships between CDOT and its Tribal partners. Agencies should acknowledge the Tribal nations that historically inhabited and continue to inhabit Colorado at appropriate times, like the beginning of public meetings. Agencies should consider going beyond land acknowledgements by using tools like the online Native Governance Center's Beyond Land Acknowledgement Guide (2019). Acknowledgments can consider the history of cultural erasure and should be trauma-informed and culturally sensitive for Indigenous communities and communities with mixed Indigenous identities.

On April 29, 1994, a Presidential Memorandum reaffirmed the Federal government's commitment to operate within a government-to-government relationship with federally recognized Native American and Alaska Native Tribes and to advance self-governance for such Tribes. The Presidential Memorandum directs each executive department and agency, to the greatest extent practicable and to the extent permitted by law, to consult with Tribal governments before taking actions that have substantial direct effects on

Section 9.10 of this Manual discusses the Tribal consultation coordination activities completed for each NEPA document by CDOT EPB.

Section 9.15 of this Manual discusses the environmental justice analysis to identify low-income and minority populations.

federally recognized Tribal governments. To ensure that the rights of sovereign Tribal governments are fully respected, all such consultations are to be open and candid so that Tribal governments may evaluate for themselves the potential impact of relevant proposals.

On May 14, 1998, the President issued Executive Order 13084, *Consultation and Coordination with Indian Tribal Governments*, which was revoked and superseded on November 6, 2000, by the identically titled Executive Order 13175, which sets forth guidelines for all Federal agencies to (1) establish regular and meaningful consultation and collaboration with Native American Tribal officials in the development of federal policies that have Tribal implications; (2) strengthen the US government-to-government relationships with Native American Tribes; and (3) reduce the imposition of unfunded mandates on Native American Tribes.

Recognition of the independent sovereignty of Tribal governments includes the role of the Tribes in regulating impacts to resources on sovereign property and, in some cases, resources on non-sovereign lands. Mitigation for impacts to resources under the jurisdiction of the Tribal governments must be developed in coordination with the Tribal governments as an equal party to Federal and state government.

7.1.3 Purpose for Public Involvement

Public involvement acknowledges people's desire to participate in decisions that they perceive or actually will affect them. It provides a managed process that encourages and supports stakeholders so that input into the decision-making process is meaningful and considers their knowledge, values, interests, and needs.

Both the public and the decision-maker need to thoroughly comprehend the problems, opportunities, constraints, and available options if a viable solution is to be found. By including multiple perspectives, public involvement develops a more complete understanding of the scope of the issues and decisions, as well as a better awareness of the impacts of the project. Public participation contributes to better decisions because decision-makers have more complete information—in the form of additional facts, values, and perspectives obtained through public input—to bring to bear on the decision process.

Effective public involvement supports the development of sustainable decisions. It is based on the values of the stakeholders and project team, focuses on the decision to be made, and addresses the goals established for the public involvement effort.

Information obtained during the gathering of baseline information for environmental justice can inform the public involvement process (**Chapter 9, Section 9.15**) and requirements during scoping. Information from the public involvement process (meetings, demographics, etc.) can also inform the environmental justice evaluation. This information can be useful for project teams to share.

Sustainable decisions effectively balance economic viability, technical feasibility, environmental compatibility, and public acceptability. A sustainable decision is important because it results in the development of projects that:

- Do not require significant redesign
- Are less likely to end up being litigated
- Are able to obtain all necessary permits
- Are financially responsible
- Consider the concerns and comments received from stakeholders and the public

Additionally, it is more likely that project decisions will continue to be applicable even if projects are not constructed immediately. Effectively involving stakeholders in a project's decision-making process allows the identification of issues and opportunities that might otherwise be missed. As a result, fewer issues are likely to arise after decisions are made. Non-sustainable decisions can result in both the need for reevaluation and additional time and money being expended to perform those activities.

Areas in the project development process where public involvement can help develop sustainable decisions include:

- Definition of the project's purpose and need
- Development of key issues to be addressed in the NEPA process
- Agreement on the decision-making process and the roles and responsibilities of the different stakeholders in those decisions
- Key concerns and issues affecting alternative selection
- Mitigation needs and opportunities

7.2   Project Public Involvement Plan

It is recommended that each project have a public involvement strategy, but a formal project public involvement plan is mandatory for all EIS processes. Depending on the type of NEPA document being prepared, specific legal requirements for public involvement must be met. These specific requirements should be anticipated and included in the project public involvement plan and are outlined **Section 7.4**. For smaller projects, the public involvement plan may include only basic information about how the general public will be alerted to the project and receive project updates, such as how detours or closures will be communicated. **Attachment 1** identifies additional resources for developing public involvement plans, tools, techniques, and other information.

All EIS projects require a public involvement plan. A public involvement strategy is recommended for other projects with complex issues.

7.2.1 Developing a Project Public Involvement Plan

In developing an effective public involvement plan, requirements identified in the coordination plan must be considered (**Chapter 4**). No set process is required, but the following steps are recommended:

1. Identify the key issues or decisions that are relevant to project decisions
2. Gain internal commitment
3. Learn from stakeholders
4. Select the level of involvement
5. Identify how success will be evaluated
6. Define the decision process and participant objectives
7. Develop the final project public involvement plan

Attachment 2 and **Attachment 3** include detailed information on the steps for developing a public involvement plan**.** Each step has a series of activities intended to provide the structure that builds on one another. At the conclusion of Step 7, the project team should have a public involvement plan in place.

Many tools and techniques for involving stakeholders are available. These tools and techniques include basic informational tools such as project websites, social media, news releases, flyers, postcards, e-newsletters and bulletins; information gathering techniques like local community events, surveys, telephone townhalls, listening sessions, small group meetings, and public meetings, as well as decision-making techniques.

Attachment 3 includes examples of tools used on CDOT projects. Information on a variety of tools and techniques can be found in the Public Participation toolbox available through the International Association for Public Participation website and through other websites listed in **Attachment 1**.

The steps presented in this section are one method for developing an effective public involvement plan and are based on the International Association for Public Participation: Planning for Effective Public Participation.

http://www.iap2.org/.

7.2.2 Elements of the Public Involvement Plan

The public involvement plan should include:

▸ Public involvement tools and techniques intended to be used by the project team and stakeholders

▸ Timeline demonstrating when specific public involvement activities will take place and how they support the project development process

▸ Evaluation criteria that the project team will use to determine how effective the public involvement activities were in accomplishing the stated objectives

7.2.3 Title VI Nondiscrimination Law and Limited English Proficiency

The public involvement process shall comply with Title VI of the Civil Rights Act of 1964, which states, "No person in the US shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Title VI bars not only intentional discrimination but also neutral practices that result in disparate impacts on individuals of a particular race, color, or national origin. To such end, CDOT must ensure that any activity that will result in disparate impacts on individuals protected by Title VI be carried out only if:

- The activity has a substantial legitimate justification;
- There are no comparably effective alternative practices that would result in less disparate impacts; and
- The justification for the action is not a pretext for discrimination.

CDOT staff and consultants should be aware of the mandate to not discriminate and seek to ensure equal access to and treatment of all individuals during NEPA processes and public involvement activities. No specific documentation is required to demonstrate Title VI compliance. However, the record should demonstrate that this standard has been met.

If complaints regarding discrimination, whether oral, written, or otherwise, are received during the NEPA process, they should be immediately submitted to the CDOT Civil Rights and Business Resource Center Title VI staff.

Title VI and Limited English Proficiency

Ensuring access to CDOT programs and activities and non-discrimination to Limited English Proficiency (LEP) populations is deeply ingrained in Title VI. LEP populations are individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English. In certain circumstances, failure to ensure that LEP populations can effectively participate in or benefit from federally assisted programs and activities may violate the Title VI prohibition against national origin discrimination. Therefore, when developing a public involvement strategy, the community study area must be evaluated to identify LEP populations and determine whether language assistance measures are needed to ensure meaningful access to the process. Efforts to ensure meaningful access to LEP populations should be documented in the public involvement section of the NEPA document.

