PART 1, CHAPTER 11

PUBLIC INVOLVEMENT

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PART 1, CHAPTER 11

PUBLIC INVOLVEMENT

11.1 OVERVIEW

This chapter contains the Florida Department of Transportation's (FDOT's) procedure for public involvement during the Project Development and Environment (PD&E) phase of a transportation project. Early and continuous public involvement gives FDOT an opportunity to understand potential issues/impacts "up front" and to deal with them early in the project process so they can be minimized and solutions can be found prior to the final design phase of a project. The intent of public involvement is to fully inform and involve the public, including property owners, tenants, business owners and operators, public officials and agencies, users of the facility, interested individuals, and special interest groups during the development of transportation projects.

Public involvement should:

1. Be inclusive of all decision-makers and stakeholders, especially those who will be most affected.

2. Have a heavy emphasis on partnering and consensus.

3. Begin early in the project process and be proactive and ongoing.

4. Be defined, structured, transparent, and clearly delineated at the beginning of the project.

5. Use the most appropriate tools for each audience, by identifying the audience and needs for each project and any potential barriers to communication.

Public involvement activities are most extensive during the PD&E phase. These activities allow the public to provide input in transportation decisions that result in the development of a transportation system that truly meets community needs and desires. Through public involvement, we can gain a thorough understanding of the affected community and use this knowledge to evaluate the sociocultural effects of the project alternatives. Another important objective is to involve other agencies that can play a cooperative role in identifying, evaluating, and addressing the potential project effects to the surrounding community. Public involvement, in conjunction with other sources of data, plays an essential role in the assessment of the social, economic, land use, mobility, aesthetic, and relocation effects of transportation projects.

FDOT's Public Involvement Policy, Topic No. 000-525-050, effective December 6, 2013, states the following:

> "The Department recognizes the importance of involving the public in information exchange when providing transportation facilities and services to best meet the state's transportation needs. Therefore, it is the policy of the Florida Department of Transportation to promote public involvement opportunities and information exchange activities in all functional areas using various techniques adapted to local area conditions and project requirements."

FDOT's Environmental Policy, Topic No. 000-625-001, effective October 14, 2008, includes the following:

1. Consider social consequences resulting from transportation actions to ensure that impacts to the human environment are identified and fully considered equally with impacts to the natural and physical environments.

2. Be sensitive to community values and needs, utilizing an open decision-making process, which strives to accommodate community concerns, where feasible, and facilitate problem solving in a collaborative manner.

3. Utilize proactive public involvement that is responsive to agencies, citizens, and groups in addressing environmental issues and developing transportation plans, programs, and policies.

Note that references for this chapter are provided in ***Section 11.3***. An additional resource for public involvement is the ***Public Involvement Handbook***, published by FDOT's State Environmental Management Office (SEMO).

11.1.1 Public Participation and Public Input

Public participation is the active and meaningful involvement of the public in the development of transportation plans and improvement programs. Various federal and state regulations (see ***Table 11.1***) require that state departments of transportation and Metropolitan Planning Organizations (MPOs) proactively seek the involvement of all interested parties, including those traditionally underserved by the current transportation system.

Public input can be a statement, fact, or opinion, received via a phone call, personal discussion, e-mail, letter, or through participation in a public forum. Public hearings are required on all federal and state major transportation improvements, generally prior to a decision point, such as Location and Design Concept Acceptance (LDCA). ***Section 339.155(5)(b) of the Florida Statutes (FS)*** defines major transportation improvements as those increasing the capacity of a facility through the addition of new lanes, providing new access to a limited or controlled access facility, or construction of a facility in a new location.

TABLE 11.1 Federal and State Guidance and Requirements

Requirement	Description
FEDERAL REQUIREMENTS	
MAP-21	Moving Ahead for Progress in the 21st Century Act (2012)
23 Code of Federal Regulations (CFR), Chapter I, Part 450	Planning Assistance and Standards
23 CFR, Part 771, Section 771.111	Environmental Impact and Related Procedures - Early Coordination, Public Involvement, and Project Development
40 CFR, Chapter I, Part 93.105	Determining Conformity of Federal Actions to State or Federal Implementation Plans
40 CFR, Volume 33, Chapter V, Parts 1500-1508	Council on Environmental Quality Regulations (NEPA Requirements)
49 CFR, Subtitle A, Part 24	Uniform Relocation Assistance and Real Property Acquisition Policies Act
23 United States Code (USC), Section 109(h)	Highways - Economic, Social, and Environmental Effects
23 USC, Section 128	Public Hearings
23 USC, Section 135	Statewide Planning
23 USC, Section 139	Efficient Environmental Reviews for Project Decisionmaking
42 USC, Chapter 126, Section 12101	Americans with Disabilities Act of 1990, Titles I and V
42 USC, Subchapter V, Sections 2000d-2000d-7	Public Health and Welfare - Title VI of the 1964 Civil Rights Act and Related Statutes
42 USC, Title 42, Chapter 55, Section 4321	National Environmental Policy Act of 1969 (NEPA)
Executive Order 12898	Environmental Justice - Avoidance of actions that can cause disproportionately high impacts on minority and low income populations
Executive Order 13166	Improving Access to Dervices for Persons with Limited English Proficiency (LEP)
FHWA Technical Advisory 6640.8A	Guidance for preparing and processing Environmental and Section 4(f)
STATE REQUIREMENTS	
Florida Statute 120.525	Meetings, Hearings, and Workshops
Florida Statute 286.011	Government-in-the-Sunshine Law
Florida Statute 335.199	Transportation Projects Modifying Access to Adjacent Property
Florida Statute 339.135	Public Hearings during the development of the Florida Transportation Plan
Florida Statute 339.155	Transportation Planning
Florida Statute 339.175	Public Transportation Finance and Planning, Metropolitan Planning Organization
Florida Statute 335.02(1)	Public Transportation, State Highway System
Florida Statute 479.106, Amended	Outdoor Advertising Signs/Noise-Attenuation Barrier
Florida Statute 163.3181(2)	Public Participation in the Comprehensive Planning Process; Intent, Alternative Dispute Resolution

Comments received from the public serve several purposes. They help provide documentation for the public involvement activities that have been conducted. Public comments also help build an understanding of community issues and needs that should be considered in designing transportation solutions that fit community needs. Information gleaned from public comments serves as an excellent record for future project phases. The public comment process includes the following:

1. Collection
2. Analysis
3. Acknowledgement
4. Distribution and Tracking
5. Consideration
6. Response
7. Sharing
8. Documentation

The number and types of comments received help evaluate the success of the individual public involvement activities, as well as the overall ***Public Involvement Plan (PIP)***, further explained in ***Section11.2.1***.

11.1.2 Compliance with Federal, State, and Local Requirements

All public involvement guidelines and recommendations in this chapter are in compliance with the federal and state requirements listed in ***Table 11.1*** and this chapter was reviewed and approved by FHWA on March 25, 2015.

11.1.2.1 Title VI / Nondiscrimination

All FDOT projects must comply with ***Title VI of the 1964 Civil Rights Act*** and its various related statutes, as listed in FDOT's ***Non-Discrimination Policy, Topic Number 001-275-006*** and implementing procedure ***Topic Number 275-010-010***. This includes all federal and non-federal programs administered by FDOT and its sub-recipients. In addition, coordination with the District Title VI Coordinator must occur to insure that all programs within the PD&E process comply with these regulations.

11.1.2.2 Limited English Proficiency (Executive Order 13166)

In August 2000, President Bill Clinton signed an executive order, ***Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP),*** to ensure that people with LEP have meaningfull access to programs and activities of agencies receiving federal financial assistance.

In December 2005, the United States Department of Transportation (USDOT) published ***Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons*** to provide guidance for all DOT funding recipients in meeting the intent of ***Executive Order 13166***.

As part of this guidance, four factors were identified to help determine if LEP services would be required on a case by case basis. These factors are:

Factor 1: The number and proportion of LEP persons in the eligible service area

Factor 2: The frequency with which LEP persons come in contact with the program

Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives

Factor 4: The resources available to the recipient and costs

In the development of a ***PIP***, it is important to consider LEP needs based on the four factors. The USDOT Policy Guidance provides flexibility in determining what language assistance is appropriate based on a case by case basis of the four factors listed above.

When necessary and based on the Four Factors process, the ***PIP*** should include accommodations such as providing translations of brochures, meeting invitations, and newsletters in the appropriate language(s). Notice of availability of workshops or public meetings should also be provided in appropriate languages. In addition, interpreters should be provided at workshops and public meetings if LEP needs are applicable.

11.1.2.3 Plain Language Initiative

All forms of notification to the public should comply with the FDOT's Plain Language Initiative. This includes presentations on websites, letters, advertisements, notices, applications, reports, pamphlets, and any other communication meant for public use. The initiative requires clear language containing only necessary information presented in a logical sequence. It further calls for short sentences written in the active voice to make it clear who is responsible for what. For help in complying with this initiative, contact your District's Public Information Office.

Beginning in 2003, the Federal Highway Administration (FHWA), American Association of State Highway and Transportation Officials (AASHTO), and American Council of Engineering Companies (ACEC) cooperated in an effort designed to improve the readability and functionality of the documents prepared for transportation projects in compliance with the ***National Environmental Policy Act (NEPA)***. The recommendations from this effort offer three core principles for quality ***NEPA*** documents:

1. Tell the story of the project so that the reader can easily understand the purpose and need of the project and the strengths and weaknesses of alternatives.

2. Keep the document as brief as possible by using clear, concise writing; an easy-to-use format; effective graphics and visual elements; and discussion of issues and impacts in proportion to their relative importance.

3. Ensure that the document meets all legal requirements in a way that is easy to follow for regulators and technical reviewers.

State of Florida requirements are included in the ***Governor's Executive Order 07-01, Section 2 - Plain Language Initiative***. Additional information is provided in the FHWA/AASHTO/ACEC report ***Improving the Quality of Environmental Documents***. A link to this document is provided in ***Section 11.3***.

11.1.3 Public Involvement During the Efficient Transportation Decision Making Process

Florida's Efficient Transportation Decision Making (ETDM) process was developed to streamline and incorporate information from the transportation planning process into the PD&E process. Using information collected as part of the ETDM planning and programming screening events can more clearly identify and delineate a project's stakeholders and affected communities.

The ETDM process is followed for transportation projects that qualify for screening through the Environmental Screening Tool (EST). See ***Part 1, Chapter 2, Environmental Class of Action Determination*** and the ***ETDM Manual, Topic No. 650-000-002*** for a list of qualifying project types.

PD&E Project Managers (PMs) can use information from the EST to plan and implement ***PIPs*** and activities. PMs should begin by meeting with the District ETDM Coordinator and Community Liaison Coordinator (CLC) for an understanding of the project's background, issues that were identified during the planning and programming screen events, and suggestions on proceeding with development of the ***PIP***. The CLC can assist with identifying audiences for PD&E outreach activities.

The PD&E PM should review the ***Programming Screen Summary Report*** developed during the ETDM Programming Screen. In addition, the EST provides access to a ***Sociocultural Data Report*** which provides community data such as demographics, census data, income, and current land use. The EST can also be used to generate mailing labels of property owners within the project boundary, as well as provide a list of community desired features and project commitments.

Information about all transportation projects reviewed in the EST is available on the ETDM Public Access Site (see link to website in References). The website provides contact information, general information, a project diary, project effects, maps, and a project search feature to locate specific projects. The Project Effects menu provides comments received from the Environmental Technical Advisory Team (ETAT) and a data query feature for identifying natural, cultural, and community resources in the project vicinity. The Project Diary menu provides various reports that describe a selected project and its alternatives. The public is not able to send comments through the EST. However, contact information is provided and comments can be given to the ETDM Coordinator or through traditional public involvement activities.

Reviewing the information from the screening events at the beginning and throughout the PD&E phase provides valuable insight regarding a project's communities and potential issues, as well as aids in formulating a list of project stakeholders. Additional information regarding the ETDM process and access to the ETDM Public Access Site is available at FDOT's SEMO website (see References for link to website) and in the ***ETDM Manual, Topic No. 650-000-002***.

11.1.4 Public Involvement Based on Class of Action

An Environmental Class of Action Determination is required for all federal actions and establishes the level of environmental documentation required to comply with the ***National Environmental Policy Act (NEPA) of 1969,*** as amended, and the regulations of the Council on Environmental Quality (CEQ), ***40 Code of Federal Regulations (CFR), Parts 1500 through 1508***.

