

APPENDIX 1B
TRINITY COUNTY TRANSPORTATION COMMISSION (TCTC) PUBLIC
INVOLVEMENT PROCEDURES

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Introduction

The Trinity County Transportation Commission (TCTC) serves as the Regional Transportation Planning Agency (RTPA) and is responsible for deciding transportation policies and adopting transportation plans and programs to carry out these policies. The Regional Transportation Planning Guidelines (2010) require that each RTPA have a transportation planning process that includes a public involvement program. The public involvement program is intended to provide reasonable opportunity for citizens, private and public transit and freight operators, tribal governments and other interested parties to participate early in the RTP development process. The Public Involvement Procedures document contains the TCTC's policies and implementation measures to strengthen public participation in the Trinity County 2010 RTP update.

Relevant Regulations and Statutes

The public involvement procedures for the Trinity County RTP process stem from the following regulations and/or statutes:

- *ISTEA/TEA 21* – Public involvement in the transportation planning process took on an increased emphasis when Congress passed the Federal Intermodal Surface Transportation Act of 1991 (ISTEA). Federal regulations to implement ISTEA called for a proactive public involvement process. The process must respond not only to the requirements of ISTEA, but also those of related federal acts, such as the Clean Air Act and the Americans with Disabilities Act.

The Transportation Equity Act for the 21st Century (TEA-21) succeeded ISTEA after September 30, 1997. TEA-21 is the federal legislation that authorizes a balance of federal highway, highway safety, transit, and other surface transportation program. TEA-21 builds on the initiatives established in ISTEA including the necessity for enhanced Public Involvement Procedures.

- *The Brown Act (Government Code Sections 54950-54962)* – The Brown Act governs the meetings and actions of governing boards of local public agencies and their created bodies. Requirements of the Brown Act also apply to any committee or other subsidiary body created by a governing board, whether permanent or temporary, whether decision-making or advisory.

The Brown Act sets minimum standards for open meetings and public access to them, location of meetings, posting notice, agenda distribution, and public input. The public agency may adopt reasonable regulations ensuring the public's right to address the agency, including regulations to limit the total amount of time allocated for public testimony. The LTC and its standing committees all adhere to Brown Act requirements including proper notice, access, and the ability to address the LTC and its committees.

- *Americans with Disabilities (ADA)* – The Americans with Disabilities Act of 1990 (ADA) stipulates involving the community, particularly those with disabilities, in the development and improvement of transportation services. All events held for programs or projects with federal aid that are open to the general public must be made accessible to everyone, including the disabled.

The TCTC is in compliance with the ADA by having accessible formats, public meetings and public hearings. The TCTC also consults with individuals from the disabled community and by including representatives from or for the disabled and transportation disadvantaged on its SSTAC.

- *Title VI and Environmental Justice (EJ)* – Title VI requires each federal agency to ensure that no person is excluded from participation, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients, sub recipients and contractors whether those programs and activities are federally funded or not.

On February 11, 1994, the President of the United States signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The Executive Order requires that each Federal agency administer and implement its programs, policies, and activities that affect human health or the environment so as to identify and avoid “disproportionately high and adverse” effects on minority and low-income populations.

In April 1997, the U.S. Department of Transportation (DOT) issued the DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations. The Order generally describes the process for incorporating environmental justice principles into all DOT existing programs, policies and activities.

In December 1998, the Federal Highway Administration (FHWA) issued FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations that requires the FHWA to implement the principles of the DOT Order 5610.2 and E.O. 12898 by incorporating environmental justice principles in all FHWA programs, policies and activities.

The FHWA and the Federal Transit Administration (FTA) issued a memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning on October 7, 1999. The memorandum provides clarification for field offices on how to ensure that environmental justice is considered during current and future planning certification reviews. The Federal Highway Administration considers three fundamental environmental justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects on minority populations and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

As the RTPA serving Trinity County, the TCTC implements and integrates the principles of environmental justice into its transportation planning process. The TCTC uses census information, special studies and public input to determine whether a particular population of people is receiving an inordinate number of government funded projects that negatively impact their neighborhoods and/or communities. Outreach activities for the RTP included in the TCTCs’ Public Involvement Procedures include provisions for additional public notification such as newspaper notices and public workshops.