Identify LEP Populations

LEP data are available from the US Census Bureau American Community Survey 5-year Estimates (Household Language by Linguistic Isolation data) and can be obtained at the Census tract level to the county level. CDOT recommends evaluating Census data based on populations 18 and older that speak English not at all, not well, and well. For comparison to the

CDOT's Policy Directive 604.0 "Policy on Non-Discrimination" can be obtained at:

https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/policy-directive-604-0-policy-on-non-discrimination

CDOT's Civil Rights and Business Resource Center website

https://www.codot.gov/business/civilrights

Additional LEP resources can be found at https://www.lep.gov/

The Environmental Justice chapter also addresses public involvement as it relates to minority and low-income populations. For additional resources, review the FHWA Environmental Justice Reference Guide at https://www.fhwa.dot.gov/environment/environmental_justice/publications/reference_guide_2015/fhwahep15035..pdf

project-specific community study area, LEP data should also be collected for Colorado and the county/counties within the community study area.

School district data may also be used to supplement Census data to identify LEP populations. Some individuals may not be captured in the Census data; therefore, students with English as a second language may indicate a LEP population.

Determine Language Assistance Measures

When the presence of a LEP population is identified, the project team should discuss the need to incorporate language assistance measures in accordance with USDOT LEP guidance. All vital documents shall be translated into the language spoken by the affected LEP population. Other language assistance measures may include interpretation services, bilingual community liaisons, and other means for providing access to LEP services. Also, upon request, CDOT must be able to provide reasonable individualized assistance in any language. Contact the CDOT Civil Rights and Business Resource Center if assistance with individual requests is needed.

Chapter 9, Section 9.15 of this Manual provides guidance on the Environmental Justice analysis and how to identify LEP populations. **Section 9.15** also provides additional resources, such as FHWA's Environmental Justice Reference Guide (2015).

7.2.4 Measuring Community Outreach Effectiveness

Early in a study, the project team should interview organizations to establish relationships with trusted community members and confirm the best outreach methods for all community members, while emphasizing traditionally underserved community members. These community organizations and non-profit organizations could include local churches and schools within the study area. Based on input from these groups, a project team should engage with traditionally underserved community members.

Gaining and keeping momentum during a project can be difficult, especially multi-year projects. The project team can achieve better effectiveness by implementing several methods of outreach and engagement. Techniques for greater effectiveness include:

▸ Blend low and high technologies for broad accessibility
▸ Begin the media push at the start of the outreach event and while the outreach event is live
▸ Provide continuous media/stakeholder outreach to keep engagement in an event high
▸ Review results after an event and refine outreach strategies for the next event

> Public involvement is also an important source of information for identifying LEP populations that could be affected by a project.

Examples of media and social outreach include:

- ▶ Produce communications, the project website, and the virtual public event platform in the language spoken by community members, as well as in English.
- ▶ Distribute printed postcards, as well as post flyers and posters, at local churches, convenience stores, and other locations to help address concerns about lack of Internet access.
- ▶ Work with a community non-profit organization to help convene a community focus group to meet with the project team to learn about the project and provide feedback.
- ▶ Include project articles within the local community newsletter.
- ▶ Run targeted digital display advertisements on a local television station.
- ▶ Promote paid Facebook posts for zip codes surrounding the project area.

The project team should measure the effectiveness of the public outreach based on the number of public participant reviews and comments. Methods for measuring the effectiveness of public outreach include:

- ▶ Measure proportional community outreach an participation by comparing respondent demographics to Census demographics.
- ▶ Assess public perception of how much public input and feedback have influenced and/or impacted project decisions.
- ▶ Assess public perception on agency transparency and clarity about the project and whether or not trust of government agencies improved as a result of public involvement.
- ▶ Evaluate whether public involvement started early enough and was of sufficient length and frequency to be valuable.
- ▶ Measure the extent to which the public involvement was inclusive and representative of all targeted and affected populations.
- ▶ Measure the extent to which the public involvement activities used multiple methods for participation.

Analyzing the effectiveness of public participation is important to ensure that meaningful outreach is taking place and project decisions reflect the values of the interested and affected communities. Additional information about measuring the effectiveness of public involvement can be found in the National Cooperative Highway Research Program's (NCHRP) Research Report 905: *Measuring the Effectiveness of Public Involvement in Transportation Planning and Project Development* (2019).

Attachment 4 includes an example survey from NCHRP.

NCHRP Research Report 905: *Measuring the Effectiveness of Public Involvement in Transportation Planning and Project Development*

https://www.trb.org/Main/Blurbs/179069.aspx

7.2.5 Section 508 Compliance

Section 508 is an amendment to the US Workforce Rehabilitation Act of 1973, a federal law that calls for all federal agencies to make their electronic and information technology (EIT) accessible and usable to people with disabilities. Under the law, information will be provided to people with disabilities in a way that is comparable to access available to other users. This can be accomplished via a system operated in a variety of ways rather than relying on a specific sense or ability of the user. For example, people with visual impairments may not be able to access information that is available in only a visual format, and people with hearing disabilities may not be able to access information that is available in only audio format. Section 508 intends for systems to operate in a way to accommodate accessibility-related issues. This can be applied to many different forms of EIT, including webpages and internet-based services and applications, software, telecommunication systems, multimedia presentations, and support services, among others. Some accessibility issues that agencies may want to consider include acceptable uses of flash rate, color and contrast, presentations, and video/multimedia content.

Additional information on Section 508 can be obtained at:

https://www.transportation.gov/drc/section-508

CDOT Communications has adopted Americans with Disabilities Act of 1990 (ADA) principles in making its website more accessible and compliant. Project teams can explore how to make the NEPA templates (e.g., Environmental Assessments and Findings of No Significant Impact) accessible since those documents are most frequently reviewed by the public. Accommodations for appendices and technical reports can be made upon request.

7.3 Effective Public Involvement Strategies

7.3.1 Effective Strategies for Public Involvement

While there are no exact formulas to foster public involvement, there are creative strategies and innovative tools that make participation by the public easier and more convenient in these busy times. Tools that can be incorporated into a NEPA project public involvement plan include:

▸ **Timing of Meetings** (i.e., time of date and day of week) should reflect data about past turnout, local community preference, and availability that is informed by engaging community connectors, community feedback, agency experience, and consideration of meeting fatigue. Furthermore, state agencies should coordinate with one another to avoid scheduling meetings at the same time as other state agencies or at the same time as regular meetings of local government bodies in the area.

In addition to in-person public meetings, another option includes holding a virtual meeting through a publicly available internet application.

▸ **Location of Meetings** should be hosted in impacted communities (e.g., urban centers, predominantly Black Indigenous and People of Color communities, below-average income communities, and rural locations). If agencies are holding multiple meetings about the same

topic, the agency should choose a variety of locations (different locations for each meeting) to reach a variety of community members. Agencies should consider the following when selecting in-person meeting locations:

- Close/convenient for the target community to access
- Near bike paths, access to public transportation, and/or free parking
- Safe locations
- Where local businesses can economically benefit from the meeting
- Availability of space for childcare
- Accessibility for people with disabilities (ADA accessibility)
- Technology barriers and internet access issues that may make digital participation more difficult for people living in rural areas

▸ **Project Website** established at the beginning of the project can provide project information and public event announcements throughout the project. The project website may include a project overview, frequently asked questions (FAQs), project updates, project contact information, project schedule, summary of the decision-making process, project purpose and need, corridor history, proposed improvements, meeting summaries, project documents, and opportunities for public involvement, including the opportunity to join the project mailing list and complete an online questionnaire and comment form.

▸ **Social Media Platforms/Live Video Streaming** offer ways to distribute information, develop ongoing conversations with the public, and provide live video streaming of public meetings where the public can provide input without requiring in-person participation at a public meeting. Social media can be shared through CDOT's Facebook page, CDOT's YouTube channel, and stakeholder social media channels. Facebook posts can be promoted for zip codes surrounding the study area.

▸ **Online Discussion Boards and Blogging** allow the viewing of other people's comments, which can be beneficial in generating ideas and facilitating meaningful discussions.