The procedures for the Environmental Class of Action Determination are described in ***Part 1, Chapter 2, Environmental Class of Action Determination***. The following sections illustrate the public involvement requirements and activities for each Class of Action.

11.1.4.1 Categorical Exclusions

There are three types of Categorical Exclusions (CEs) agreed upon by FDOT and FHWA Florida Division: Type 1, Programmatic, and Type 2. The public involvement requirements for each type of CE are described below.

11.1.4.1.1 Type 1 and Programmatic Categorical Exclusions

For Type 1 and Programmatic CEs, a ***Community Awareness Memorandum (CAM)*** is prepared if the District determines that a sensitive community issue exists on or near the proposed improvement. This helps to reduce the potential for conflict as the project advances through future project phases (design, construction, and maintenance). The ***CAM*** is sent to the District Public Information Office (PIO) and other applicable offices in the District that will be involved in the development of the improvement or that interact with the community at large. If a ***CAM*** is prepared, it should recommend public involvement activities that are deemed appropriate to meet community concerns and specify the later phases of project development at which they might occur. The format and content of the ***CAM*** are at the District's discretion.

11.1.4.1.2 Type 2 Categorical Exclusion

Public involvement activities for Type 2 CEs (see ***Figure 11.1***) include the following:

1. The District initiates a ***PIP*** in compliance with state and federal rules, regulations, and policies.

2. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See ***Figure 11.10*** for a sample Officials/ Agencies Kick-off Meeting Invitation.

3. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and to receive input.

4. A public hearing is required pursuant to ***Section 339.155(5), F.S.***, for a "Major Transportation Improvement.".

5. For projects that are not a Major Transportation Improvement, the District may elect to hold a public hearing, provide an opportunity for a public hearing, or provide public involvement without a hearing (in consultation with the FHWA).

6. The public hearing transcript is forwarded to FHWA as part of the Type 2 CE documentation.

7. Notice of LDCA is published in the local newspaper.

For a Type 2 CE, the District establishes a ***PIP*** to include community input into the decision-making process. It also determines if a public hearing is required under ***Section 339.155(5) FS***, or if an opportunity to hold a public hearing should be offered. In addition, the criteria for a hearing or the opportunity to hold one, pursuant to ***23 CFR 771,*** must be

met when determining whether or not a hearing is required. The District consults with FHWA or other Lead Federal Agency on each project to determine whether a public hearing or opportunity is required.

11.1.4.2 Environmental Assessment

Public involvement activities for EAs (see ***Figure 11.2***) include the following:

1. The District initiates a ***PIP*** in compliance with state and federal rules, regulations, and policies.

2. A Citizens Advisory Committee (CAC) may be established (optional).

3. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See ***Figure 11.10*** for a sample Officials/ Agencies Kick-off Meeting Invitation.

4. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and to receive input.

5. After approval of the EA, the District places a ***Notice of Availability*** in the local newspaper stating the EA has been approved and where it is available for review. The same ad may include the notice of a public hearing.

6. A public hearing is conducted to comply with ***Section 339.155(5), FS.*** The public hearing transcript is forwarded to the Lead Federal Agency as part of the EA with FONSI documentation package.

7. After the public hearing, if all issues have been resolved, the public hearing transcript is prepared and submitted to the Lead Federal Agency with the Finding of No Significant Impact (FONSI). If the impacts are determined to be significant, then the Environmental Impact Statement (EIS) process is followed (see ***Section 11.1.4.3***).

8. After the FONSI is approved, the District publishes a notice in the local newspaper to let the public know that LDCA or Lead Federal Agency acceptance has been received.

11.1.4.3 Environmental Impact Statement

Public involvement activities for Draft and Final Environmental Impact Statements (DEIS and FEIS) (see ***Figure 11.3***) include the following:

1. Once a Class of Action is approved and the decision is made to prepare an EIS, the District prepares a ***Notice of Intent*** for publication in the ***Federal Register*** to inform the general public and stakeholders of the scope of the project. The Lead Federal Agency publishes the notice in the ***Federal Register***. Refer to ***Part 1, Chapter 8, Draft Environmental Impact Statement*** for additional information concerning the ***Notice of Intent***.

2. FDOT may hold a formal scoping meeting with the Lead Federal Agency, government agencies, and other parties with an interest in or jurisdiction over the project area. This meeting is optional but the scoping process is required (refer to ***Part 1, Chapter 8, Draft Environmental Impact Statement***).

3. The District initiates a ***PIP*** in compliance with state and federal rules, regulations, and policies.

4. A Citizens Advisory Committee (CAC) may be established (optional).

5. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See ***Figure 11.10*** for a sample Officials/ Agencies Kick-off Meeting Invitation.

6. Public information meetings/workshops may be held to inform the public of alternative designs and potential impacts, and receive input.

7. After approval of the DEIS, the District places an advertisement in a local newspaper(s) stating that the DEIS has been approved and where it is available for review. The same ad may include the notice of a public hearing.

8. The District provides the Lead Federal Agency with a PDF copy of the DEIS for upload into the U.S. Environmental Protection Agency's (USEPA) e-NEPA site for publication in the ***Federal Register***. EPA then publishes the ***Notice of Availability*** of the DEIS in the ***Federal Register*** for a 45-day comment period.

9. A public hearing is conducted to comply with ***Section 339.155(5), FS*** and ***NEPA***. The public hearing transcript is forwarded to the Lead Federal Agency as part of the EIS documentation package.

10. The District may begin processing the FEIS or combined FEIS/Record of Decision (ROD) after the 45-day public comment period for the DEIS closes.

11. If a combined FEIS/ROD is prepared, as preferred by ***Moving Ahead for Progress in the 21st Century (MAP-21)***, then LDCA (for FHWA projects) is granted once it is approved.

12. However, if the FEIS is prepared separately from the ROD, the District places an advertisement in a local newspaper(s) stating that the FEIS has been approved and where it is available for review (see ***Figure 11.21*** for a sample advertisement). The District provides the Lead Federal Agency with a PDF copy of the FEIS for upload into USEPA's e-NEPA site for publication in the ***Federal Register***. EPA then publishes the ***Notice of Availability*** of the FEIS in the ***Federal Register*** for a 30-day comment period. The Lead Federal Agency then signs the ***Record of Decision (ROD)*** after the 30-day comment period closes. A signed ***ROD*** constitutes Lead Federal Agency acceptance (LDCA for FHWA projects).

13. After receiving acceptance, the District places an advertisement in the local newspaper(s) stating that it was granted. For noticing of a Record of Decision or acceptance (LDCA for FHWA projects), see ***Section 11.2.6***.

14. If requested, the District submits to the Lead Federal Agency the project information needed to publish a ***Limitations of Claims Notice*** in the ***Federal Register*** (***Part 1, Chapter 9, Final Environmental Impact Statement***).

11.1.4.4 State Environmental Impact Report

The preparation of a State Environmental Impact Report (SEIR) is required for non-federal transportation projects that qualify for screening through the Environmental Screening Tool (EST) (See ***Part 1, Chapter 10, Non-Federal Projects*** for a list of qualifying projects). For these projects, FDOT is the lead agency. If a SEIR is prepared, the primary difference when conducting public involvement is that the District Secretary signs the SEIR for public availability prior to the public hearing. There is no federal involvement.

Public Involvement activities for SEIRs are similar to the activities outlined for a Type 2 Categorical Exclusion or Environmental Assessment. State law (***Section 339.155, FS***) only requires a public hearing; however, it is the Department's policy to promote public involvement opportunities and information exchange activities in all functional areas using various techniques adapted to local area condition and project requirements ***(Public Involvement, Topic No. 000-525-050)***. In addition, FDOT policy requires a proactive, collaborative, and interdisciplinary approach to transportation decision making taking into account the views of stakeholders and the local area where a project will exist (***Context Sensitive Solutions, Topic No. 000-650-002***). Public involvement for a SEIR should include opportunities for community and stakeholder input prior to the public hearing in order to comply with the policies referenced above. Examples include an alternatives meeting and one-on-one or small group meetings, as needed.

Public Involvement activities for SEIRs include the following:

1. The District initiates a ***PIP*** in compliance with state and FDOT policies.

2. A Citizens Advisory Committee (CAC) may be established (optional).

3. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See ***Figure 11.10*** for a sample Officials/ Agencies Kick-off Meeting Invitation.

4. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and receive input.

5. After approval of the draft SEIR by the District Secretary, the District places a notice in the local newspaper stating that the draft SEIR is available for review and noting the location where the document can be reviewed. The same ad includes the notice of a public hearing.

6. A public hearing is conducted to comply with ***Section 339.155(5), FS.***

11.1.4.5 Non-Major State Action

When non-federal funding sources are to be used, or no federal action is needed to develop and construct a transportation project, and FDOT has determined that the proposed project is a Non-Major State Action (NMSA), a ***Non-Major State Action Checklist*** may be completed. An NMSA does not require a public hearing but may necessitate public involvement activities as determined by the District. See ***Part 1, Chapter 10, Non-Federal Projects*** for more information about NMSAs.

11.2 PROCEDURES

11.2.1 Developing a Public Involvement Plan

A ***PIP*** is developed for all transportation projects for which a Type 2 CE, EA, EIS, or SEIR is prepared. The District begins the development of a ***PIP*** immediately following the approval of the Class of Action Determination (***Part 1, Chapter 2, Environmental Class of Action Determination***). The development of a ***PIP*** depends on the Class of Action determined, as well as the complexity of the project.

The purpose of a ***PIP*** is to identify the potentially affected people in a community and define the outreach methods and schedule to be used to involve and gain their input. The information provided within the ***PIP*** includes a discussion of the project background and goals, identification of the affected public, and proposed outreach methods. Guidance on

how to develop a ***PIP*** is provided in ***Sections 11.2.1.1 through 11.2.1.5*** below, and a sample ***PIP*** is provided in ***Figure 11.4***. Reviewing the sample as you read the sections may be helpful in understanding how to develop a ***PIP***.

As the PD&E phase continues, periodic updating of the ***PIP*** may be needed to keep it current with public involvement activities. The plan, its update (if prepared), a schedule of events, and all accumulated information exhibiting compliance with these procedures are incorporated into the project file and summarized in the Environmental Document.

11.2.1.1 Project Background

The first step in developing a ***PIP*** is to research the project background by answering the following questions:

1. What is the project history?
2. Has the community previously heard of the project? If so, how long ago?
3. Has the project situation (either the proposed improvement or the project environment) changed since the last public involvement activity?
4. Have any commitments (either real or implied) been made or broken?
5. What are the major concerns and issues on the project?
6. Are there any known controversial issues on the project?

Include in this section of the ***PIP*** a description of the project, its location, alternatives under consideration, and any information obtained by answering the questions listed above.

11.2.1.2 Project Goals

In order to have an effective ***PIP***, it is important to have an understanding of the project goals. Answering the following questions can aid in that understanding.

1. What decisions will be made during the current project phase?
2. Is public input needed to help make those decisions?
3. How will the project information be shared?

Include in this section of the ***PIP*** a discussion of what the project is trying to achieve and/or any problems that need to be solved and how public input will factor into the decision-making process.

11.2.1.3 Identification of Affected Communities and Stakeholders

This section of the ***PIP*** involves identification of the affected communities, property owners/tenants, business owners, community leaders, elected officials, agency representatives, and other parties that may have an interest in the project. The community that will be affected by the decisions made on a transportation project is defined by geographic and political boundaries, physical features, and socioeconomic conditions. Developing an efficient transportation system, where projects move forward smoothly, starts with the identification of all stakeholders and affected persons in the earliest planning stages and maximizes their participation throughout the life of the project. The identified community, based on behavior patterns of individuals or groups, will provide the most significant and applicable public input.

Projects processed through the ETDM EST have undergone a Sociocultural Effects Evaluation (SCE) as part of the screening process prior to the PD&E phase. Information regarding affected communities for these projects may be found under the project name on the ETDM Public Access Site (see References for link to website). The information compiled through the ETDM screening process should be utilized as a starting point and updated, as necessary, when incorporating into the ***PIP***. Additional information regarding how to identify affected audiences can be found in the FDOT's ***Public Involvement Handbook***; ***PD&E Manual Part 2, Chapter 9, Sociocultural Effects Evaluation***; ***and ETDM Manual, Topic No. 650-000-002***.

