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SUBJECT: SEDA-COG MPO Public Participation Procedures for the 2021-2024
Transportation Improvement Program Update

In accordance with guidance provided by the Center for Program Development and Management at PennDOT (CPDM) and the Federal Highway Administration, the SEDA-COG Metropolitan Planning Organization (MPO) is taking the following steps to ensure that the public is fully and fairly invited to participate in the development process for the 2021-2024 Transportation Improvement Program (TIP) while ensuring staff and public safety.

Background

Beginning in mid-March of 2020, mitigation measures designed to slow the spread of COVID-19 were developed and put in place by the State of Pennsylvania. This began with the closure of all schools on March 13, 2020, and includes a Statewide Stay-at-Home order put in place on April 1, 2020 and expected to remain in place through at least April 30, 2020. SEDA-COG and many of the MPO member and stakeholder organizations have closed their offices to the general public and encouraged their staff to work at home, wherever possible.

These measures were implemented as the MPO was nearing the end of the TIP development process. The staff of the MPO note that public participation is critical to the ongoing improvement and adaptation of the TIP and other plans to the changing needs, priorities and circumstances of the MPO region.

The TIP is comprehensively updated every two years in Pennsylvania. The 2021-2024 update is being completed in accordance with financial guidance documents, including the 2021 Program Development Schedule. While exact dates are not specified, the schedule calls for public comment to occur in April, May and June of 2020, and submission of the regional TIP to PennDOT to occur in May, June or July of 2020. The plan for the public comment period was developed in conformance with the goals of the MPO Public Participation Plan (PPP), with the goals of extending the reach of the program, encouraging the diversity of participants, increasing the impact of participation, increasing participant satisfaction, realizing opportunities for education, and formalizing the use of participant indicators.

Staff at the MPO have determined the need to alter the way some components of the comment period are approached to preserve the opportunity for the public to fully and fairly participate in the 2021-2024 TIP update while ensuring staff and public safety.

Assumptions

Staff worked under the following assumptions in developing this approach:

1. Mitigation measures such as social distancing, work restrictions and travel restrictions would remain in place for an unknown extent of time, lasting far enough into the 3-month period specified for public comment that it would not be possible or prudent for staff to adopt a wait-and-see approach. Taking the course of waiting for restrictions to be lifted before scheduling public involvement activities would result in not being able to conduct an effective comment period in conformance with guidance provided and still meet the July timeline for submission of the regional TIP to PennDOT.
2. Mitigation measures such as the suspension of the construction of non-emergency projects by PennDOT for at least a two-month period in the current construction season will create follow-on impacts in funding, project work flow, project phasing and available staff and resources that will have notable impacts on the projects included in the 2021-2024 TIP update. The extent of these impacts will not become clear until restrictions are lifted and there is some time to assess impacts and market conditions, likely until after the 2020 construction season. It is therefore not possible to delay development of the TIP until the extent of these impacts is clear and meet the requirements for submission of the regional TIP to PennDOT. The TIP presented for review and comment should therefore be the document and project listing developed before mitigation measures were put in place.
3. The responsibilities of MPO, PennDOT and stakeholder staff in resuming normal activities after mitigation measures are limited will be extensive. This will make rescheduling meetings with sufficient notice to facilitate attendance by enough members for a quorum difficult in proportion with the extent of time that the mitigation measures are in place, meaning that the longer MPO staff postpone action on rescheduling the comment period and adoption activities, the more difficult it will be to schedule those activities in a way that meets the 2021 Program Development Schedule.

Changes to the Public Participation Approach

A checklist showing the public participation plan for a TIP update is attached. The SEDA-COG staff propose the following modifications to the procedures in this list:

1. Release the DRAFT TIP – Make the DRAFT TIP available in a hard copy format at the SEDA-COG Office, county government offices, public transit agencies, and PennDOT District 2-0 & 3-0 offices.
 - MPO staff note that the majority of these offices are currently closed to the public as part of mitigation measures in place and are likely to remain so for at least a portion of the planned comment period.
 - MPO staff recommend asking staff at these agencies to either post the DRAFT TIP in accessible electronic format on their public websites, or post links, press releases or other notices directing the public to the copies posted on the SEDA-COG website.

- Include reasonable language in the documents accompanying the DRAFT TIP noting the modifications in public participation approach made to address current conditions, and identifying the public participation approach that will be followed in the event that Major Amendments are made to the TIP after adoption.
2. Notify public and agencies of opportunities to comment – Conduct at least one (1) public meeting at an accessible location.
- MPO staff note that current travel and activity restrictions may be in place for a considerable portion of the planned comment period (April 24, 2020 – May 24, 2020).
 - Conduct the public meeting as a web and teleconference, publishing the login information with the meeting notice in accordance with current guidance provided by CPDM and FHWA. The meeting will be interactive, allowing time for audience participation.
 - Strive to develop meeting materials as a series of presentations that could be posted to the SEDA-COG MPO website (and potentially other hosts), broken out by topic.
 - Consult with PennDOT CPDM in advance of the meeting to determine appropriate procedures for encouraging questions and input from the public via chat, audio and other submission channels. Plan for appropriate responses to participation aimed at disrupting the meeting rather than providing input.

MPO staff propose that the remainder of the public participation activities can be followed as presented in the PPP.

Future Steps

MPO staff realize that the extent of impacts from the spread of COVID-19 and the mitigation measures put in place at local, state and federal levels to limit spread create a fluid situation for conducting MPO activities, and significant changes to conditions may require revisions to this approach for the 2021-2024 TIP update. Changes required will be given similar consideration and documented accordingly.

In accordance with further guidance provided by CPDM and FHWA, MPO staff propose to review the PPP with the specific purpose of considering the treatment of Virtual Public Input technologies as part of the 2020-2022 Unified Planning Work Program.