▸ **Videos/Webcasts/Podcasts** can provide a number of opportunities for public education and engagement through distribution on CDOT's social media platforms, email blasts, and videos with English and non-English subtitles to address LEP and visually impaired persons.

▸ **Media Advertisements and Press Releases** can include advertisements and press releases issued to print, television, radio outlets, and social media, as well as community newsletters.

▸ **Telephone Town Halls/Key Person Interviews** make participation convenient, allow participants to ask questions of CDOT and the project team, and poll a large number of participants to provide input at major milestones during the NEPA process, including Purpose and Need, Alternatives Analysis, and identification of a Proposed Action/Preferred Alternative.

- **Online Interactive Mapping and Commenting Tools** help with visioning and providing project-specific information to allow the public to provide location-specific comments. These maps can also include voting/polling on specific improvements.

- **Meeting in a Box** provides a toolkit to local citizens or community leaders to host a meeting for groups within their communities.

- **Interactive Presentation Software** (such as Mentimeter) allows participants to respond in real time to a series of questions on various topics using their cell phones. This software allows participants' responses to be projected graphically on a screen for discussion and public comments to be captured instantaneously.

- **Web-based Surveys** allow the public to provide input on a specific set of topics without requiring participation at a public meeting.

- **Mobile Kiosks/Pop-up Outreach** can be used for public education and engagement through informational kiosks or pop-up outreach in well-trafficked public spaces or during community events to solicit comments and participation.

- **Design Charrettes/Design Workshops** include a wide range of people with differing viewpoints. Attendees do not need to be a professional or an expert on the project or subject. Rather, any individual with an interest can attend and contribute meaningfully.

- **Project Email Address and Hotline** allow the public to send comments and ask questions about a project.

- **Flyers and Posters** distributed to various community venues, such as churches, recreation centers, grocery stores, civic centers, and convenience stores can help inform the public.

- **Direct Mail Postcards** announcing public events can be sent to zip codes within 0.25 mile of the project corridor. During future stakeholder outreach, the mailing list can be expanded to include additional zip codes and greater public involvement.

- **Email blasts** announcing public events and providing project updates can be sent to stakeholders and individuals who requested to be on the email list. Project update emails can be sent to keep the public apprised of project status.

- **Site Visits** of the project area can be helpful for key stakeholders to visualize the proposed improvements.

- **Virtual presentations** offer more space and time for stakeholders to collaborate and learn as they are not limited by their geographic location or an exact meeting time.

- **Simulations** provide the stakeholder a chance to see the visual representations of the improvements and could be the closest thing to reality.

Additional techniques for meaningful involvement can be found in USDOT's *Promising Practices for Meaningful Public Involvement in Transportation Decision Making* (USDOT, 2022).

7.3.2 Virtual Public Meetings

The COVID-19 pandemic in 2020 resulted in mandates and guidelines for social distancing and restrictions on in-person meetings. Innovations in technology quickly filled the gaps so that community engagement could continue through virtual participation whether online, by phone, or by paper drop box. Although many benefits of meeting in-person cannot be replaced, multiple virtual public involvement tools may provide access to information, public meetings, and other engagement tools for audiences who may not have been reached without advances in virtual technology. As a result, opportunities exist for transportation professionals to expand the traditional venues of in-person meetings to reach out directly to the public in ways that are convenient and equitable to a broader and more diverse population whether online, at home, on the phone, or in traditional gathering places.

When considering virtual public meetings, be mindful of the constraints members of the public may face such as bandwidth, lack of internet or computer, lack of technological literacy, etc., which may limit some people's ability to participate in virtual meetings.

FHWA provides tips on how to consider meaningful virtual outreach to stakeholders and the community to ensure equity.

https://www.fhwa.dot.gov/planning/public_involvement/vpi/

7.4 Required Elements for NEPA Compliance

7.4.1 Environmental Impact Statements (Class I)

Chapter 4 discusses the process and procedures for the EIS class of action (Class I). When the notice of intent (NOI) to conduct an EIS is prepared for the Federal Register, the project team provides public notification through a variety of methods, such as flyers, paid advertising in local newspaper(s), online news sites, social media, news releases, direct mail postcard invitations, and publications to reach as many people as possible, including minorities and low-income and traditionally underserved segments of the population, such as the elderly, persons with disabilities, and those without access to transportation. Compliance with **23 USC 139** is required and will help with efficient environmental reviews.

The advertisement typically includes the following information:

- Category of NEPA document and a general description of the project,
- Date and location of the next public meeting,
- Invitation to place names on the project mailing list (physical address and/or email),
- Information required to comply with the public involvement requirements of other laws, regulations, or Executive Orders, and
- Statement that reasonable accommodations will be provided at public meetings and hearings for persons with disabilities, and translators will be provided if necessary (**Section 7.6.1**).

Attachment 5 includes an example advertisement.

As the project progresses, the project team continually adds names to the mailing list and notifies those on the list of meetings, workshops, and project updates via email blasts or mass mailings. The mailing list typically includes Federal and state agencies, local officials, regional transportation planning entities, citizen advisory groups, neighborhood/community groups, civic and professional organizations, property owners, and other interested citizens. The project team should work to ensure that the mailing list includes minority, low-income, and other underserved groups in the project area. The project team should also ensure that information sent to individuals on the mailing list is translated into an appropriate language, as necessary.

The project team must also notify Federal land management agencies and any other agencies responsible for resources protected by Federal, state, and local laws if land or resources under their jurisdiction may be impacted by the project. This includes Tribal governments (**Section 7.1.2**) and adjacent states as applicable.

CDOT must contact the appropriate local, state, and Federal agencies and the general public to gain their assistance in developing the purpose and need, identifying all reasonable alternatives, evaluating likely project impacts, and identifying possible mitigation measures. The project team will request that all Federal, state, and local agencies that have permit approval authority or right-of-way transfer responsibilities serve as cooperating agencies or participating agencies, and identify the responsibilities of those agencies during the scoping process. **Chapter 4** provides additional information on agency scoping. A primary aim of this early coordination is to identify all applicable Federal and state regulatory requirements so that all necessary environmental studies, analyses, consultation, and permit coordination requirements can be incorporated into the NEPA compliance process.

Early in the development of the project, the project team must hold at least one public scoping meeting. As with all public meetings, this meeting must be accessible to persons with disabilities and a translator must be provided as needed. Notice of the meeting should be sent to all individuals and agencies on the mailing list. In addition, flyers advertising the meeting can be published in local papers and distributed at local businesses and community gathering places. Announcements can also be posted on CDOT's social media accounts such as Facebook and Twitter. Notices must be translated when appropriate.

It is common practice for project-specific webpages to be created and hosted on the CDOT website. The CDOT project webpage serves as a central location for public members and stakeholders to get project background information, find project updates, locate key project documents, and provide feedback. At the conclusion of each major involvement effort, meeting documentation will be posted on the project webpage so that those who were unable to attend the meeting can benefit from the information presented and provide meaningful feedback.

If available at the time of the meeting, attendees will be provided with the following information:

- Need for the project
- CDOT's objectives for the project
- Project's relationship to regional and statewide transportation plans
- Potential need to acquire additional right-of-way
- Potential requirement to relocate residences or businesses
- Anticipated resources of concern

Agency representatives and members of the public are encouraged to comment on the proposed project's purpose and need, its alternatives, and its social, economic, and environmental impacts, as required by 23 USC 139(f). The CDOT Region then considers these comments as it develops and evaluates alternative solutions for the identified transportation problem(s). One or more subsequent meetings may be held to resolve as many issues as possible before completion of a Draft EIS, or the project team may decide to hold a series of meetings or workshops with various groups to explain specific project aspects and to gain input on issues of concern.