The ***PIP*** should include a contact list of all interested parties with names, addresses, telephone, and email information for local elected officials, key community leaders, adjacent landowners, business owners, chamber of commerce leaders, neighborhood association presidents, religious leaders, senior citizen center coordinators, day care center administrators, school principals, etc.

Under ***23 USC 135(f)(3)***, Participation by Interested Parties, interested parties are defined as the following:

1. Citizens (Residents/Tenants)
2. Affected Public Agencie
3. Representatives of Public Transportation Employees
4. Freight Shippers

5. Private Providers of Transportation

6. Representatives of Users of Public Transportation

7. Representatives of Users of Pedestrian Walkways and Bicycle Transportation Facilities

8. Representatives of the Disabled

9. Providers of Freight Transportation Services

10. Other Interested Parties

To reach people who may not read or speak English, public involvement opportunities to develop relationships with community leaders within local health clinics, community centers, places of worship, advocacy groups, and schools should be included. The use of this network is an efficient method to reach those who monitor the pulse of the community as the plans and project move forward.

11.2.1.4 Outreach Activities

This section of the ***PIP*** defines the type and frequency of meetings that will occur during the PD&E Study [for example, kickoff meeting(s), public information meeting/workshop(s), public hearing, small group meetings, presentations to county/city commissioners and MPO]; how the public will be notified; whether newsletters will be distributed and when; and the overall public outreach schedule. Outreach activities are designed to offer everyone in a community the opportunity to participate in the PD&E effort. Successful public outreach activities take careful preparation and coordination. To determine the best activity format, ask the following questions:

1. What is the purpose of the activity?

2. With whom do you need to meet to accomplish your purpose?

3. What format will be most appropriate for your purpose and audience?

4. Where is the appropriate meeting location, based on the purpose, audience, and format?

5. What type(s) of notification will you use?

6. What materials and distribution methods are the most appropriate?

7. Will it be necessary to use more than one type of material and/or distribution method to reach audiences due to dissimilar cultures?

A variety of public involvement methods are available. The methods should be chosen after the audience is identified and the appropriate messages determined. Nontraditional approaches should be considered to ensure the involvement of all parties, including the traditionally underserved (for example, elderly/disabled/ handicapped, low-income, minority, Native American, limited English proficiency, limited literacy). All public involvement activities and facilities must be compliant with the ***Americans with Disabilities Act (ADA) of 1990.***

11.2.1.5 Analysis of Public Comments

The public is the consumer of the transportation services provided by FDOT. The primary objective of any public involvement activity is to inform the public and solicit input as it relates to the proposed transportation improvements. The most common ways for the public in general to relate ideas, concerns, and input is through written or verbally submitted comments. All comments and concerns identified during public involvement activities should be analyzed in relationship to the project, its goals, and the overall impact to the community.

The public comments received serve several purposes. Public comments help build an understanding of community issues and needs that should be considered while designing transportation solutions that fit community needs. Comments help provide documentation for public involvement activities. The information gathered from public comments, if correctly assimilated and categorized, will serve as an excellent record for future project phases. The amount and types of comments received will help evaluate the success of the individual public involvement activities, as well as the overall ***Public Involvement Plan***. See FDOT's ***Public Involvement Handbook*** for more detailed information on documenting public involvement activities.

11.2.2 Formation of a Local Advisory Group

A local advisory group is an optional technique to involve local participants through the establishment of a committee or core group for advisory purposes, especially on highly controversial or sensitive projects. An advisory group can be formed for either a limited or an extended period of time, depending on the issues at hand. They usually meet regularly and are sometimes assigned the task of reaching out and informing others who may want to participate. An advisory group can help establish a working relationship with the community and take its pulse as a plan or project moves forward. They can serve as key participants in the transportation decision-making process to help select criteria or narrow a set of potential alternatives.

A local advisory group is established early in the project to serve as a special resource to the project team. It is selected with the assistance of local governments, and is usually composed of local persons having an active role in the community, as well as

representatives from impacted/interested cities, counties, regional agencies, MPOs and committees, and neighborhood associations within the project area. The group meets at key milestones during the PD&E phase to assist in the evaluation of proposed transportation alternatives and to ensure that these alternatives are developed in the best interest of the local community, as well as all roadway users.

It is important to note that the local advisory group is not a decision-making body and carries no authority. Care must be taken to solicit representatives from all interested groups. It is the District's responsibility to outline the group's role so that all members understand their function. The District must keep the group apprised of the project's status; bring them together regularly; and at the conclusion of the project, thank and disband the group. Information regarding the establishment of an advisory group can be obtained through the FHWA's Public Involvement website (see References for link to website).

11.2.3 Small Group Meetings

Small group meetings may be held with groups of people who may have specific issues or concerns that may not involve the general public in the project area. This may include neighborhood associations, environmental groups or agencies, public interest groups, county or city staff, affected businesses, committees, or other concerned people who may be impacted by the proposed transportation improvements. Meetings organized by outside groups or individuals do not have to follow the notification or advertisement requirements typically associated with a public meeting or hearing.

11.2.4 Procedures for Holding a Public Meeting

A public meeting is an effective tool to provide and receive information, create an exchange of ideas, consider transportation alternatives, and build consensus.

These meetings provide an opportunity for public engagement at regular intervals or project milestones prior to the public hearing. An effective ***PIP*** will include several meetings and opportunities for participation so that no surprises are encountered by the public or project team during the public hearing. This section describes the various types of meetings that may be considered, advertisement requirements, and logistical considerations.

11.2.4.1 Types of Public Meetings

11.2.4.1.1 Scoping Meeting for Environmental Impact Statement Projects

Scoping is a formal process for projects requiring an EIS. Scoping is required by and described in ***40 CFR Section 1501.7 (CEQ Regulations)***. In addition, ***23 CFR 771*** directs scoping to begin early in the project development process. Scoping is usually targeted to affected governmental agencies and public interest groups and organizations with specific knowledge about a project study area. Issues identified in the ETDM Planning and Programming Screens should support the scoping process. By including affected government agencies and interest groups, the District can identify potential issues of concern and establish information resources and analytical techniques or methods that will aid in problem solving and efficient project development.

Scoping begins with the Advance Notification (AN) process (***Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification***) and continues throughout the project development process. A formal scoping meeting (which is optional) may be held early in the development process, after the AN process is complete. To determine whether or not a scoping meeting should be held, information from the ETDM screening process and input/comments from the agencies, as well as coordination with the Lead Federal Agency, should be considered. Scoping meetings, like other public meetings, fall under the ***Sunshine Law***. Notification to the public must be provided in the ***Florida Administrative Register (FAR)*** and on the FDOT's Public Notices website (see ***Sections 11.2.4.5.4*** and ***11.2.4.5.5***), and the public is permitted to attend and listen to the proceedings. The objectives of scoping are listed below. If a scoping meeting is held, these objectives should be discussed at the meeting.

1. Invite the early participation of affected federal, state, and local agencies, any affected Indian tribe, and other interested persons (including those who might not be in accord with the action on environmental grounds).

2. Determine the scope and significance of issues and the degree of analysis required in the EIS. This includes identification of the range of alternatives and impacts to be evaluated.

3. Identify and eliminate from detailed study those issues that are not significant or have been covered by prior environmental studies, thereby narrowing discussion in the EIS to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

4. Allocate assignments for preparation of the EIS among lead and cooperating agencies, with the lead agency retaining responsibility for the EIS.

5. Indicate any public environmental assessments or impact statements that are being prepared and are related to, but are not part of, the scope of the EIS under consideration.

6. Identify other environmental review and consultation requirements so that the lead and cooperating agencies may prepare, if possible, other required analyses and studies concurrently with, and integrated with, the EIS. This includes related surveys and studies required by the ***Fish and Wildlife Coordination Act of 1934 as amended***, the ***National Historic Preservation Act of 1966***, the ***Endangered Species Act of 1973***, and other environmental review laws and executive orders.

7. Identify whether any permits, licenses, or entitlements are necessary. Determine whether a joint public hearing can be held and outline the coordination required.

8. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

A scoping meeting is initiated by an invitational letter sent by the District to relevant government agencies, public interest groups, and others with an interest in or knowledge about the project. The letter is formatted as in ***Figure 11.8*** and as described below.

1. Describe the project in the SUBJECT

2. Give notice that a scoping meeting is being held and why

3. Describe what the FHWA or other Lead Federal Agency and/or FDOT expect as an outcome of the scoping meeting and the roles of the participants

4. Provide an information package about the project and potential alternatives

5. Provide a project location map

6. Provide a meeting agenda

7. Provide information on the date, time, and site of the scoping meeting, along with directions on how to get to the meeting

8. Provide the name, telephone number, mailing address, and email address of a contact person.

The format of a scoping meeting entails a formal presentation to fully acquaint all parties with the project. While a formal agenda should be followed, the setting and tone of the meeting should be relaxed and conducive to good interaction among attendees.

To provide a first-hand look at the project location, a field review may be scheduled. Transportation to the project study area should be provided by FDOT. After the field review, participants reconvene and further discuss potential project issues. Before adjourning, each agency is asked to state its position on the identified issues. A list of cooperating agencies should be finalized and a determination made as to whether or not these agencies will contribute to the EIS or participate in its development, based on jurisdiction or expertise. Each agency's position is included in a meeting summary (minutes) for use by FDOT.

A copy of the meeting summary is forwarded to agencies that are interested in participating, but could not attend the scoping meeting. Circulation of the meeting minutes to all attendees, and those who did not attend but were on the invitational mailing list, is essential. The minutes of all events are included in the project files, and coordination is carried forth as the project progresses.

The EIS document must provide a good discussion on the scoping process, including all meetings held, coordinating and cooperating agencies, issues raised, and the District's response and commitments. This information will be contained in the Comments and Coordination section of the EIS (see ***Part 2, Chapter 31, Comments and Coordination***).

11.2.4.1.2 Kick-off Meeting

At the beginning of the PD&E phase, a meeting may be scheduled to acquaint the public and local officials with the proposed project and the study team. Items usually covered at the meeting include project justification, project priority in local and regional plans, corridor and alternative design concepts presently under review, potential environmental and/or engineering issues, project schedule, and a request for comments and concerns. This meeting is usually held either during a regularly scheduled meeting of the Metropolitan Planning Organization (MPO), the County and/or City Commission/Council, or at a special meeting scheduled by the District, in which case, elected officials are invited by letter to attend. Some districts may prefer to combine the local officials' kick-off meeting with a public kick-off meeting. Other districts may have both types of kick-off meetings, depending on the project.

The format of this meeting is generally informal, with a brief presentation followed by a question and answer period. Statements and suggestions made are documented in the project file. Minutes of this meeting are also prepared and kept in the project files.

In some instances, a formal letter may be issued in lieu of a kick-off meeting. The objective of the letter is fundamentally the same as that of the meeting.

11.2.4.1.3 Public Information Meetings and Workshops

Public information or public alternatives meetings/workshops may be held to fully acquaint the public with the proposed improvement and give interested persons an opportunity to review and comment on the alternative concepts being analyzed. The meeting is held in close proximity to the project to aid in public attendance.

The format for an information meeting or workshop is at the discretion of the District; however, the format should facilitate good interaction and communication. The format is generally informal. A brief live or recorded presentation may be given and/or an open-house format can be used for attendees to review project maps, alternative concepts, and other information, and discuss issues or concerns with District staff and other project team members. Tables should be provided for people to sit and write down their comments on a comment card or form. A sample comment form is provided within ***Figure 11.17***. A summary of the meeting and comments received are placed in the project file. Reference material on holding effective meetings is available in FDOT's ***Public Involvement Handbook***.

11.2.4.2 Public Meeting Format and Layout

Public meetings are typically held as an informal open house, where the public can review project materials and have one-on-one conversations with the study team. In some cases, such as a kick-off or scoping meeting, or a project with a lot of interest, a presentation may be given.

For meetings that do not include a presentation, the layout of the meeting is generally divided into two areas. The first area includes registration and sign-in tables. All attendees are invited to sign-in at a registration table upon entering the room. Their names and addresses are taken as part of the public record. The second area includes maps and exhibits to convey project alternatives, typical sections, impacts, etc. Comment tables should be provided at the facility to allow participants an opportunity to sit down and write their comments. Written comments should be accepted after the meeting for a period of 10 calendar days.

