

## MEMORANDUM

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TO: **BEND MPO POLICY BOARD**  
FROM: **TYLER DEKE, BEND MPO MANAGER**  
SUBJECT: **MPO REQUIREMENT FOR NOTICE OF  
PROGRAM OF PROJECTS (POP)**  
DATE: **OCTOBER 18, 2012**



The MPO has received notice through the Federal Transit Association (FTA) Triannual review in September 2012 of deficiencies for planning and Program of Projects that the public notices for amendments and adoption processes in the Metropolitan Transportation Improvement Program (MTIP) do not have an explicit statement that public notice of public involvement activities, and time established for public review of and comments on the TIP, will satisfy the POP requirements.

In an effort to correct this deficiency and meet all necessary requirements, an amendment to include the following language to the MTIP, Public Participation Plan (PPP) and Bend MPO Environmental Justice and Title VI documents is proposed. Additional language has been added to update the plans with the FTA Circular 4702.1B that were effective 10/1/12 regarding the updated requirements for metropolitan transportation planning organizations.

### ***Bend MPO public notice documents shall contain the following language:***

Copies are free of charge and, upon request, will be made available in CD, print, and accessible formats. Upon request, in advance of the meeting, through any of the means listed above, every effort will be made to prepare materials in other formats and in languages other than English, and to provide interpreters in American Sign Language and other languages. Assistive listening devices and large-print materials will be available at the meeting upon request.

The Central Oregon Intergovernmental Council (COIC), which is the FTA Section 5307(c) applicant, has consulted with the MPO and concurs that the public involvement process adopted by the MPO for the development of the TIP satisfies the public hearing requirements that pertain to the development of the Program of Projects for regular Section 5307, Urbanized Area Formula Program, grant applications, including the

provision for public notice and the time established for public review and comment.

### ***Proposed language to be added to the Public Participation Plan***

#### **Section - Ongoing Outreach**

The MPO will demonstrate explicit consideration of and response to all public input during the development of the Metropolitan Plan and the Metropolitan Transportation Improvement Plan through the publication of written minutes that will document public input, MPO deliberations, and MPO final decisions.

#### **Section – Immediate and Final Public Outreach**

In the event the final metropolitan transportation plan or the Metropolitan Transportation Improvement Plan (MTIP) is significantly different from the version that was made available for public comment and raises new material issues which interested parties could not reasonably have foreseen from the initial public involvement efforts, additional opportunity for public comment will be provided.

### ***Timeline for review and Policy Board adoption***

Provide public comment period of 30 days for changes from 10/17/12, Public Review of comments and Policy Board decision provided at 11/16/12 regular Policy Board Meeting. Notice will be posted and shared on [www.bendmpo.org](http://www.bendmpo.org), social media pages, email lists and public notice emailed to news outlets. A copy of the public notice has been provided as Attachment D.

### ***FTA Notice***

Central Oregon Intergovernmental Council (COIC) Triannual Review 9/7/12

#### **1. Planning/Program of Projects**

**Basic Requirement:** The grantee must participate in the transportation planning process in accordance with FTA requirements, SAFETEA-LU, and the metropolitan and statewide planning regulations. Grantees must develop and/or participate in a locally developed, coordinated public transit-human services transportation plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

**Finding:** During this Triennial Review of COIC and the City, deficiencies were found with the FTA requirements for planning/POP. COIC has an intergovernmental agreement with the City of Bend, which is also the Metropolitan Planning Organization (MPO), for development and administration of the TIP process. The public notices for the TIP process do not have an explicit statement that public notice of public involvement

activities, and time established for public review of and comments on the TIP, will satisfy the POP requirements.

The revised pages from each document are provided as attachments.

- a. Attachment A 2012-2015 MTIP
- b. Attachment B Bend MPO Public Participation Plan (PPP)
- c. Attachment C Bend MPO Environmental Justice and Title VI Plan (EJ-Title VI)
- d. Attachment D Proposed Changes to the MTIP/PPP/EJ-Title VI plans Public Notice 10/17/12

## ***Attachment A 2012-2015 MTIP***

### **Updated Committee Members**

#### **Technical Advisory Committee**

Rick Root	City of Bend
Karen Friend	Cascades East Transit
Nick Arnis	City of Bend
Peter Russell	Deschutes County & Deschutes County Bicycle/Pedestrian Advisory Committee
	ODOT Region 4*
Jim Bryant	ODOT Region 4
Andrew Spreadborough	Central Oregon Intergovernmental Council (COIC) & Central OR Area Commission on Transportation (COACT)
Joe Viola	Central Oregon Community College (COCC)
Jeff Monson	Commute Options for Central Oregon
Satvinder Sandhu	Federal Highway Administration*
Jazmin Casas	Federal Highway Administration*
Ned Conroy	Federal Transit Administration*
Karen Swirsky	Oregon Dept of Land Conservation and Development*
Vacant	Oregon Department of Environmental Quality*

\*Indicates non-voting members

#### **Citizen Advisory Committee**

Mike Lovely  
Michel Bayard  
Robin Vora

Bill Wagner, Chair  
Sheree MacRitchie  
Kyle Kendall

Inserted Text, Page 5:

There must be reasonable opportunity for public comment prior to approval and the MTIP must be made readily available including electronically accessible formats and means such as publication on the World Wide Web.

Provide Public Participation Requirements as stated in 49 USC § 5307(C) for urbanized area formula grants.

Inserted Text, Page 8:

#### MTIP Amendments

Amendments to the MTIP should be submitted to MPO staff for review. Staff will work with the project sponsor, ODOT and United States Department of Transportation (USDOT) to determine if the proposed amendment is classified as a full amendment or an administrative amendment. Full amendments require Policy Board adoption and a 20-day public notification process. **Public notice shall contain the following language:**

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### ***Attachment B Bend MPO Public Participation Plan (PPP)***

Added Text, Page 7:

The MPO will demonstrate explicit consideration of and response to all public input during the development of the Metropolitan Plan and the Metropolitan Transportation Improvement Plan through the publication of written minutes that will document public input, MPO deliberations, and MPO final decisions.

Added Text, Page 9:

- Use required language in public notice documents  
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a.

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### ***Attachment C Title VI and Environmental Justice Plan***

#### **Inserted Text Page6:**

- In addition, the FTA has issued a Circular in 2007 (FTA 4702.1A) and 2012 (FTA 4702.1B) which contains requirements and guidelines for Metropolitan Planning Organizations.

#### **Inserted Text Page 11:**

**FTA Circular in 2007/2012** (FTA 4702.1A/FTA 4702.1B). The circular contains requirements and guidelines for MPOs.