Additional measures are required to reach minority, low-income, and traditionally underserved groups such as the elderly, persons with disabilities, and those without access to transportation. These measures supplement the public involvement activities described previously. Additional activities may include:

- Providing information about the project in foreign languages
- Making information available at locations such as churches, community centers, and schools
- Holding meetings within the community at familiar locations
- Asking to be included on the agendas of regularly scheduled community or neighborhood meetings
- Providing translators at public meetings

As soon as FHWA approves the Draft EIS, it is circulated for public and agency review. FHWA distributes copies to appropriate Federal agencies and transmits copies to the Environmental Protection Agency for publication of availability in the Federal Register. The project team announces the document's availability, called a notice of availability (NOA), through a variety of notification methods, as previously mentioned, as well as in the local newspaper(s) and minority publications previously identified. The NOA must indicate where the document and explanatory information are available, give the date and location of the public hearing, request comments on the Draft EIS, indicate how to submit comments, and include any information necessary to comply with the public involvement requirements of other laws, regulations, and Executive Orders applicable to the project. The Draft EIS is made available at local sites such as libraries and municipal buildings, CDOT Region and Headquarters offices, FHWA, and at the public hearing described below. It must be available for public review at CDOT Region and Headquarters offices and at FHWA for a minimum of

15 calendar days before the hearing and for a total period of at least 45 calendar days. This time frame can be extended if circumstances warrant.

The public hearing offers the public the opportunity to comment on the Draft EIS, the alternatives under consideration, and the anticipated impacts. Those attending have the opportunity to make written comments or to make an oral statement, which must be recorded verbatim. Translators should be provided so that everyone can be involved and provide comments. Public hearings must be held following the distribution of a Draft EIS. The first required hearing must be held at least 15 calendar days after the NOA for the Draft EIS is published in the Federal Register.

CDOT provides FHWA all written comments received during the review period and at the public hearing, as well as a certified transcript of any verbal comments made at the hearing for the record. These become part of the project record and are addressed in the Final EIS or included in the Record of Decision (ROD).

In addition to copies of the Draft EIS, the following information is made available at the public hearing:

▸ Purpose and need for the project and consistency with statewide, regional, and local planning

▸ Major design features (i.e., number of lanes, access control, bridges, interchanges, right-of-way requirements)

▸ Figure and description of each alternative and summary of its advantages and disadvantages

▸ Social, economic, and environmental impacts of each alternative

▸ Avoidance, minimization, and mitigation measures under consideration and enhancement measures

▸ Project timetable

▸ Right-of-way acquisition procedures, relocation assistance, and payment programs

▸ Explanation of the FHWA – CDOT relationship

▸ Source and amount of funding available and the staged funding plan, if applicable

▸ Information required to comply with other laws, regulations, and Executive Orders

▸ Procedures for making written or oral comments for the record

The Final EIS must respond to comments received during the public hearing(s).

7.4.2 Categorical Exclusions (Class II)

The CDOT Region Planning and Environmental Manager (RPEM) and FHWA consider each Categorical Exclusion (CatEx) project at the time it is categorized to identify any special project aspects that might require coordination with interested groups, agencies, or individuals. **Chapter 5** discusses the process and procedures for the CatEx class of action (Class II).

While most CatExs will not require any specific public involvement procedures, the opportunity for a public meeting or other public involvement activities may need to be offered for some CatExs as determined by FHWA and CDOT. In these situations, the project team provides public notification through a variety of methods, including flyers, paid advertising in the local newspaper(s) and online news sites, social media, news releases, direct mail postcard invitations, online event calendars, and, where possible, using public notification methods that serve minority and low-income populations and traditionally underserved segments of the population. The announcement should be advertised at least 10 calendar days before the public meeting. Notifications must include the following information:

- ▸ Category of NEPA document and a general description of the project
- ▸ Date and location of the public meeting
- ▸ Information required to comply with the public involvement requirements of other laws, regulations, or Executive Orders applicable to the project
- ▸ Statement that reasonable accommodations will be provided at public meetings for persons with disabilities and that translators will be provided if necessary

Attachment 4 contains an example meeting notice. At the end of the public meeting, the project team prepares for the record a memorandum that includes a project description, a transcript of any testimony presented at the meeting, responses to oral and written comments made by the public or agencies, and a decision on the appropriateness of the CatEx categorization. Comments will be accepted up to 10 calendar days following the public meeting. A formal public hearing may be conducted for the project at the discretion of the CDOT RPEM.

7.4.3 Environmental Assessments (Class III)

Public involvement procedures for an Environmental Assessment (EA) are similar to those required for an EIS. However, the process is more flexible to allow engagement efforts to focus on those issues of true concern or controversy. **Chapter 6** discusses the process and procedures for the EA class of action (Class III).

After categorization, the project team provides public notification through a variety of methods, such as flyers, paid advertising in the local newspaper(s) and online news sites, social media, news releases, direct mail postcard invitations, online event calendars, and, where possible, using public notification methods that serve minorities, low-income populations, and other traditionally underserved population segments. When placed, these notifications should include the following information:

- ▸ Category of NEPA document and a general description of the project
- ▸ Date and location of the first public meeting
- ▸ Invitation to be added to the project mailing list

‣ Information required to comply with the public involvement requirements of other laws, regulations, or Executive Orders applicable to the project

‣ Statement that reasonable accommodations will be provided at public meetings and hearings for persons with disabilities and that translators will be provided if necessary

Attachment 5 provides an example meeting notice.

As the EA progresses, the project team adds names to the mailing list and notifies those on the list of meetings, workshops, and project updates. The mailing list includes Federal and state agencies, local officials, regional transportation planning entities, citizen advisory groups, neighborhood and community groups, civic and environmental organizations, affected property owners, and interested citizens. Minority, low-income, and other underserved groups should be included on the mailing list.

If the project may impact land or resources under their jurisdiction, the project team must also notify Federal land management agencies, adjacent states, and agencies responsible for resources protected by Federal, state, and local laws, including Tribal governments, as applicable (**Section 7.1.2**).

The CDOT Region uses information gained in the Statewide Transportation Planning and Programming process and through project coordination with public, neighborhood/community groups, and other groups and agencies to gain information on the social, economic, and environmental impacts that are likely to result from a project.

Public hearings are not mandatory for EAs, but public meetings or other activities are recommended. The CDOT Region Transportation Director (RTD), in consultation with the RPEM and FHWA, decides whether to hold public meetings based on public interest, project complexity, the amount of right-of-way to be acquired, the number of relocations anticipated on the project, and the requirements of 23 CFR 771.111 (h) *(FHWA and Federal Transit Administration [FTA], 23 CFR 771 § 771.101 – 771.131).

Public meetings are the responsibility of the CDOT Region. However, the Region may ask Headquarters staff personnel or representatives from other agencies to attend based on their areas of expertise. Notice of the meetings is provided to everyone on the project mailing list. Other public involvement tools, such as workshops, charrettes, or surveys may be used in addition to the public meetings.

The project team considers all information gathered through environmental studies, interagency coordination, and public involvement activities to prepare the EA. The document includes a summary of public involvement activities and the results of coordination with other agencies. Upon completion, the project team announces the availability of the EA and offers the opportunity for a public hearing in newspaper advertisements, press releases, and other means, as appropriate. The NOA invites comments, offers the opportunity to request a hearing, and includes any information necessary to comply with the public involvement requirements of other laws, regulations, and Executive Orders. If a public hearing is requested by only a

few individuals or agencies, a meeting with the interested parties may be held in lieu of a public hearing.

The EA is made available at local sites within the project area, at CDOT Region and Headquarters offices, at FHWA, and at the public hearing—if one is held. The CDOT Region sends copies of the EA to all parties who have requested it and sends copies of the NOA to affected units of the Federal, state, and local governments and to all parties on the mailing list. The EA must be available for a minimum of 15 calendar days before the hearing, and comments must be accepted for a total of at least 30 calendar days. If a public hearing is not held, the document is made available for comments for a minimum of 30 calendar days.

If a public hearing is held, it is conducted in the same manner as a hearing for an EIS. Comments received during the review period and at the hearing are addressed, and the comments and responses are incorporated into the Finding of No Significant Impact (FONSI). Notice of the availability of the FONSI is sent to affected government agencies and the document is made available to the public, upon request. If the completion of the EA leads to a decision to prepare an EIS, the reasons underlying this decision should be included in the NOI to prepare a Draft EIS.