If a presentation is provided, then a third area should be arranged with seating where the public can sit and watch the presentation. If a live presentation is made, attendees may expect the opportunity to ask questions. Decide ahead of time if questions or statements will be taken.

A board with the standard nondiscrimination statement, along with the contact information for the District Title VI Coordinator and State Title VI Coordinator, must be displayed at the meeting. The standard nondiscrimination statement is as follows:

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

11.2.4.3 Public Meeting Dates and Times

All public meetings are typically held during the work week, Tuesday through Thursday, to facilitate maximum opportunity for the public to participate in the project development process. Public meetings usually begin at 5:30 or 6:00 in the evening and last one and one-half to two hours; however, consider the ages of the anticipated audience, transportation availability, location access, distance, etc., when determining the time of the meeting. Consideration should be given to selecting and securing an alternate date during the hurricane season.

11.2.4.4 Selecting a Meeting Location

Public meeting facilities are selected based on the anticipated size of attendance, proximity to the project, easy accessibility, safety, and public transportation availability.

All public meetings must be held at a site that is ***ADA*** compliant and provides “reasonable accommodation” and access for disabled persons wishing to attend and participate. FDOT has interpreted “reasonable accommodation” to mean that a site location and facility must be ***ADA*** compatible in design so that reasonable access is provided for disabled persons to attend and actively participate. When evaluating a potential meeting site, ensure that there is sufficient disabled parking and ***ADA*** accessible restrooms.

A concern often expressed regarding ***ADA*** is whether or not to provide transportation to public meetings for disabled persons. It is FDOT’s policy not to provide transportation for disabled persons or to pay for transportation for disabled persons to attend a public meeting. This is beyond reasonable accommodation and places FDOT at risk regarding liability should something unfortunate occur during the transport of the disabled person. When asked to provide transportation, provide a list of available transportation services.

When determining the size of the room needed for the public meeting, consider how project information will be communicated and feedback received. If a variety of information is to be communicated for the purpose of receiving feedback, then the room must have ample open space to accommodate multiple workstations, display boards, mingling, and some seating. If a large crowd is anticipated, the meeting location should have a room large enough to accommodate two or more identical sets of workstations and/or displays, allowing people to move about freely. Additional space may be required to accommodate seating if a live or recorded presentation will be given.

The following questions should be considered when selecting a facility:

1. If a sound system is needed, does the facility provide such equipment?

2. Will the facility allow entry into the space early enough for time to set up?

3. Is there a closing time that restricts time to remove meeting materials?

4. Is there plenty of parking?

5. Is the parking lot easily accessible from the meeting room?

6. Is the parking lot well lit for a night meeting?

7. Is there space for signage to direct people to the correct room?

8. Is there a custodian or property manager on duty at the time of the meeting for emergency purposes?

9. Should the local law enforcement office be contacted to request their staff be on hand at the meeting?

The ***Jessica Lunsford Act*** was passed by the Florida Legislature and signed into law by Governor Bush in 2005. To assist Florida's public schools in complying with the ***Jessica Lunsford Act***, school facilities, grades K-12, should not be used for public meetings while students are present. However, in rare circumstances, public K-12 schools may be used when no students are present, as confirmed by an appropriate school principal. In cases where this exception is being considered, approval from FDOT's Assistant Secretary of Engineering and Operations is required. Public schools include district public schools, charter schools, and alternative schools. Alternate facilities that may be used include colleges, universities, and private schools.

All potential meeting sites should be physically investigated for suitability as a meeting location. A meeting facility should be approved by the District Project Manager and reserved prior to advertising for a public meeting. ***Figure 11.7*** is an example of a sample public meeting facility checklist that can be used as a guide when reviewing potential meeting sites.

11.2.4.5 Meeting Notification and Advertisement Requirements

There are a variety of methods for notifying the affected community about an upcoming public meeting. Each method and corresponding requirements are discussed in the following sections. It is important to note that the following nondiscrimination standard statement must be included for all notification methods:

> *Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.*

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

11.2.4.5.1 Notification to Elected Officials and Agencies

Before holding a public meeting, a letter of invitation is sent to the Lead Federal Agency and to the local governments and agencies at least 25 but **no more than 30 calendar days prior to the public meeting date**. The letter of invitation should be received by the local governments and agencies before the public is notified by letter or advertisement. See ***Figure 11.15*** for a sample letter of invitation to officials and agencies which, at a minimum, should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification
2. A description of the project
3. The date, time, and location of the public meeting
4. A statement requesting public participation
5. Notice of non-discrimination and information about ***ADA*** requests as provided in ***Section 11.2.4.5***
6. Meeting notice and map
7. A copy of the newspaper advertisement and letter to the public

It is important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See ***Figure 11.9*** for a listing of appropriate salutations and titles.

11.2.4.5.2 Notification to Property Owners and Tenants

Real property owners, tenants, and leaseholders in whole or in part, within at least 300 feet of the centerline (or right of way line for interstates) of each proposed project alternative must be notified of an upcoming meeting. The names and addresses of property owners are obtained from the county property tax appraiser's office. Notification must be received by property owners and tenants **at least 14 to 21 calendar days prior to the date of the meeting**. They are notified through the use of invitational letters sent by mail. It is also acceptable to include the invitation as part of a newsletter. ***Figure 11.16*** is an example of an invitational letter to property owners, which at a minimum should include the same elements as described in ***Section 11.2.4.5.1***.

11.2.4.5.3 Newspaper Advertisement

Advertisement of a public meeting should be provided in the local newspaper(s) with general circulation in the vicinity of the project. The newspaper ad should include:

1. The purpose of the public meeting
2. An outline of the topics to be covered during the meeting
3. Project description (the use of a project location map is suggested)
4. Date, time, and location of the meeting
5. Name, telephone number, and email address of a contact person for information on the meeting
6. An address where written comments can be directed
7. Standard statement on nondiscrimination compliance
8. A contact person and information for accommodation of disabilities under ***ADA***

It is suggested that the **newspaper ad be published a minimum of one time, 10 to 14 days prior to the meeting**. ***Figure 11.6*** is an example of an ad for a public information meeting. An affidavit or proof of publication should be obtained from the newspaper.

11.2.4.5.4 Florida Administrative Register Ad

Section 120.525, FS, specifies that **notices for all public meetings, workshops and hearings must be published in the *FAR* at least 7 calendar days prior to the event**. All notices to be published in the ***FAR*** must be submitted electronically through the Florida Department of State's e-rulemaking website at ***www.flrules.org***. Each District should have one or more agency administrator to manage the agency's submissions on the e-rulemaking website. Some Districts allow consultants to make the submission.

The ***FAR*** is published each weekday except on those days observed as official state holidays designated by ***Section 110.117, FS.*** All materials to be published must be uploaded to the ***FAR*** website by 3:00 p.m. on the day prior to publication. For publication on Mondays, the ad must be uploaded to the website by 3:00 p.m. on the previous Friday. See ***Figure 11.13*** for an example of a ***FAR*** ad.

11.2.4.5.5 Florida Department of Transportation Public Notice Website

To comply with ***Section 120.525, FS***, **notice of all public meetings, workshops, and hearings must be published on** FDOT's Public Meeting Notices Website **at least 7 days before the meeting**. Meeting notices are typically added to the website by District Public Information Office (PIO). The information to be provided to the PIO includes the meeting title, the District number, meeting type, FM Number, meeting date and time, location name and address, project website, and contact names and contact information. Include the standard nondiscrimination statement and information about ***ADA*** requests.

11.2.4.5.6 Press Release

Press releases are coordinated with the District PIO. On some projects, the press releases are prepared by the consultant and then submitted through the PIO. Writing a press release can result in positive media coverage by following a few simple rules. ***Figure 11.5*** is an example of a press release.

1. Submit press releases on FDOT letterhead.

2. Type the press release, single-spaced, in an easy-to-read font.

3. Include a contact name and phone number, listed in a prominent place (most commonly on the right side of the page immediately above the headline on the press release).

4. Summarize the press release with a headline that captures the essence of the entire release. Try to incorporate the five "Ws" - who, what, when, where, and why. Also incorporate the five "Ws" in the body of the message: Who is the contact person? What is happening? When is the activity or meeting taking place? Where will the activity be held? Why is the activity taking place?

5. Format the press release properly, starting with a dateline and the city and state from which the information is being released.

6. Keep the press release at one page if possible, but if it is necessary to have more than one page, write "more" at the bottom of each page until the end.

7. End the press release with one of the three universally accepted symbols: "-30-," "-End-," or "***."

8. Have the press release approved by the District PIO. This approval is required.

11.2.4.5.7 Internet Websites

Project-specific websites are an excellent tool to reach a broader cross section of the public; however, it must be kept in mind that not everyone has computer access. Project websites may contain information such as announcements, publications, project information, and study updates. Using a website as a public involvement tool can be cost effective. Website addresses should be included on all printed materials, including letters to property owners, newspaper ads, newsletters, etc.

In 2013, FDOT adopted a standard website template for all projects. Consultants can access the instructions and files for building a website compatible with FDOT standards at the following site: **http://www.dot.state.fl.us/OIS/consultantsites.shtm**

The content of the website should, at a minimum, contain the following information, as applicable:

1. Contact information (project manager's name, mailing address, phone, fax, and e-mail address)
2. The project schedule
3. Meeting calendars and agendas (notice of public meetings, workshops, hearings)
4. A brief description of current projects
5. A public involvement section (brief synopsis of the ***Public Involvement Plan***)
6. Links to related agencies (District, MPOs, etc.)
7. A mechanism to track activity
8. A comment/questions/survey form

In order to track responses, when a comment opportunity is given to the public on a project-specific website, the commenter's email address and/or mailing address should be requested. This will allow the comment to be recorded in the public record and will provide a mechanism for the project manager to respond appropriately.

11.2.4.5.8 Alternative Notification Methods

With a targeted audience in mind, there are many other creative ways to approach meeting notifications. These alternative notification methods include the following:

1. Distribute flyers to major employers, apartment complexes, home owners' associations, etc., to post on bulletin boards or include in newsletters.

2. Provide meeting information to places of worship in the area for inclusion in church bulletins and/or newsletters.

3. Provide informational flyers to local schools to be sent home with school children.

4. Post flyers at commonly frequented retail establishments, laundromats, banks, grocery stores, post offices, etc.

5. Include meeting information on the community calendar in local media.

6. Prepare brochures, newsletters, and postcards for a mailing.

7. Utilize transit vehicles and stations to post advertisements, information, and notices.

8. Post signs along the affected roadway (first check local regulations and ordinances).

9. Hand-deliver brochures, newsletters, flyers to business owners/operators and property owners/tenants along the project corridor.

10. Submit public service announcements to radio and television stations.

Involving all affected and/or interested populations in public outreach efforts is an important part of the transportation decision-making process. In order to effectively and successfully reach traditionally underserved populations, innovative notification efforts may be necessary. Community leaders may help identify the best methods to reach particular populations.

11.2.4.6 Visualization Techniques

To strengthen public participation in the planning and project delivery process, and specifically to aid the public in understanding proposed plans, the ***Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)***, called for states and MPOs to use visualization techniques. Through visual imagery, the complex character of proposed transportation plans, policies, and programs can be portrayed at appropriate scales - state, regional, local area, project architecture, etc., and from different points of view. "The effective presentation of projects' impacts to the public has become an increasingly essential part of the planning and design of the transportation system".

Examples of visualization techniques include sketches, drawings, artist renderings, physical models and maps, simulated photos, videos, computer modeled images, interactive Geographic Information System (GIS) systems, GIS-based scenario planning tools, photo manipulation and computer simulation. Districts should use various visualization techniques as applicable. (See References for a link to the FHWA Visualization in Planning website.)

11.2.5 Procedures for Holding a Public Hearing

A public hearing is the official public forum used by FDOT through which the general public and government officials express their concerns, opinions, and comments regarding a project. The public hearing is the official point in the project development process where the information that has been developed to date is shared with the public and the public can make oral or written statements regarding the project that officially go on record.

The primary difference between a public meeting and a public hearing is that a public hearing has specific time frames associated with advertising, hearing notice, and when written comments must be received. A public hearing must also meet formal requirements for the way it is conducted. Public meetings are often scheduled at intervals throughout the decision–making process, allowing early public input. Public hearings are usually held at the end of the PD&E process and prior to the submission of final documents to the Lead Federal Agency.