Native Americans are also protected under Title VI and Environmental Justice laws and outreach efforts to the Tribes are an integral part of the RTP update and public involvement process. Indian Tribal Governments must be consulted with and their interests considered during the development of RTPs and RTIPs.

Each tribal government in Trinity County was notified of and invited to participate in the planning process through an introductory letter sent by the County and personal telephone contacts by the Consultant. The officially recognized tribal governments in Trinity County along with their contact information are listed in Table 1.1

TABLE 1.1 FEDERALLY RECOGNIZED TRINITY COUNTY INDIAN TRIBAL GOVERNMENTS REGIONAL TRANSPORTATION PLAN CONTACTS			
Tribal Government	Telephone	Address	Contact Person
Nor Rel Muk Nation	530.623.4940	P.O. Box 1967 Weaverville, CA 96093	Marilyn Delgado (Chair)
Wintu Educational and Cultural Council	530.628.5930	P.O. Box 483 Hayfork, CA 96041	Robert Burns
The Tsnungwe Council	530.629.4758	P.O. Box 373 Salyer, CA 95563	Dena Magdaleno, Elder
Round Valley Indian Tribe	707.983.6126	P.O. Box 448 Covelo, CA 95128	
Hoop Valley Indian Tribe	530.625.4211	P.O. Box 1348 Hoop Valley, CA 95546	
Notes: Each Tribal Government was contacted in May/June 2009 via telephone or letter.			
Source: Trinity County Planning Department & Native American Heritage Commission			

Public Participation Requirements - General Principles

The public participation program and process for Trinity County is proactive and does provide for timely public notice, full public access to key decisions, and continuing involvement of the public in developing the RTP. The following are the key program elements included in the TCTC public involvement procedures.

- *Timely Information:* Information about RTP issues and the update process will be provided to citizens, affected public agencies, private providers of transportation, interested parties and segments of the community affected by the RTP through public announcements, newspaper advertisements, and meeting agendas. The information will be provided in a timely manner so that the public can participate in the decision process.
- *Public Access:* The public will be afforded reasonable public access to technical and policy information used in the development of the RTP. Reasonable is defined as “during normal business hours” and/or during regular meetings of the TCTC and its committees.
- *Public Notice:* Adequate public notice of public involvement activities and time for public review and comment at key decision points will be provided, including, but not limited to, approval of RTP policies and objectives and transportation project lists.

- *Consideration of Public Input:* Demonstrate explicit consideration and response to public input received during the planning and program development process by documenting public comments and suggestions for consideration in the RTP update.
- *Participation by Underserved Groups:* Make a special effort to target RTP outreach activities to low-income and minority households, and tribal governments through mailings and public service announcements. Maintain a contact list of individuals and groups that serve these underserved groups.
- *Open Meetings:* All TCTC meetings are open to the public, and agendas are mailed to interested parties and are posted at the courthouse and on the internet. All TCTC meetings and advisory committee meetings include opportunities for public participation on agenda and non-agenda items
- *Public Hearings:* At least three public hearings will be held as required for adoption of the RTP and/or supporting documents

Local Transportation Commission (TCTC) Standing Committees

The following describes each of the TCTCs' current standing committees. A Steering Committee was established by the TCTC as part of the RTP process. All TCTC meetings and all TCTC standing committee and/or steering committee meetings are open to the public.

Regional Transportation Plan Steering Committee

The TCTC established a steering committee during the 2010 update of the Regional Transportation Plan. The Committee included representatives of schools, timber industry (goods movement), the Chamber of Commerce, Trails Committee, SSTAC, Caltrans, Emergency Services, the TCTC, the County Department of Transportation and the environmental community. The Committee met three times during preparation of the Preliminary Draft RTP. Meetings were open to the public.

Social Services Transportation Advisory Council (SSTAC)

The SSTAC is an advisory committee to the LTC on all matters pertaining to the transportation needs within the County. This includes the needs of transit dependent and transportation disadvantaged persons. The SSTAC input is considered in and made an integral part of the TCTCs' annual "unmet transit needs" hearing and findings process. Meetings are scheduled usually one to three times per year on a day and time set by the TCTC. The composition of the SSTAC, the terms of SSTAC appointments, and specific responsibilities of the SSTAC are found in the Public Utilities Code.