7.4.4 Reevaluations and Supplemental Actions

Where a Reevaluation or Supplemental action is necessary, the CDOT Region and CDOT Environmental Programs Branch, in consultation with FHWA, determine the public involvement steps.

7.5 Senate Bill 260 Compliance

Colorado Senate Bill 21-260 (SB 21-260) and the associated rulemaking *Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions* (2 Code of Colorado Regulations [CCR] 601-22) was passed in June 2021 and, within Section 28, created the Environmental Justice and Equity Branch (Branch) within CDOT. A summary of Section 28 is included below:

> The function of the Branch is to work directly with disproportionately impacted communities in the project planning, environmental study, and project delivery phases of transportation capacity projects. During the project planning and study phases of projects, technological, language, and information barriers that may prevent disproportionately impacted communities from fully participating in transportation decisions that may affect their health and quality of life should be identified and addressed. This will help alleviate access issues for disadvantaged and minority businesses during project delivery phases.

For more information on Senate Bill 260 compliance, see

https://leg.colorado.gov/sb21-260-bill-summary

As part of Section 30, SB 21-260 also requires Enhanced CDOT Planning and Community Engagement. A summary of Section 30 is included below:

> CDOT shall offer an opportunity for public input, review, update, and improve the public engagement program for planned transportation capacity projects through creating diverse and impactful ways to gather input from communities in different languages and formats. By sharing readily understandable information about potential adverse impacts (e.g., both environmental and health impacts), this will help promote transparency and increase both public participation and public confidence in project selection, planning, and implementation of potential transportation capacity projects in communities including disproportionately impacted communities.

7.6 Public Involvement Documentation

Documentation is critical to the overall public involvement process and to demonstrate that the letter and spirit of laws and regulations requiring public involvement were followed. When public involvement activities take place, documentation of the activities, the participants, the results of the activities, and any follow-up activities that may be necessary are required as part of the project file. Documentation should be prepared as quickly after the activity as possible. Some events, such as formal public hearings, require that specific documentation activities must be followed.

Basic documentation that should be collected for all public involvement activities that becomes part of the project administrative record includes:

- Advertisements used for activity/event
- Participant sign-in sheets
- Copies of handouts
- Documentation of displays or exhibits used
- Documentation of the discussions, comments, questions, and oral or written responses
- All correspondence and acknowledgements/responses
- Purpose for event/activity
- Demographic information from participants in public meetings
- All meaningful opportunities for public participation provided throughout the project development process, including activities to increase low-income and minority participation, such as consultation with affected communities to identify potential effects and possible mitigation measures, and improved accessibility to public meetings, project documents, and project decision-makers on Environmental Justice populations
- The degree to which the affected groups of minority and/or low-income populations have been involved in the decision-making process related to alternative selection, impact analysis, and mitigation.

- The types of outreach and involvement processes undertaken need to be responsive to the unique characteristics of the community, including the comments and opinions of the minority and/or low-income populations
- Documentation of whether language assistance measures were requested and used at public meetings

The identified primary issue(s) and the purpose for each public involvement activity should be documented. Most of this documentation will become part of the project file and the administrative record for the project. It does not need to be included within the NEPA document itself or its appendices.

Documentation in the NEPA document should:

- Identify public involvement goals and objectives
- Identify public involvement tools, techniques, and activities including the intended purpose, what was achieved, and how the public involvement activities influenced the decision-making process
- Identify a timeline for activities required for the NEPA process such as the NOI, NOA of the document, public hearing dates, and public comment periods
- Include responses to public comments for the Final EIS and FONSI; if additional comments were accepted after the Final EIS, response to those comments must be included in the ROD

7.6.1 Reasonable Accommodations Language

To accommodate all members of the public, including those with disabilities, access to public information and public meeting venues will be in accordance with the ADA of 1990 and other statutory regulations. According to the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from involvement in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. All events held for projects receiving Federal funds and that are open to the general public must be made accessible to everyone, including persons with sight, hearing, or mobility disabilities. Special effort will be made to ensure involvement by the disability community. Public notices and other notification about public meetings must inform the public of how to ask for reasonable accommodations.

7.6.2 Public Hearing Requirements

Public hearings are different from public meetings. Public hearings are formal events for soliciting public input, occur at specified times in the NEPA process, and are open to anyone to attend. Public meetings may occur at any time in the process, can be less formal, and may be targeted to specific stakeholders or topics. **Attachment 6** includes guidelines for conducting open forum public meetings and hearings.

Depending on the LEP constituency, a translator may be necessary.

ADA Public Notice Sample Language

"Meeting locations are ADA accessible. Reasonable accommodations for participation in this event will be made upon request, including those for disabilities and translation services."

Title VI LEP Public Notice Sample Language

"Requests for communication assistance or accommodations for special needs can be made by contacting the Public Involvement Team prior to the meeting: 303.XXX.XXXX or XXX@state.co.us."

"Se puede hacer las solicitudes de traduccion o de otras necesidades especiales por poniedose en contacto con el equipo de la participacion publica: 303.XXX.XXXX or XXX@state.co.us"

Note: The language provided should match the results of the LEP analysis.

The format of a public hearing can vary from an open house format to a formal presentation. Regardless of the format, a transcript of the hearing must be taken. Attendees must be provided the opportunity to provide comments during the hearing and after its conclusion. This usually is in the form of comment sheets that can be submitted at the hearing or mailed back at a later date.

The NOA for the document review must include the day, time, and location of the public hearing and how and to whom comments should be submitted. The NEPA document must be available for review at the public hearing and for at least 15 calendar days before the public hearing.

Information about the project should be presented and should include, but is not limited to, project purpose and need, alternatives, including the Preferred Alternative if one has been identified, impacts and mitigation associated with the project, and any other pertinent information. This information is often presented as boards displayed around the room, but other visual-aid media may also be used especially if a formal presentation is given.

7.6.3 Comment Forms

Comment forms should be provided at every public meeting and public hearing. They should include the project manager's name and address for return by mail. Comment forms can also be available on a project website. For larger and more controversial projects with expected high public involvement, a comment tracking form is a useful tool. **Attachment 4** includes a sample comment form.

7.7   References

Council on Environmental Quality (CEQ). 1997. Environmental Justice Guidance Under the National Environmental Policy Act. December 10. Retrieved May 2023 from https://www.energy.gov/nepa/articles/environmental-justice-guidance-under-nepa-ceq-1997.

Colorado Department of Transportation (CDOT). 2017. Environmental Stewardship Guide. November. Accessed November 2022 from https://www.codot.gov/programs/environmental/resources/guidance-standards.

Federal Highway Administration (FHWA)/Federal Transit Administration (FTA). 1987 as amended in 2005. Environmental Impact and Related Procedures. 23 Code of Federal Regulations (CFR) 771 § 771.101 – 771.131. Retrieved November 2016 from http://environment.fhwa.dot.gov/projdev/imp771pream.asp.

FHWA. 2015. Environmental Justice Reference Guide. April 1. Retrieved May 2023 from https://www.fhwa.dot.gov/environment/environmental_justice/publications/reference_guide_2015/fhwahep15035..pdf.

National Cooperative Highway Research Program (NCHRP). 2019. Research Report 905: Measuring the Effectiveness of Public Involvement in Transportation Planning and Project Development. Retrieved May 2023 from https://www.trb.org/Main/Blurbs/179069.aspx.

Native Governance Center. 2019. Beyond Land Acknowledgement Guide (online).October 21. Retrieved May 2023 from https://nativegov.org/news/a-guide-to-indigenous-land-acknowledgment/.

U.S. Department of Transportation (USDOT). 2022. Promising Practices for Meaningful Public Involvement in Transportation Decision-Making. October. October. Retrieved November 2022 from https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making.