Public hearings are required by ***Section 339.155, FS,*** for major transportation improvements (regardless of the funding source or environmental Class of Action) that include increasing the capacity of a facility through the addition of new lanes, providing new access to a limited or controlled access facility, or construction of a facility in a new location. ***Section 339.155, FS***, further states that the public hearing must be held “prior to the selection of the facility to be provided, prior to the selection of the site or corridor of the proposed facility, and prior to the selection of and commitment to a specific design proposal for the proposed facility.” Public hearings are generally held prior to a decision-making point such as FHWA Location and Design Concept Acceptance (LDCA).

Section 335.199, FS requires a public hearing whenever access management changes are proposed. These include the modification, addition, or closure of existing median openings, intersections, or interchanges.

In preparation for a public hearing, it is important to utilize the ***Public Hearing Planning Checklist*** provided in ***Figure 11.11*** as a guide and to ensure that all legal requirements are followed. Also see ***Figure 11.12*** for requirements related to ***Public Hearing Notices***.

11.2.5.1 Public Hearing Format

Public hearings are traditionally held in the evenings, in auditorium style rooms. The format of a public hearing typically begins as an informal open house, where the public can review project materials and have one-on-one conversations with the study team. The open-house portion is then followed by formal proceedings where a presentation is given and the public is invited to make a statement.

The layout of the public hearing venue is generally divided into three areas. The first area includes registration and sign-in tables. All attendees are invited to sign in at a registration table upon entering the room. Their names and addresses are taken as part of the public record.

The second area includes maps, exhibits, and project documents for review. Tables or areas for special interests or concerns (such as right-of-way acquisition, noise, access management, etc.) may be set up at specific locations depending upon the type of project issues and/or potential impacts involved. Information on the PD&E process must also be available. Tables should be staffed by appropriate District and or consultant technical staff. Right-of-way personnel should be present to answer questions regarding FDOT's Right-of-Way Acquisition and Relocation Programs if right-of-way acquisitions and/or relocations are anticipated. The Title VI Coordinator should also be available to address questions on ***Title VI Compliance*** under the ***Civil Rights Act of 1964*** and related statutes.

The third area includes seating for the formal proceedings where the public can sit and watch a live or voiced-over presentation. For those participants interested in formally addressing FDOT and other attendees, an opportunity to speak into a microphone is provided for comment purposes. The length of time for the public comment period is at the District's discretion, but is usually two to three minutes depending on the number of people who wish to speak. The public also has the opportunity to provide their comments in writing or through a court reporter. It should be mentioned that all forms of submitting a comment carry equal weight.

The public hearing generally includes the following elements:

1. All staff attending the hearing should be knowledgeable about the project. Generally, approximately one week prior to the hearing, a briefing or hearing rehearsal takes place at the District office to fully acquaint staff members with the project and the hearing process. The rehearsal must include a thorough discussion of the room arrangement, the content of the presentation, all brochures and handouts, roles and responsibilities, and the type and format of project and general information to be displayed at the public hearing.

2. The moderator is generally an FDOT employee whose principal concern is to coordinate the hearing and ensure that everything runs smoothly. The moderator presides over the formal proceedings.

3. A specific "script" is used to present the project, explain the right-of-way acquisition process to the public, and describe some of the compensation requirements at public hearings. A copy of the script can be found in ***Section 11.2.5.6***.

4. Wall displays are used to show base/aerial maps, project alternatives, comparative evaluation matrices, schedules, charts, renderings, and other project-related information. These should use plain language as much as possible.

5. Informational posters may be used to provide information to the attendees to help them better participate in the hearing or provide instructions regarding how to comment on the project.

6. Project handouts or brochures are required for all hearings. Handouts are used to convey the same material that is usually found in a formal presentation. Handouts may include:

    a. A project location map

    b. Federal, ETDM, and Financial Management numbers

    c. A description of the project and its logical termini

    d. The purpose of the public hearing

    e. An explanation of the information hearing process

    f. An explanation of how the public can comment on the project

    g. A statement of the date when the final written comments are due

    h. The date, time, and place of the hearing

    i. A discussion of the Federal-State Partnership

    j. Information regarding the project development process

    k. A summary of the project: justification/need, alternatives considered, typical sections, potential environmental impacts, potential right-of-

way relocation, ***Title VI*** programs, the role of a public hearing, and the project status and schedule.

A "***Letter of Welcome***" may be attached to or made part of the project brochure/handout. This letter should be signed by the District Secretary or designee, welcoming attendees to the public hearing and expressing the District's thanks to each person for taking the time to come and be part of FDOT's decision-making process. It should also provide assurance that all comments will be considered prior to the District making a final project decision.

7. Staff members will be assigned as greeters to welcome attendees and explain the hearing process. All attendees should be asked to sign-in upon entering the hearing room. Greeters will also orient each attendee to the layout of the room and provide them with handout material, comment forms, and speaker cards, and explain how verbal and written comments may become part of the official public record. Those wishing to speak during the public testimony portion of the hearing are asked to provide their name and address on a speaker card. The speaker card is then given to a staff member and attendees will be invited to speak in the order which their speaker cards are received. ***Figure 11.18*** provides an example speaker card.

8. The record of the public hearing, or transcript, is accomplished by using one or more court reporters hired to attend the hearing; or the District may choose to tape-record the proceedings and transcribe the tape at a later date. In either case, a verbatim transcript is made to document the proceedings. Attendees may speak directly to the court reporter to express views concerning the project or fill out a speaker card and speak into a microphone during the public testimony portion of the hearing. Written comment forms are also provided for those not wishing to make a verbal statement. Written comment forms are generally deposited in a comment box available at the hearing or may be mailed, postmarked no more than 10 days following the date of the hearing, to be included as part of the public record. A sample comment form is provided in ***Figure 11.17***.

9. A live or voiced-over presentation is used to inform the attendees about the project and reiterate how to comment on the project. The general content of the hearing presentation is discussed in ***Section 11.2.5.6***.

Complete documentation of all activities must be made in the project file and in the public hearing transcript.

11.2.5.2 Public Hearing Dates and Times

All public hearings are typically held during the work week, Tuesday through Thursday, to facilitate maximum opportunity for the public to participate in the project development process. Public hearings usually begin at 5:30 or 6:00 in the evening and last as long as needed for everyone to have an opportunity to speak. However, consider the ages of the anticipated audience, transportation availability, location access, distance, etc., when determining the time of the hearing. Consideration should be given to selecting and securing an alternate date during the hurricane season. District representatives are present before the hearing proceedings to answer questions and remain on the premises as long as necessary after the proceedings to discuss public concerns.

11.2.5.3 Selecting a Hearing Location

Refer to ***Section 11.2.4.4***, for guidance on selecting a public hearing location. Public hearings involve a formal presentation; therefore, the room should be able to accommodate multiple workstations, display boards, mingling, and seating for viewing the presentation. If a large crowd is anticipated, the meeting location should have a room large enough to accommodate two or more identical sets of workstations and/or displays, allowing people to move about freely.

11.2.5.4 Public Hearing Notification and Advertisement Requirements

The procedures given for public hearing notification must be followed to ensure compliance with ***Chapter 339, FS; Chapter 120, FS; 23 CFR 771, and 23 USC 128***.

11.2.5.4.1 Notification to Elected Officials and Agencies

Before holding a public hearing, a letter of invitation is sent to the Lead Federal Agency and to the local governments and agencies at least 25 but **no more than 30 calendar days prior to the public hearing date**. The letter of invitation should be received by the elected officials and agency representatives before the public is notified by letter or advertisement. A copy of the newspaper advertisement and letter to the public should be attached. See ***Figure 11.15*** for a sample letter of invitation to officials and agencies, which at a minimum should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification
2. A description of the project
3. A list of the places, dates, and times where the Environmental Document and other materials will be available for public inspection

4. The date, time, and location of the public hearing

5. A statement requesting public participation

6. Standard statement of non-discrimination compliance and information about ***ADA*** requests as provided in ***Section 11.2.4.5***

7. Hearing notice and map.

It is important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See ***Figure 11.9*** for a listing of appropriate salutations and titles.

11.2.5.4.2 Notification to Property Owners and Tenants

In accordance with ***Chapter 339.155(5), FS***, all real property owners, in whole or in part, within at least 300 feet of the centerline of each proposed project alternative must be notified of the upcoming hearing. The names and addresses of property owners are obtained from the county property tax appraiser's office or their website. Notification must be received by property owners **at least 21 calendar days prior to the date of the hearing**. They are notified through the use of invitational letters sent by mail. ***Figure 11.16*** is an example of an invitational letter to property owners, which should include the same elements as described in ***Section 11.2.5.4.1***.

Efforts should also be made to notify and inform tenants and leaseholders within at least 300 feet of the centerline of each proposed project alternative.

11.2.5.4.3 Public Hearing Newspaper Display Ads

The content and format of a public hearing ad must be followed to ensure compliance with ***Chapter 339, FS; 23 CFR 771; 23 USC 128; and Section 120.525, FS.*** The newspaper(s) selected should have a general daily circulation within the project area. In accordance with ***Section 339.155, FS***, FDOT must publish the public hearing advertisement a minimum of two times in the same paper. The first ad should appear **at least 15 days but no more than 30 days prior to the hearing**. The second ad should run 7-12 days prior to the hearing.

The content of display advertisements should be written in plain English (see plain language initiative under ***Section 11.1.2.3***) and must include at a minimum the following (see ***Figure 11.14*** for a sample public hearing newspaper display ad):

1. The reason for the public hearing

2. An explanation of the format of the public hearing

3. The project description (the use of a project location map is suggested)

4. The date, time, and location of the hearing

5. A list of places, dates, and times where the Environmental Document and other materials are available for public inspection per citation of ***23 CFR 771.111***

6. Standard statement of non-discrimination compliance and information about ***ADA*** requests, as provided in ***Section 11.2.4.5***

7. An address where written comments are to be sent

An affidavit or proof of publication should be obtained from the newspaper.

11.2.5.4.4 Florida Administrative Register Ad

A public **notice must be placed in the *FAR* at least 7 calendar days prior to the hearing**. Refer to ***Section 11.2.4.5.4***, for additional information.

11.2.5.4.5 Florida Department of Transportation Website

To comply with ***Section 120.525, FS***, **notice of all public hearings should be published on** FDOT's Public Meeting Notices Website **at least 7 days before the hearing**. Meeting notices are typically added to the website by District Public Information Office (PIO) staff through the FDOT INFONET. The information to be provided to the PIO includes the hearing date and time, location name and address, project description, project website, and contact names and contact information. Include the standard nondiscrimination statement and information about ***ADA*** requests.

11.2.5.4.6 Press Release

Press releases should be coordinated with the District PIO and follow the guidelines provided in ***Section 11.2.4.5.6***.

11.2.5.5 Documents for Public Review

The draft Environmental Documents for a Type 2 CE, EA, EIS, and SEIR must be available for public review at **least 21 calendar days prior to the public hearing date**. Locations where the documents are displayed should be in proximity to the project, easily accessed, and with public transportation availability, if possible. All locations must be ***ADA*** compliant and provide reasonable accommodation and access to physically handicapped and disabled persons wishing to review the documents. Suggested locations may include public libraries, local MPO offices, local agency offices, and District offices.

11.2.5.6 Public Hearing Presentation and Script

The formal proceedings for the public hearing are officiated by the moderator and include a live or voiced-over presentation followed by the public testimony portion of the hearing. The moderator is generally an FDOT employee. The following information is included in the presentation. The information shown in *italic,* and modified as applicable, **must** be contained in the public hearing presentation, either as a specific citation or as a content item tailored to the specific topic within the script and/or supplemental handout.

1. Introduction

Good evening. The Florida Department of Transportation would like to welcome you to the public hearing for the (name of project). My name is ____. I am the District ___ Project Development Engineer (or insert other title) for the Florida Department of Transportation. This public hearing is relative to Financial Management Project Number ____and Federal Aid Project Number (if a federal project) _____. The proposed improvement involves (describe the project action including the location and limits) . This hearing is being held to provide you with the opportunity to comment on this project.

Here with me tonight are:

- *(Name and position of persons(s) sitting next to moderator)*
- *And other representatives of the FDOT and consultant project team.*

At this time, we would like to recognize any federal, state, county, or city officials who may be present tonight. Are there any officials who would like to be recognized?

We now will begin the presentation.