Trinity County Airport Advisory Committee

The Airport Advisory Committee is made up of local pilots and other interested parties who participate in voluntary attendance of meetings. The committee meets periodically as needed throughout the year, twice at a minimum, to discuss County airport needs and issues. These discussions lead to the formation of projects and goals to be included in the RTP, the Airport Layout Plans (ALP), the Federal Airport Capital Improvement Program (ACIP), and California's Capital Improvement Program (CIP) for funding eligibility.

TCTC Public Involvement Policies and Implementation Program

The following policies and procedures will guide the Trinity County 2010 Regional Transportation Plan Update process.

Policies:

1. The TCTC is a “public service” agency which supports an “open door” policy with respect to public involvement and access. The TCTC office is open for public visitation during normal business hours and normal business days. All citizens will be treated in a courteous and professional manner by TCTC staff.
2. No person shall be denied participation in TCTC meetings and activities unless specific instruction to the contrary is provided by the TCTC legal counsel.
3. All TCTC meetings and hearings will be held in ADA compliant facilities
4. Any member of the public may request an item on the TCTC agenda for consideration. Such items should be presented to the TCTC Executive Director no later than 12 days prior to the respective TCTC meeting date.
5. At the beginning of every TCTC meeting, an agenda item is included for “public comment”. The purpose of the “public comment” agenda item is to allow any member of the public to address the TCTC on any subject. The time allotted may be limited to 5 minutes or less at the discretion of the TCTC Chair. Because no TCTC decisions can be made on any item not specified on the agenda, public matters not on the agenda that require a decision may be put on the agenda for decision at a future TCTC meeting.
6. When posting notices for public meetings, a notice is posted in the County Court House Bulletin Board. Notices for public hearings are also published in the legal ad section of the Trinity Journal at least 10 days prior to the hearing.
7. Any “public hearing” scheduled by the TCTC requires public notice regardless of whether it is a regular TCTC meeting time and place or not. All notices of public meetings or hearings include the following:
 - Date, time, and place of public meeting/hearing
 - General description of the matter to be considered
9. TCTC staff maintain a mailing list of interested persons who desire to be kept informed about progress on the RTP, its related documents, and meeting dates.
10. The TCTC may form special (ad hoc) RTP project “oversight committees” as needed for the development of the RTP Update and for the development of all special plans, projects, or programs necessary to complement or implement the RTP Update. All oversight committees will be open to the public. The findings and/or recommendations of the committee will be available for public review and comment before any final decision is made by the TCTC.
11. When feasible and deemed necessary, flyers and/or newsletters will be used to encourage involvement of the under-served and transit dependant citizens in the development of RTP projects and RTP workshops.
12. If requested, the TCTC will provide news releases or communicate with reporters working for local newspapers, radio stations, or television in the effort to provide information about the RTP process.

Public Involvement Implementation Measures:

- Disposition - Public written comments and/or oral comments that are received on the draft 2010 RTP and its various elements through the public involvement process, and that are deemed to be significant by the TCTC, will be summarized as to their content and disposition in the Final RTP.

Public Workshops – It is vital that the public has the opportunity to participate early in the planning stages for development of the RTP. Their input will be used as a review of proposed RTP projects and programs, and to suggest new projects and/or programs that have not been discussed before. The best venue to receive public input will be at each of the steering committee meetings. Normal procedures for notifying the public about the time and location of committee meetings will be followed.

The public input results (comments and/or suggestions) will be summarized by the consultant and/or TCTC staff and presented to the TCTC at one of their regularly scheduled meetings.

- Public Hearings – Public hearings will be held prior to the adoption of the RTP and other documents which require a public hearing. Public hearings will be held prior to a decision point as a formal means to gather citizen comments and positions from all interested parties for public record and input into the decision making process. TCTC hearings are required for the adoption of major plans, programming of money and for the annual Unmet Transit Needs analysis. Specific RTP decision points include:
 - Review and discussion of Preliminary Draft RTP
 - Review and discussion of Draft RTP and Draft CEQA Document
 - Presentation and hearing on Final RTP and CEQA Document
 - Adoption of Final RTP Document
- Other Relevant Public Involvement Measures – The TCTC will continue to comply with all State and Federal requirements regarding public participation, including those not explicitly provided for in this document. The TCTC will periodically review the public involvement procedures and implementation measures relative to their effectiveness in assuring that the process provides full and open access to all citizens of Trinity County. When needed, the public involvement procedures will be updated or revised.