Attachment 1: Additional Public Involvement Resources

FHWA Public Involvement Website

https://www.fhwa.dot.gov/planning/public_involvement/index.cfm

FHWA Virtual Public Involvement Website

https://www.fhwa.dot.gov/planning/public_involvement/vpi/

International Association for Public Participation Website

www.iap2.org

Air Quality Planning for Transportation Officials, Interagency Consultation and Public Involvement Website

https://www.fhwa.dot.gov/environment/air_quality/publications/air_quality_planning/index.cfm

The Transportation Research Board's Committee on Public Involvement in Transportation has a special issue on its Public Involvement Website

http://www.trb.org/Main/Public/Blurbs/161053.aspx

FHWA's A Citizen's Guide to Transportation Decision-making Pub. No. FHWA-EP-01-013 Website

https://www.fhwa.dot.gov/planning/publications/transportation_decision_making/

FHWA/FDOT Community Impact Assessment Website

https://www.environment.fhwa.dot.gov/guidebook/results.asp?selSub=86

FHWA's Community Impact Assessment: A Quick Reference for Transportation Website

https://www.fhwa.dot.gov/livability/cia/quick_reference/

FHWA "Community Impact Mitigation: Case Studies" Website

https://www.fhwa.dot.gov/livability/cia/community_impact_mitigation/

FHWA Environmental Justice Website

https://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

TRB's National Cooperative Highway Research Program (NCHRP) 532 Report, "Effective Methods for Environmental Justice Assessment," is designed to enhance understanding and to facilitate consideration and incorporation of environmental justice into all elements of the transportation planning process, from long-range transportation systems planning through priority programming, project development, and policy decisions.

http://www.trb.org/Main/Public/Blurbs/152430.aspx

International Association for Impact Assessment Website

http://www.iaia.org/

National Civic League, Publications Website

http://www.nationalcivicleague.org/about-ncl/publications/

SB21-260 BILL SUMMARY, Sustainability of the Transportation System

https://leg.colorado.gov/sb21-260-bill-summary

Transportation Planning Capacity Building Website

http://www.planning.dot.gov/

U.S. Census Bureau FactFinder Website

https://www.census.gov/library/publications/time-series/cff.html

U.S. Department of Transportation Promising Practices for Meaningful Public Involvement in Transportation Decision-Making

https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making

Attachment 2: Steps for Developing a Project Public Involvement Plan[1]

Step 1.   Identify the key issues or decisions that are relevant to the project.

Activity 1: Identify the key process issues or decisions applicable to the project. This requires that some level of project scoping has been accomplished to identify the NEPA document that will be prepared (CatEx, EA, or EIS). The process can be broken down into key decisions that are critical to the successful completion of the NEPA process. For example: Purpose and Need, Screening Criteria, Alternatives Analysis, and Preferred Alternative Selection.

Activity 2: Identify the legal requirements that are applicable to the project. Each legal requirement should be further broken down into the key component issues or decisions that will affect the final decision on the permit or other legal requirement (i.e., satisfying Section 404 permit requirements).

Activity 3: Identify the key non-legal issues or concerns that may have a significant impact on the project development process. This includes those key community issues or other resource issues on which decisions will have to be made as part of the project development process. Each issue should be limited to issues or decision points relevant to the overall project decision.

Step 2.   Gain internal commitment.

Activity 1: Be prepared to explain who has final decision-making authority for each key decision point in the process. Does the final decision-maker have any expectations for the public involvement process? What is the final decision-maker's previous experience with public involvement processes? How does the final decision-maker anticipate being involved with the public involvement process and the project as a whole? How well does the decision-makers interact with the various stakeholders? What decisions are the final decision-makers likely to need assistance to make?

Activity 2: Review previous public involvement strategies and stakeholder involvement programs to determine what will be the most effective way to do public involvement. What tools and techniques are the project team familiar with using? How have public involvement programs with stakeholders been conducted in the past? What processes, tools, and techniques have worked effectively with which stakeholders? Where have they not worked well? Examine the pros and cons of the various public

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[1] Based on the International Association for Public Participation: Planning for Effective Public Participation; www.iap2.org

involvement techniques that are being contemplated. Are there differing opinions as to how the public involvement process should be run? What is the base cause of these differences?

Activity 3: Review key issues and concerns developed during Step 1 to assure decision-makers agree and that any additional issues and concerns have been identified.

Activity 4: Begin identifying key stakeholders and their relationships to the key decision points in the process. How do the various issues and decisions rate in terms of importance to the decision-making process and to the various stakeholders? What is the agency's, the Region's, and the project team's previous experience with the key stakeholders? Are any of the decisions likely to be controversial? How much? How important are these decisions to the overall decision-making process?

Activity 5: Determine CDOT's expectations on the level of public involvement as it relates to the various issues and decisions that will be made as part of the project. Are there differences of opinion? What degree of flexibility in changing the level of stakeholder involvement is the agency comfortable making as the process progresses? Under what circumstances are the decision-makers less inclined to change the level of public involvement established? Why?

Step 3. Learn from the stakeholders.

Activity 1: Understand that the various stakeholders will perceive the issues surrounding the project and how decisions are to be made differently. This is the project team's first opportunity to start developing constructive relationships with the key stakeholders. Use key stakeholders to help identify other stakeholders who may have been overlooked.

Activity 2: Develop a comprehensive list of stakeholders. Do this by building on the list of key stakeholders already developed to determine the project stakeholders. Determine which stakeholders may be particularly hard to involve in the public involvement process.

Activity 3: Correlate the various stakeholders to the various issues and decisions to be made as the project develops. From the perspective of the project team, how much impact will the issue/decision have on the overall project decision-making process? Then, do the same from the perspective of the stakeholders. Are there differences between the perspective of the project team and the other stakeholders? Where do stakeholders have issues in common? Where do they differ? What are the potential alliances among stakeholders that may either support or oppose the project? Why? What level of power does a stakeholder have in relation to a given decision? How will this potentially affect the planned public involvement process?

Activity 4: Involve the stakeholders in refining the statement of the issues to be addressed or the decisions to be made. This assures that all parties are discussing the same issues and working on the same decisions. It is not uncommon to have stakeholders refine or change the decisions/issues in terms that may be different from those intended by the project team. Make

sure that all terms are being read with a common definition. While this may seem like an unnecessary step, it can help avoid problems arising later where different interpretations lead stakeholders to different expectations.

Step 4.   Select the level of involvement.

Activity 1: Review the internal expectations for the level of public involvement in light of the information gained from the stakeholders. What additional issues and decisions were identified? Who are the final decision-makers for any additional issues/decisions? Where is there disagreement in terms of the appropriate level of public involvement on an issue/decision? Select the level of public involvement that will be appropriate for the issue/decision and stakeholder. Craft the commitments being made to the stakeholders and be sure that the project has the resources (in time, staff, and funding) to keep the commitment.

Step 5.   Identify how success will be evaluated.

Activity 1: Define the factors that will be used to determine a successful public involvement program. What process requirements must be met? What type and levels of impact on the decision-making process by stakeholders does the project want to demonstrate? What is the ultimate outcome of the process that should be demonstrated?

Activity 2: Establish indicators that will measure success or failure of your program. Indicators are tied directly to the level of involvement and will influence the types of tools and techniques used in the public involvement process. For example, if the factor being evaluated is the project's ability to inform the stakeholders about the effects of the proposed project, an indicator might be the portion of stakeholders who indicated they understood the effects. If the factor being evaluated is the agreement of the participating agencies on the project scope, indicators might include establishment of a clear purpose and need, signed by the participating agencies.

Activity 3: Define targets for each indicator being used. For each indicator, establish a successful target. This could be a percentage (percent of community members surveyed who understood the project impacts), specific actions (purpose and need statement is prominent on the project website and all printed materials), or numeric (number of people attending public scoping meeting). Targets will vary from project to project and must be achievable. Targets will define for a project when and how their public involvement program is complete and successful. If targets are not reached, the project may need to consider if additional or different public involvement activities are necessary.

Step 6.   Define the decision process and participant objectives

Activity 1: If a decision-making process related to an issue already exists or is required by legislation or regulations, document the process. Where a decision-making process has not already been established, work with the project management team to develop and document a process for addressing

key project issues. Make the decision-making process clear and easily understood by internal and external stakeholders.

Activity 2: Set public involvement objectives for each step in the decision process. Each step in a decision-making process is a chance to either gain or lose stakeholder trust. Develop public involvement objectives that are appropriate and work toward developing better relationships with stakeholders based on the public involvement level that has been selected for that decision and on the promises made to the various stakeholders.