After the live introduction by the moderator, the rest of the presentation may be live or recorded, but the content generally follows the outline and standard statements provided below. This portion of the presentation can be conducted by the moderator, other FDOT staff, consultant representative, or pre-recording.

2. Purpose of the public hearing and nondiscrimination compliance

The purpose of this public hearing is to share information with the general public about the proposed improvement; its conceptual design; all alternatives under study; and the potential beneficial and adverse social, economic, and environmental impacts upon the community. The public hearing also serves as an official forum providing an opportunity to the public to express their opinions and concerns regarding the project. Public participation at this hearing is encouraged and solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

There are three primary components to tonight's hearing:

- *First, the open house, which occurred prior to this presentation where you were invited to view the project displays and to speak directly with the project team and provide your comments in writing or to the court reporter;*

- *Second, this presentation, which will explain the project purpose and need, study alternatives, potential impacts, both beneficial and adverse, and proposed methods to mitigate adverse project impacts; and*

- *Third, a formal comment period following this presentation, where you will have the opportunity to provide oral statements at the microphone or you may continue to provide your comments to the court reporter or in writing.*

This public hearing was advertised consistent with federal and state requirements. Persons wishing to express their concerns about Title VI may do so by contacting either the Florida Department of Transportation, District ____ office, or the Tallahassee office of the Florida Department of Transportation. This contact information is also provided in the project brochure and on a sign displayed at this hearing.

3. Purpose and need and project's consistency with local and regional plans

Provide a brief summary of the project's purpose and need and consistency with the Long Range Transportation Plan, Transportation Improvement Program (TIP), State TIP, and other regional plans.

4. Discussion of alternatives

All alternatives studied, including the No-Build option, must be briefly discussed; with additional information provided on the recommended alternatives that have been studied in further detail and documented in the Environmental Document. The advantages and disadvantages of each alternative must be provided, including major design features and estimated costs.

5. Discussion of potential access management changes

Section 335.199, FS requires a public hearing whenever access management changes are proposed. These include the modification, addition, or closure of existing median openings, intersections, or interchanges. When access management changes are proposed, specific impacts must be discussed in the public hearing presentation. Additional information is available in ***FDOT Procedure, Median Openings and Access Management ,Topic No. 625-010-021***.

6. Discussion of social, economic, and environmental impact

The potential social, economic, and environmental impacts of the project must be briefly outlined. Key factors to be discussed include impacts on air quality, noise, floodplain impacts, wetlands, endangered and threatened species, archaeological or historical resources, residential and business displacements or relocations, right-of-way requirements, and any other pertinent issues. Information regarding these specific issues can be found in ***Part 2 of the PD&E Manual, Topic No. 650-000-001***.

7. Explanation of FDOT's right-of-way acquisition process

Property owners and tenants are given certain rights under federal law. During a public hearing, the following information must be provided to explain the right-of-way acquisition process to the public and describe some of the compensation requirements during public hearings. If no acquisition or relocation will take place, the script does not need to be used.

One of the unavoidable consequences on a project such as this is the necessary relocation of families or businesses. On this project, we anticipate the relocation of __ families and __ businesses. All right-of-way acquisition will be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, commonly known as the Uniform Act.

If you are required to make any type of move as a result of a Department of Transportation project, you can expect to be treated in a fair and helpful manner and in compliance with the Uniform Relocation Assistance Act. If a move is required, you will be contacted by an appraiser who will inspect your property. We encourage you to be present during the inspection and provide information about the value of your property.

You may also be eligible for relocation advisory services and payment benefits. If you are being moved and you are unsatisfied with the Department's determination of your eligibility for payment or the amount of that payment, you may appeal that determination.

You will be promptly furnished necessary forms and notified of the procedures to be followed in making that appeal.

A special word of caution – if you move before you receive notification of the relocation benefits that you might be entitled to, your benefits may be jeopardized.

The relocation specialists who are supervising this program are (NAME) and (NAME). They will be happy to answer your questions and will also furnish you with copies of relocation assistance brochures.

(NAME) and (NAME), please stand (pause) so that anyone who is involved in relocation on this project will know that they need to see you regarding their property.

8. Explanation of how the public can provide their comments

There have been various opportunities for the public to provide input on this project. Several public meetings have been held, dating from _____ until tonight. We welcome any oral or written comments you might have that will help us make this important decision. At the conclusion of this presentation our personnel will distribute speaker cards to those in the audience who have not received one and would like to make a statement. A court reporter will record your statement and a verbatim transcript will be made of all oral proceedings at this hearing. If you do not wish to speak at the microphone, you may present your comments in writing or directly to the court reporter at the comment table. Each method of submitting a comment carries equal weight.

Written comments received or postmarked no later than 10 days following the date of this public hearing will become a part of the public record for this public hearing. All written comments should be mailed to the address shown on the slide or in your handout.

9. Next steps and concluding statement

The next step is to incorporate your input on this public hearing into our decision-making process. After the comment period closes and your input has been considered, a decision will be made and the Final PD&E document will be sent to the Federal Highway Administration for location and design concept acceptance (applies only to FHWA projects).

This project has and will continue to be undertaken within all applicable state and federal rules and regulations.

This concludes our presentation. We will now offer you the opportunity to make a public statement.

At the conclusion of the live or voiced-over presentation, attendees who completed a speaker's card upon registering at the door will be given an opportunity to speak into a microphone. Project staff will also distribute speaker's cards to additional attendees who wish to make a verbal statement.

Anyone desiring to make a statement or present written views regarding the location; conceptual design, or social, economic, and environmental effects of the improvements will now have an opportunity to do so. If you are holding a speaker's card, please give it to a member of the project team. If you have not received a speaker's card and wish to speak, please raise your hand so you can receive a card to fill out.

Written statements may be presented in lieu of or in addition to oral statements. All written material received at this public hearing and at the Florida Department of Transportation District office located at ___(street address)_____.

postmarked no later than_____(10 days following the date of this public hearing) will become a part of the public record for this hearing. All written comments should be addressed to _____(contact person's name)_____. Comments may also be emailed to ____(e-mail address)_____.

We will now call upon those who have turned in speaker's cards. When you come forward, please state your name and address. If you represent an organization, municipality, or other public body, please provide that information as well. We ask that you limit your input to __ minutes. If you have additional comments, you may continue after other people have had an opportunity to comment (optional). Please come to the microphone so the court reporter will be able to get a complete record of your comments.

After everyone has been given the opportunity to speak, the moderator may close the public hearing with the following statement:

Does anyone else desire to speak? If so, state your name and address and complete a speaker's card after you've given your statement for the public record.

The verbatim transcript of this hearing's oral proceedings, together with all written material received as part of the hearing record and all studies, displays, and informational material provided at the hearing will be made a part of the project decision-making process and will be available at the District Office for public review upon request.

Thank you for attending this public hearing and for providing your input into this project. It is now _____(state the time)_____. I hereby officially close the public hearing for ____(project name)_____. Thank you again and have a good evening.

11.2.5.7 Public Hearing Documentation

The hearing proceedings are recorded by a court reporter and transcribed into a written transcript. This transcript must be signed by the FDOT Project Manager or Project Development Engineer. Oral and written comments are a formal part of the public record. The transcript of all hearing proceedings includes FDOT's presentation (including portions that are voiced-over or pre-recorded), all public comment/testimony received at the hearing itself, and all handouts and informational brochures used. Display materials should be retained in the project file as part of the hearing record and be provided to the Lead Federal Agency, if requested.

Whenever a public hearing is held, the public record remains open for **a minimum of 10 calendar days after the date of the hearing** to allow for additional written input from attendees or others who were not able to attend the hearing. All written comments received during that period become part of the public record and are included in the hearing transcript package. After the comment period, the public hearing is officially closed and the transcript is signed by the public hearing officer (FDOT Project Manager

or Project Development Engineer), as shown in ***Figure 11.19***. One copy of the official transcript is sent to the Lead Federal Agency (for federal projects) as part of the final Environmental Document.

11.2.5.8 Specific Public Hearing Concerns

Specific projects may include particular concerns that should be addressed during the public hearing. These concerns may include noise abatement and outdoor advertising, access management, and toll rates. The following paragraphs describe ways these concerns should be addressed when applicable to the project.

11.2.5.8.1 Noise Abatement and Outdoor Advertising

The identification and design of noise abatement measures during the project design phase may require additional public involvement efforts and will be especially important in the establishment of noise barrier design features. Public coordination is often necessary to finalize barrier locations, heights, and aesthetic features, especially if there are substantial changes to prior commitments. These changes may be the result of the considerations noted in ***Part 2, Chapter 17, Noise***. Coordination with the District Noise Specialist in obtaining additional input during the final design of the noise barrier is suggested.

Section 479.25, FS (as amended by ***House Bill 273 Outdoor Advertising***) allows permitted, conforming, lawfully erected outdoor advertising signs to be increased in height if visibility is blocked due to construction of “noise attenuation” barriers. In addition, the amended statute requires FDOT to notify a local government or local jurisdiction before erecting a noise barrier that will block a lawfully permitted sign.

The amended statute also requires that FDOT hold a public hearing within the boundaries of the affected local government or local jurisdiction to receive input on proposed noise barriers that may conflict with the local ordinances or land development regulations. The public hearing allows suggestions, consideration of alternatives, and modification to the proposed noise barriers to be heard in order to alleviate or minimize conflict with the local ordinances or land development regulations and minimize any costs associated with relocating, reconstructing, or paying for the affected outdoor advertising sign (see ***Florida Department of Transportation Plans Preparation Manual, Topic No. 625-000-007, Volume 1, Section 32.4***).

11.2.5.8.2 Access Management

Access Management is the process used to plan the location, design, and operation of driveways, median openings, interchanges, and street connections. Median decisions can be particularly controversial. Sound public involvement strategies can facilitate open communication with affected parties. In 1995, FDOT adopted ***Deviations from Median***

Opening Standards: A Procedure for Engineering Decisions, which calls for initiating public involvement on median design during PD&E and carrying this through production. In 2010, ***Section 335.199, FS*** was passed requiring FDOT to notify all affected property owners, municipalities, and counties of a proposed project that will divide a state highway, erect median barriers, or close/modify an existing access to an abutting property owner at least 180 days before the design is finalized. The law requires that FDOT hold at least one public hearing in the jurisdiction where the project is located and receive public input to determine how the project will affect access to businesses and the potential economic impact of the project on the local business community. Proposed access management changes that are included in the PD&E public hearing do not require a separate hearing during the design phase unless the proposed plans are modified after the PD&E phase. Additional information is available in ***Median Openings and Access Management, Topic No. 625-010-021***.

11.2.5.8.3 Toll-Rate Workshops and Hearings

Toll rate rulemaking is required in accordance with ***Chapter 120, F.S.*** Florida's Turnpike Enterprise conducts the toll rate rule development and rulemaking for the Turnpike System and other FDOT toll facilities. Toll rate rule development and rulemaking is required before new toll projects are opened, new tolled access on existing toll facilities is opened, and to also notify the public of proposed toll rate changes resulting from toll rate changes.

A toll rate rule development workshop may be conducted as part of the PD&E phase. A toll rate rulemaking hearing may be conducted following the 60 percent design phase of project development. However, the scheduling of any rule related workshop or hearing is at the discretion of FDOT executive management.

11.2.5.9 Public Review Opportunities after the Public Hearing for Environmental Impact Statements

For a minimum period of 10 days following the public hearing, the general public can send written comments to FDOT related to a project. Such comments are appended to, and become part of, the official hearing transcript record. All comments and issues raised at the hearing; the transcript record; and any design, cost, environmental, and other changes occurring since the approval of the DEIS must be considered and documented by the District in the FEIS. A detailed discussion of these procedures is provided in ***Part 1, Chapter 9, Final Environmental Impact Statement***. Once complete, the FEIS, including the public hearing transcript, any comments received during the comment period, and response to those comments, is forwarded to the Lead Federal Agency for approval.

After approval of the FEIS (if a FEIS is prepared separately from the ROD), the District places a ***Notice of Availability*** of the FEIS in local newspaper(s) initiating the 30-day

public review period and identifying where the document is available for public review. The FEIS should be available for public review at the District's office and at the Lead Federal Agency's office. Copies should also be available for public review at institutions in the project vicinity such as local government offices, libraries, or schools, as appropriate. ***Figure 11.21*** provides a sample of the ***Notice of Availability*** of the FEIS.

11.2.5.10 Notification for Opportunity to Request a Public Hearing

A public hearing is not required for a Type 2 CE; however, the District may elect to offer the public an opportunity to request a public hearing. A public hearing then may be held if there is substantial public interest to warrant a hearing. The District should consult with the Lead Federal Agency on each project to determine if a public hearing or notice for opportunity to request a public hearing should be conducted.

A notice of an opportunity to request a public hearing is published in a local newspaper having general daily circulation in the project area. The newspaper ad is published twice. **One ad should be published at least 15 calendar days prior to the deadline** established by the District for receipt of requests. **The deadline should be at a minimum 30 calendar days after the date of the first notification of opportunity**. After the notification period has lapsed, the District requests an ***Affidavit of Certification*** from the newspaper that the publications were made and forwards the affidavit to the Lead Federal Agency. This affidavit must accompany the Type 2 CE when applicable.

A notice of opportunity to request a public hearing must also be placed in the ***Florida Administrative Register (FAR)*** (see ***Section 11.2.4.5.4***) and FDOT's Public Meeting Notices Website. A sample notice of opportunity is shown in ***Figure 11.20***.

The content of the notice of opportunity for the ***FAR*** and FDOT's Public Meeting Notices Website must include, as a minimum, the following information.

1. An explanation of the opportunity notice

2. A project description

3. A statement on the type of studies accomplished and a list of places where study documents are available for public inspection

4. A statement that the request for a public meeting must be submitted in writing`, and the date by which the request must be received

5. The name of the District contact person

6. The address where the request for a public hearing is to be sent

If a request to hold a public hearing is received prior to the established deadline, then all notification and hearing procedures described in ***Sections 11.2.5.1 through 11.2.5.8*** must be followed. If only one or two persons request a hearing, a meeting should be held with those people to discuss their concerns. If it is still requested after that meeting, then a public hearing must be held.

11.2.5.11 Joint Public Hearings

Joint public hearings can be held with other agencies to facilitate project development and permitting. Joint public hearings are appropriate if the project meets the public hearing criteria of both agencies. If an agency agrees to hold a public hearing jointly with FDOT, the District should seek to establish in writing the guidelines by which the public hearing is to be held. Preparation of acceptable joint procedures ensures that the requirements of both agencies will be satisfied. This includes the format of the hearing, presentations, and all elements of the public hearing process. If the newspaper advertisement notification period of the agency is different from FDOT's, then the longer period for hearing notification should be used. The District, however, should maintain a minimum of two separate advertisements.

11.2.6 Notice of Location and Design Concept Acceptance

Location and Design Concept Acceptance (LDCA) is required on FHWA Type 2 CEs, EAs, and FEISs for a project to proceed to the next phase of development. For LDCA to occur on a Type 2 CE, FHWA must accept the Type 2 CE documentation, and the certified hearing transcript or the certification of opportunity (if applicable) for a project, or concur that no public hearing is required. For a Type 2 CE, the public hearing requirements must be satisfied according to ***23 CFR 771*** prior to FHWA's approval of the Type 2 CE documentation. FHWA's concurrence with the Type 2 CE documentation constitutes LDCA for the project.

For LDCA to occur on an EA, the FHWA must accept the Finding of No Significant Impact (FONSI) and the certified public hearing transcript.

For LDCA to occur on the Final Environmental Impact Statement (FEIS), the FHWA must accept the Record of Decision and certified public hearing transcript.

Once LDCA has been received from FHWA, the project may proceed to the next phase of development. The District publishes a notice in the same local newspaper in which the public hearing notification was published to let the public know that LDCA has been received from the FHWA. For an example of an LDCA notice, see ***Figure 11.22***. For projects developed as State Environmental Impact Reports (SEIRs), the public hearing transcript becomes a part of the project and is maintained in District files.

11.2.7 Public Involvement Documentation

The FHWA requires specific documentation of public involvement activities. Within planning and project development, the final documents for EAs, EISs, and Type 2 CEs require a summary of the public involvement activities held. Additionally, appropriate and complete documentation of public involvement activities creates a history and record of commitments made as a result of the activities. Access to the documentation allows the public to see that their input was heard and considered.

Proper documentation includes compiling all materials related to public involvement activities and summarizing and analyzing the public comments that result. The following documentation should be included, as a minimum, as part of the public involvement record.

1. The ***Public Involvement Plan (PIP)***.

2. The notification process, including the master contact list(s) for officials, agencies, property owners, and interested persons, as well as details of all methods of notification used to invite the public to activities (letters, newsletters, display ads, press releases, news media, etc.).

3. A summary of all public involvement outreach activities, including the date, time, and location of public involvement activities. Activity summaries should include photographs, mailing lists, sign-in sheets, maps, graphs, display boards and/or exhibits, comment forms, comment summaries, meeting notifications, evaluation forms, requests, surveys, slide presentations, and meeting minutes, as applicable. The number of people invited and the number of attendees should be documented, as well as specific issues and/or concerns that were expressed as part of each activity.

A verbatim transcript of the public hearing, along with written comments received at the public hearing and written comments received within the established comment period following the hearing (a minimum of 10 days), is forwarded to the Lead Federal Agency with the Environmental Document at the end of the PD&E phase to be reviewed for document acceptance.

Additional information is provided in FDOT's ***Public Involvement Handbook***.

11.2.8 Public Involvement Evaluation

Periodic evaluation of the ***PIP*** is needed to determine the effectiveness of public involvement activities. The following (or similar) questions should be asked during in-house debriefings and/or presented to the community in a survey format. The answers will provide information on whether or not new outreach strategies should be developed to improve public involvement for the project.

1. **Is the entire project community represented in the public involvement activities?**
   If there are representatives or segments of the project community who are missing from the project activities, it may indicate that the timing and/or location of these activities are inconvenient. Or, it may indicate that the project notices are not reaching the intended audience.

2. **Is there continuity among participants' attendance?**
   If people drop out of the process after one or two activities, it may indicate frustration with the process.

3. **Are the appropriate communication techniques being employed?**
   If input is limited, it may indicate that the audience does not understand the project information. Or, it may indicate that they do not believe their comments are important.

4. **Are the comments received from the community relevant to the project? Are they realistic and appropriate to the project phase?**
   If the comments are not relevant to the project, it may indicate that people do not understand the project scope or the kind of information/input that is being

sought. If people have unrealistic expectations about how they can influence the project, it may indicate that they do not understand the decision-making process or the type of decisions that will be made during the current phase of project development.

5. **Are there significant unresolved issues concerning the project?**
   If there is significant opposition to the project, it may indicate that all relevant issues have not been identified and resolved. Continued dialogue with the audience is needed to identify concerns and develop acceptable solutions.

FDOT's ***Public Involvement Handbook*** provides detailed information on how to evaluate public involvement activities.

11.2.9 Subsequent Public Hearings

A subsequent public hearing is held if there are substantial changes to the design of the project after LDCA (or after SEIR approval) that will cause substantial social, economic, or environmental impacts different from those previously determined; or if there is significant controversy regarding a specific issue that needs to be resolved. In either case, the decision to hold a subsequent public hearing should be made in consultation with the Lead Federal Agency for federal projects.

Subsequent public hearings held in the design phase should follow the same procedures and requirements as provided within ***Section 11.2.5***.

11.2.10 Public Involvement During Reevaluations

The Lead Federal Agency and the District will determine in consultation whether changes in the project or new information warrant additional public involvement based on major changes in social, economic, or environmental impacts not present or not evaluated in the earlier documentation. For information on preparing a Reevaluation see ***Part 1, Chapter 13, Reevaluations***.

11.2.11 Community Awareness Plans

Typically, when a project reaches the design phase, many of the project commitments and community issues have been identified. However, this is not always the case. Design alternatives still need to be reevaluated to determine their implication in relation to community impacts. Commitments made in previous project phases are communicated to designers who are then responsible for their incorporation. If constraints arise that require design changes that may affect FDOT's ability to meet commitments, the process requires follow-up with the affected community. In such cases, additional public

involvement and community impact assessment may be necessary to address public concerns.

A ***Community Awareness Plan (CAP)*** is developed during the design phase. The objective of the ***CAP*** is to identify the means of notifying local governments, affected property owners, tenants, and the public of the District's proposed construction and the anticipated impact of that construction. In addition to the benefits of advance notification, the process should allow the District to resolve controversial issues during the design phase. Areas of specific concern are:

1. Potential access impacts to business and residential communities
2. Drainage
3. Maintenance of traffic during construction

Each District within FDOT has developed ***CAP*** guidelines for continued efforts in public involvement to be implemented on all design projects, depending on the level of impact to the community. For additional information, see the ***Plans Preparation Manual, Volume 1, Chapter 1, Section 1.10; Topic No. 625-000-007***.

11.3 REFERENCES

Americans with Disabilities Act (ADA) of 1990

AASHTO/ACEC and FHWA, Improving the Quality of Environmental Documents, May 2006: http://environment.transportation.org/pdf/IQED-1_for_CEE.pdf.

Civil Rights Act of 1964, Title VI, and Related Statutes.

Code of Federal Regulations, Title 23, Part 771, Environmental Impact and Related Procedures.

Code of Federal Regulations, Title 23, Section 771.125, Final Environmental Impact Statements.

Code of Federal Regulations, Title 40, Sections 1500-1508.

Code of Federal Regulations, Title 40, Section 1501.7 (CEQ Regulations).

Code of Federal Regulations, Title 40, Part 93.105.

Endangered Species Act of 1973.

ETDM Public Access Site: http://etdmpub.fla-etat.org/est/.

Executive Order 07-01, State of Florida, Governor's Plain Language Initiative.

Executive Order 11988, Floodplain Management.

Executive Order 11990, Protection of Wetlands.

Executive Order 12898, Environmental Justice - Avoidance of actions that can cause disproportionately high impacts on minority and low income populations.

Executive Order 13166, Improving access to services for persons with limited English proficiency.

Federal Highway Administration's Public Involvement Website: http://www.fhwa.dot.gov/planning/public_involvement/index.cfm.

Federal Highway Administration, Technical Advisory T6640.8A, "Guidance for Preparing and Processing Environmental and Section 4(f) Documents," October 30, 1987.

Federal Highway Administration (FHWA) Visualization in Planning Website: http://www.fhwa.dot.gov/planning/scenario_and_visualization/visualization_in_planning/index.cfm.

Fish and Wildlife Coordination Act of 1934, as amended.

Florida Administrative Register, Bureau of Administrative Code 1S-1.003(1).

Florida Administrative Register website: www.flrules.org.

Florida Department of State's e-rulemaking website: www.flrules.org.

Florida Department of Transportation, Efficient Transportation Decision Making (ETDM) Manual, Topic No. 650-000-002, March 2006.

Florida Department of Transportation, Plans Preparation Manual, Volume 1, Chapter 1, Public Involvement, Topic No. 625-000-007 and Volume 1, Section 32.4.

Florida Department of Transportation Procedural Topic No. 625-010-021-h, Median Openings and Access Management.

Florida Department of Transportation, Environmental Policy, Topic No. 000-625-001.

Florida Department of Transportation, Public Involvement Policy, Topic No. 000-525-050 Public Involvement Opportunities, effective September 15, 2005.

Florida Department of Transportation, Public Involvement Handbook, December 2014.

Florida Department of Transportation's Public Notices Website: http://www2.dot.state.fl.us/publicsyndication/PublicMeetings.aspx.

Florida Department of Transportation's SEMO Website: www.dot.state.fl.us/emo.

Florida Department of Transportation Website: http://www.dot.state.fl.us/.

Florida Statutes, Section 110.117, Paid Holidays.

Florida Statutes, Chapter 120, Administrative Procedures Act.

Florida Statutes, Section 120.525, Meetings, Hearings, and Workshops.

Florida Statutes, Section 163. 3181(2), Public Participation in the Comprehensive Planning Process; Intent, Alternative Dispute Resolution.

Florida Statutes, Section 286.26, Government-in-the-Sunshine Law.

Florida Statutes, Section 335.02, State Highway System.

Florida Statutes, Section 335.199, Transportation projects modifying access to adjacent property.

Florida Statutes, Section 339, Transportation Finance and Planning.

Florida Statutes, Section 339.135, Public Hearings during the development of the Florida Transportation Plan.

Florida Statutes, Section 339.155, Transportation Planning.

Florida Statutes, Section 339.175, Metropolitan Planning Organization.