Step 7. Develop the project public involvement plan

Activity 1: Develop the format for the public involvement plan. The exact format of the public involvement plan will vary depending on the complexity of the project and the various public involvement goals and objectives. The plan format may range from a brief outline to a highly detailed manual. The plan format must provide adequate information to allow internal and external stakeholders to identify the activities, outcomes, and evaluation expectations for the public involvement processes.

Activity 2: Identify and integrate existing public involvement activities into the baseline of the plan. What activities have already occurred? What promises have been made to the stakeholders? How were those promises implemented? What other projects/programs are working with the same stakeholders?

Activity 3: Identify the techniques that will be used during the public involvement process. Review the promises being made to the stakeholders and the intended level of public involvement on the decisions. Review different public involvement techniques and choose techniques that are appropriate to the public involvement level. In choosing techniques, be conscious of the potential benefits and drawbacks of the selected techniques. Choose techniques that are possible or can be modified to be successful given fiscal and time constraints for the project.

Activity 4: Identify the schedule and resources necessary for the public involvement plan to be successful. How much time is necessary for each technique being used? What fiscal resources are available? Who has what roles and responsibilities? What additional resources may be necessary to engage stakeholders at the desired level?

Attachment 3: Public Involvement Plan Development Worksheets

Stakeholder Information

Audiences (choose from this list or add your own):

Traveling Public

Businesses/Residents within the Study Area

Businesses/Residents within the Study Area vicinity

Business Community

Neighborhood/Homeowners' Associations

Media Representatives

Minority Communities

LEP Communities

(Language[s]:_____)

People with Disabilities

Individual Property Owners (not residing within or in the vicinity of the Study Area)

Local Advocacy Groups

Local Clubs

People Experiencing Homelessness

Underserved Communities

Underserved Neighborhoods

School Districts

Fire Departments/Districts

Police Departments/Districts

Railroads

Utility Providers

Irrigation Ditch Companies/Associations

Community Facilities/Resource Providers

Freight Carriers

Other:

_____

_____

_____

Stakeholder Outreach/Involvement Tools

Example Tools: (choose from this list or add your own):

Mailing List (Physical and email addresses)

E-newsletter

E-mail Blasts

Direct Mail

Flyer

Paid Advertising

Surveys

Postcards

News Releases

Public Events

Project Websites

Social Media

    Instagram

    Facebook

    Twitter

    NextDoor

    YouTube

    Podcasts

Videos

Live Streaming

Informational Brochures

In-person Meetings

Neighborhood/HOA Meetings

Community Centers/Facilities

Community Events/Festivals

Radio Shows/Announcements

Outreach Booth Displays

Telephone Townhalls

Online Event Calendars

Public Meetings

Open Houses

Listening Sessions

Public Hearing

Other:

_____

_____

_____

Attachment 4: NCHRP Public Involvement Survey

Project Information

1. Project Name:

2. Location:

3. Date:

Representative/Demographics

4. How well do you read English?

○ Not very well (please seek out someone who can assist you in completing this survey)

○ Somewhat well

○ Very well

5. What languages are spoken in your home? (check all that apply)

☐ English

☐ Other (please specify)

6. How well do you understand spoken English?

- ○ Not very well
- ○ Somewhat well
- ○ Very well

As a reminder, your answers to all of the questions including the following demographic questions, are anonymous and will be grouped with the answers of other respondents to identify trends and patterns.

7. How do you identify?

- ○ Male
- ○ Female
- ○ Gender(s) not listed here

8. What is your age?

- ○ Under 18
- ○ 18 – 24
- ○ 25 – 34
- ○ 35 – 44
- ○ 45 – 54
- ○ 55 – 64
- ○ 65 – 74
- ○ 75 – 84
- ○ 85+

9. Are you of Hispanic or Latino origin?

   ○ No

   ○ Yes

10. How do you identify? (choose just one)

   ○ White or Caucasian

   ○ Black or African American

   ○ American Indian or Alaska Native

   ○ Asian or Asian American

   ○ Native Hawaiian or Other Pacific Islander

   ○ Other race or combination of races (please specify)

11. What was your total **household** income (before taxes) in the previous year?

   ○ Less than $25,000

   ○ $25,000 to less than $35,000

   ○ $35,000 to less than $50,000

   ○ $50,000 to less than $75,000

   ○ $75,000 to less than $100,000

   ○ $100,000 to less than $150,000

   ○ $150,000 to less than $200,000

   ○ $200,000 to less than $250,000

   ○ $250,000 and above

12. Do you have any of the following conditions? (check all that apply)

☐ A hearing problem that makes it difficult for you to hear what is said in normal conversation, even with a hearing aid

☐ A vision problem that makes it difficult to read, even when wearing glasses or contact lenses

☐ A condition that limits your ability to walk or climb stairs

☐ Other conditions that might limit your participation in public involvement activities (please specify)

☐ None of the above

For this next series of questions, please use one of the following to express how much you agree or disagree with the statements. Use the "Don't know" category if you do not know or do not have an opinion. Use the "Not applicable" category for statements that are either not applicable to the public involvement for this transportation project or are not applicable at this time, but may be in the future.

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

COLORADO
Department of Transportation

Influence and Impact

13. How much do you agree or disagree with the following statements?

I understood how my input and engagement would be used

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

I understood which decisions could be influenced by public input and which decisions could not

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

I understood when I could provide input to potentially influence project decisions

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Project decisions reflected public input

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

If public input was not incorporated into a project decision, I understood the reasons why

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

I understood the purpose of the public involvement

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

I understood how project decisions were made

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Transparency and Clarity

14. How much do you agree or disagree with the following statements?

I understood the benefits of the options/alternatives under consideration

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

I understood the financial costs of the options/alternatives under consideration

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

I understood the negative impacts of the options/alternatives under consideration

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

The public was kept up to date on project progress

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

I had access to enough information about the project

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

Information was easy to understand

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

Timing

15. How much do you agree or disagree with the following statements?

The public involvement process lasted long enough to allow for public input on major project decisions
- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

Project information was shared with the public well in advance of project decisions
- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

After receiving public information, I had sufficient time to understand the most important issues
- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

Inclusion

16. How much do you agree or disagree with the following statements?

Those affected by the project were encouraged to voice their opinions
- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree
- Don't know
- Not applicable

Public involvement activities were held in locations that are affected by the project	Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree Don't know Not applicable
Public involvement activities were held at transit-accessible locations	Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree Don't know Not applicable

Targeted Engagement

17. How much do you agree or disagree with the following statements?

Public involvement activities were held in community facilities familiar to the affected communities	Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree Don't know Not applicable
Public involvement activities were held in locations that were accessible to people with disabilities	Strongly disagree Disagree Neither agree nor disagree Agree Strongly agree Don't know Not applicable

Opportunities for participation other than in-person meetings were offered

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Accessibility

18. How much do you agree or disagree with the following statements?

Translation and interpretation services were provided to people with limited English proficiency

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Public involvement activities were held on a variety of days and times, to accommodate people with different schedules

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Child care or child-friendly activities were offered to families who attended

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Any barriers to participation were addressed in a timely manner.

Strongly disagree
Disagree
Neither agree nor disagree
Agree
Strongly agree
Don't know
Not applicable

Overall Satisfaction

19. Overall, I was satisfied with the public involvement process.

○ Strongly disagree

○ Disagree

○ Neither agree nor disagree

○ Agree

○ Strongly agree

○ Don't know

Public Involvement Feedback

20. What are the top three things that could have been done to improve the public involvement process?

1. _____

2. _____

3. _____

21. What public involvement activities have you participated in for this project? (check all that apply)

- ☐ In-person public meetings/open houses
- ☐ Online public meetings/open houses
- ☐ Focus groups (usually involves 6 to 12 people meeting for 1 to 2 hours)
- ☐ Information tables at fairs, festivals, or other such community settings
- ☐ Community briefings
- ☐ Stakeholder round tables
- ☐ Door-to-door outreach
- ☐ Outreach to special populations
- ☐ Advisory committee meetings
- ☐ Other - Write In

Thank You!

Thank you for taking our survey. Your response is very important to us.

Attachment 5: Sample Comment Form and Newspaper Notice

Sample Comment Form

Project Name: _____

Public Hearing: _____

Date: _____

Time: _____

COMMENT SHEET

I have the following comments, questions, or concerns about this project:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Please use the back of this comment sheet for additional comments.

Contact Information

Name:
_____

Address:
_____

Phone:
_____

Email:
_____

Leave this comment sheet tonight, mail it to, or drop it off at the address shown on the other side no later than Month Day, Year. You may also email your comments to ****@dot.state.co.us. Thank you.

Sample Newspaper Notice

6TH AVENUE PARKWAY EXTENSION - EA RELEASE

The City of Aurora, in consultation with the
Federal Highway Administration (FHWA) and
Colorado Department of Transportation (CDOT) is proposing the extension
of 6th Avenue Parkway between SH 30 and E-470.
An Environmental Assessment (EA) has been prepared, and is available for
public review and comment from June 30 through July 30, 2016.

Public Meeting:

July 14, 2016 at the Beck Recreation Center, 800 Telluride Street, Aurora, CO 80011
from 6 pm to 8 pm

To view the EA document, appendices and technical reports and submit comments, visit the project website
www.auroragov.org/6thaveparkway

The EA is also available at: **www.codot.gov/projects/studies-assessments/other-cdot-studies**
for public download and viewing. In addition, hard copies of the EA will be made available during the
public comment period at the following locations:

City of Aurora Public Library 14949 East Alameda Parkway Aurora, CO 80012	Arapahoe County Administration Building 5334 S. Prince Street Littleton, CO 80120	CDOT Region 1 2000 South Holly Street Denver, CO 80222
City of Aurora 15151 E. Alameda Parkway Public Works Suite 3200 & Planning Suite 2300 Aurora, CO 80012	Arapahoe County Public Works 6924 S. Lima Street Centennial, CO 80112	

FHWA is also providing the public the opportunity to review and comment on how the project will affect
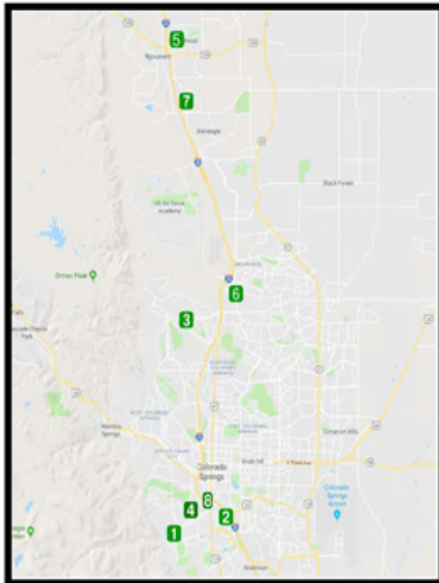and mitigate the Environmental Day Camp.

Sample Flyer

CDOT COLORADO Department of Transportation

I-25 SOUTH GAP LISTENING SESSIONS

The Colorado Department of Transportation has scheduled 8 public listening sessions to inform the public about the I-25 South Gap Construction Project between Monument and Castle Rock. Come to your nearest listening session to learn all about the project and how it will affect you!

1. **Penrose House – Proby Room**
   January 30, 2018 ~ 12:30 - 2 PM
   1661 Mesa Avenue
   Colorado Springs, CO 80906

2. **Meadows Park Community Center**
   January 31, 2018 ~ 5:30 - 7 PM
   1943 S El Paso Avenue
   Colorado Springs, CO 80905

3. **Rockrimmon Library**
   February 5, 2018 ~ 4:45 - 6:15 PM
   832 Village Center Drive
   Colorado Springs, CO 80919

4. **Cheyenne Mountain Library**
   February 6, 2018 ~ 5:30 - 7 PM
   1785 S. 8th Street
   Colorado Springs, CO 80905

5. **Monument Library**
   February 8, 2018 ~ 6:45 - 8:15 PM
   1706 Woodmoor Drive
   Monument, CO 81032

6. **Natural Grocers N. Academy**
   February 12, 2018 ~ 5:30 - 7 PM
   7298 North Academy Blvd.
   Colorado Springs, CO 80920

7. **Natural Grocers Monument**
   February 13, 2018 ~ 5:30 - 7 PM
   1216 W. Baptist Rd.
   Monument, CO 80132

8. **Natural Grocers S. Nevada**
   February 15, 2018 ~ 5:30 - 7 PM
   1604 S. Nevada Ave.
   Colorado Springs, CO 80906

Project information: https://www.codot.gov/projects/i-25-south-monument-castle-rock-ea
Project email: i25gap@cdot.us
Project hotline: 719-297-5143

Attachment 6: Guidelines for Conducting Open Forum Public Meetings and Hearings

Format/Agenda

The open forum is a public meeting and hearing format in which the meeting is conducted like an "open house." Under normal circumstances, the hearing or meeting is not "called to order"; rather, the event begins at a predetermined time and attendees have the opportunity to review materials at their leisure, ask questions of experts and officials, discuss the issues with each other, and submit formal comments for the project record if they so desire.

The sign-in lists compiled at public meetings/hearings may be made available upon request to outside parties in accordance with the Colorado Open Records Act (CRS 24-72-101, et seq.). This statement should be included at the top of the sign-in list, along with a notice that addresses and phone numbers will be removed and only the names and cities of residence will be provided to others.

The event should be held in a large room, such as a community center or school cafeteria, where there is plenty of space for displays and tables and for people to move about freely. In selecting a facility for public meetings and hearings, ADA requirements must be met and special needs of attendees should be anticipated. Attendees should be greeted as they enter the meeting room and given an information sheet showing how the forum is organized and where information can be found.

Basic displays should be placed at several stations around the room and focus on various aspects of the project for which the meeting is being held. For example, at a meeting to obtain public input on the Draft Environmental Impact Statement, copies of the EIS should be made available at several locations. Other stations might highlight major design features, give right-of-way information, or feature information about how the impacts to a park or wetland area will be mitigated.

The meeting should last several hours and provide an opportunity for participation from attendees on different work schedules. For instance, a meeting might include both a mid-day session (from 11:00 AM to 2:00 PM) and an evening session (4:00 PM to 7:00 PM). When determining appropriate dates, project teams must be aware of and consider other activities that may interfere with attendance.

Information and Handouts

At a minimum, each attendee should receive a meeting information sheet describing the purpose of the meeting and explaining where and how to obtain information and make comments (a room diagram might be helpful). Each attendee should also receive a summary sheet listing the names of the applicable transportation agencies and decision-making entities, along with their addresses and telephone numbers. Handouts should include all other information required by Federal laws and regulations. All information should be provided in other languages as appropriate.

Comments

Attendees should have many opportunities to discuss their concerns informally with agency officials and decision-makers and to make formal comments. The meeting format should be designed to encourage an open exchange of information between the project development staff (i.e., CDOT and FHWA personnel, consultants hired to prepare the environmental studies and documentation, etc.) and meeting attendees. Agency officials and staff should only answer questions for which they have the knowledge or technical expertise to be fully informed. When other questions arise outside these areas, the person interested in these issues should be escorted or directed to a staff member or an agency official who can provide the correct information. The key to a successful meeting is to give attendees the feeling that their concerns have been heard and their questions have been addressed honestly—even if the answer is "we don't know for sure." This open exchange can be much more effective in achieving good relations and developing trust with the public than a sophisticated multimedia presentation facilitated by polished speakers. Therefore, it is extremely important that officials and staff members make themselves available, act like hosts and hostesses, and avoid clustering together away from the public.

Comment sheets should be available in several locations, and boxes, marked for receipt of comments, should be provided at the exit and at two or three other places in the room. In addition, attendees should be given an address and a date by which comments must be received. At public hearings, attendees may be given the opportunity to make oral comments for the record. If so, facilities must be available to record comments verbatim. A transcript of these comments must be made, and these comments must be included and addressed in the project record. Translators, when necessary, should be provided so that everyone is able to be involved and provide comments.