Florida Statutes, Section 479.25, Outdoor Advertising Signs – Noise Attenuation Barrier, as Amended by House Bill 273.

National Environmental Policy Act (NEPA) of 1969.

National Historic Preservation Act of 1966.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), August 25, 2005.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

United States Code (USC), Title 23, Section 109(h) Highways – Economic, Social, and Environmental Effects.

United States Code, Title 23, Part 128, Public Hearings.

United States Code, Title 23, Section 135(f)(3), Participation by Interested Parties.

United States Code Title 23, Part 135, Statewide and nonmetropolitan transportation planning.

United States Code, Title 42, Chapter 126, Section 12101: Equal Opportunity for Individuals with Disabilities.

U.S. Department of Transportation, Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, Federal Register Volume 70, Number 239, Pages 74087-74100, December 2005.

U.S. Department of Transportation, Federal Highway Administration, Public Involvement Techniques for Transportation Decision-Making, September 1996.

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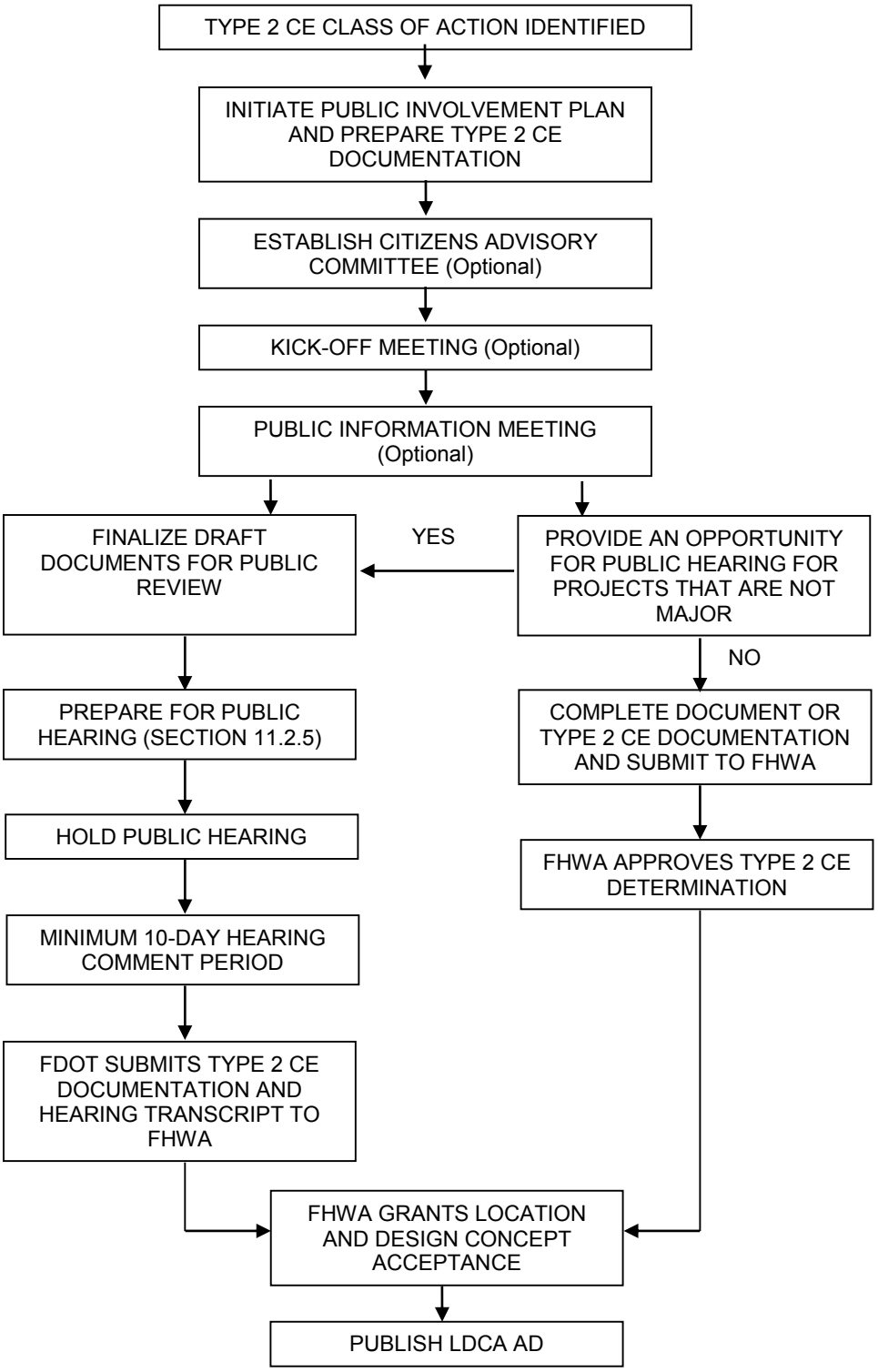

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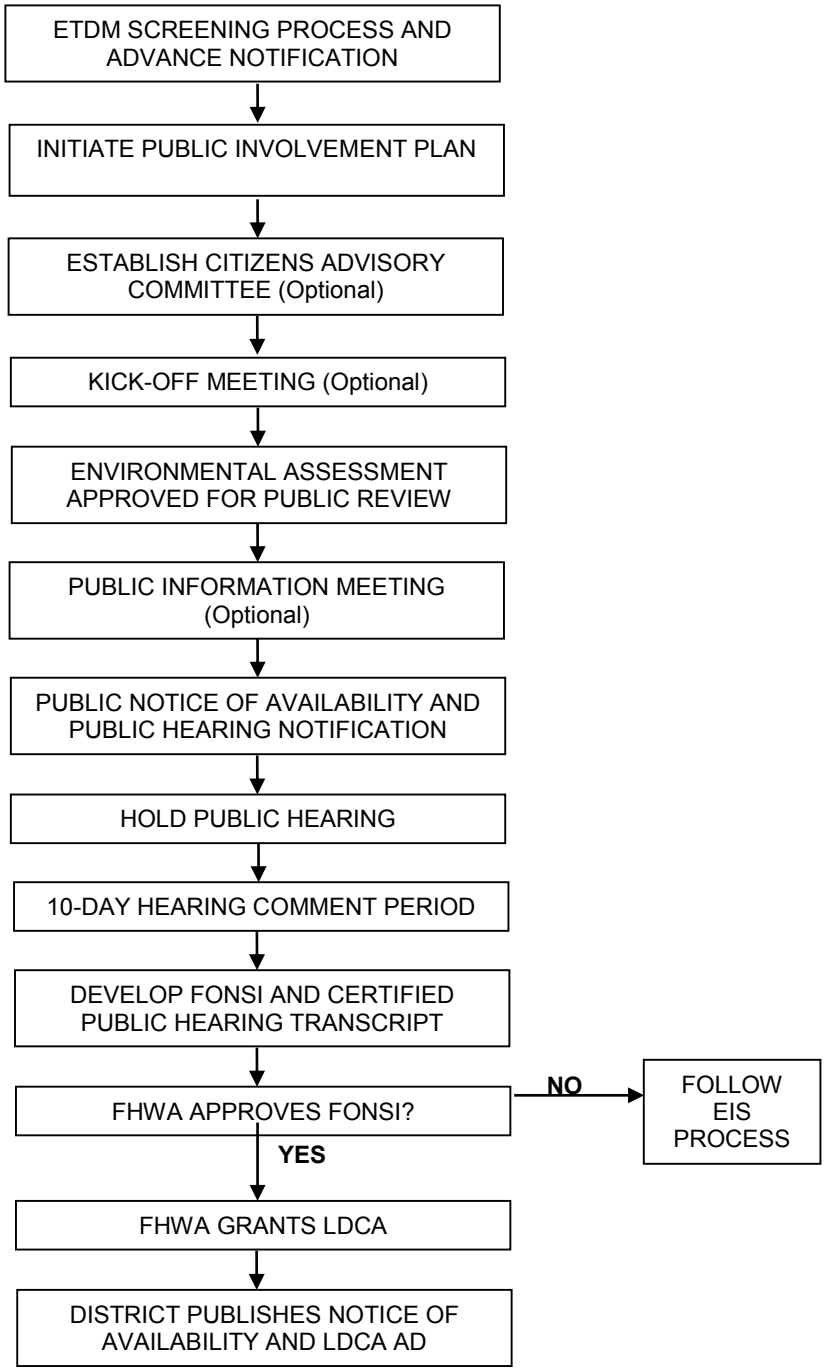

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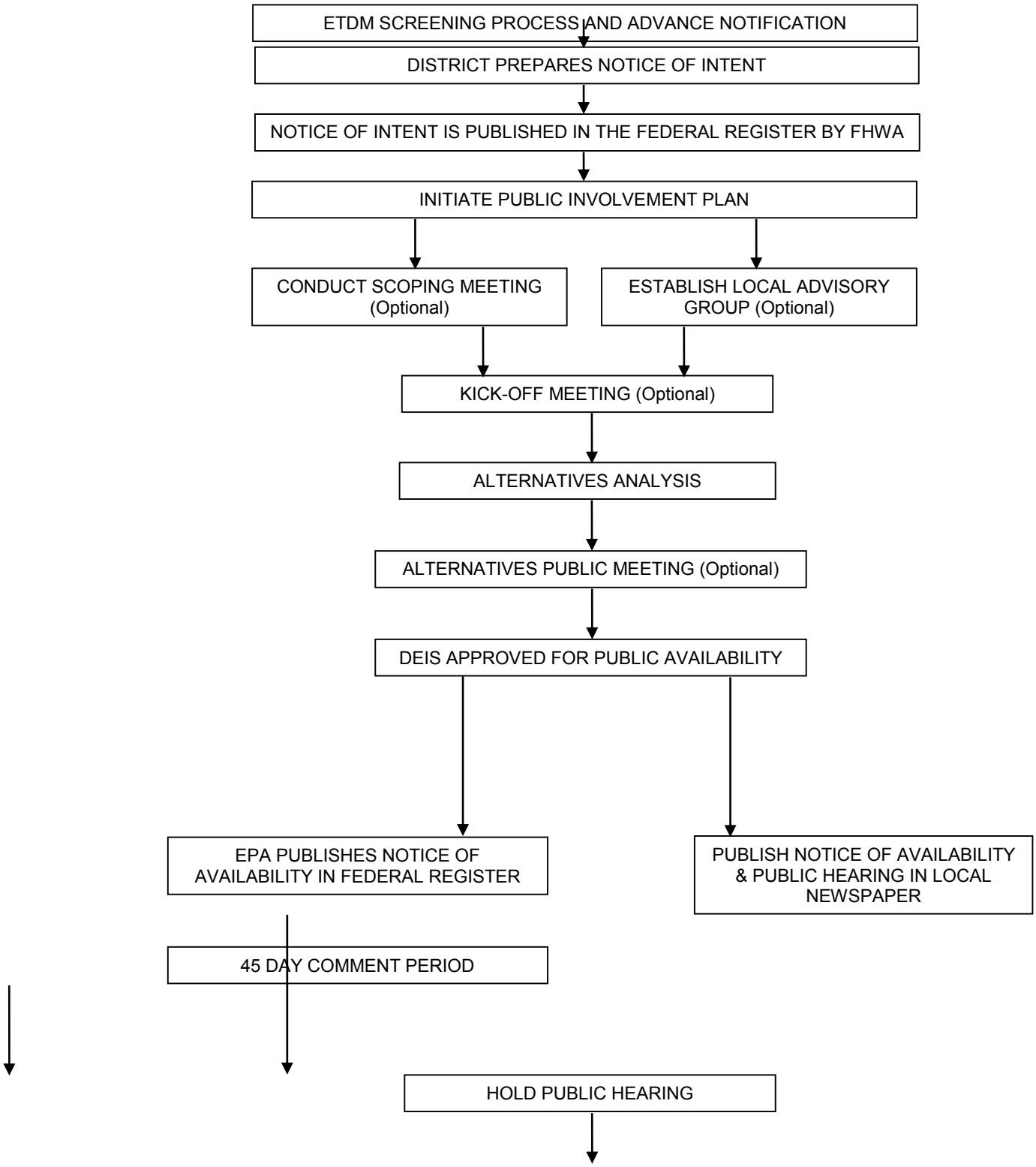

FIGURE 11.3 Public Involvement Process for Environmental Impact Statements (Page 1 of 2)

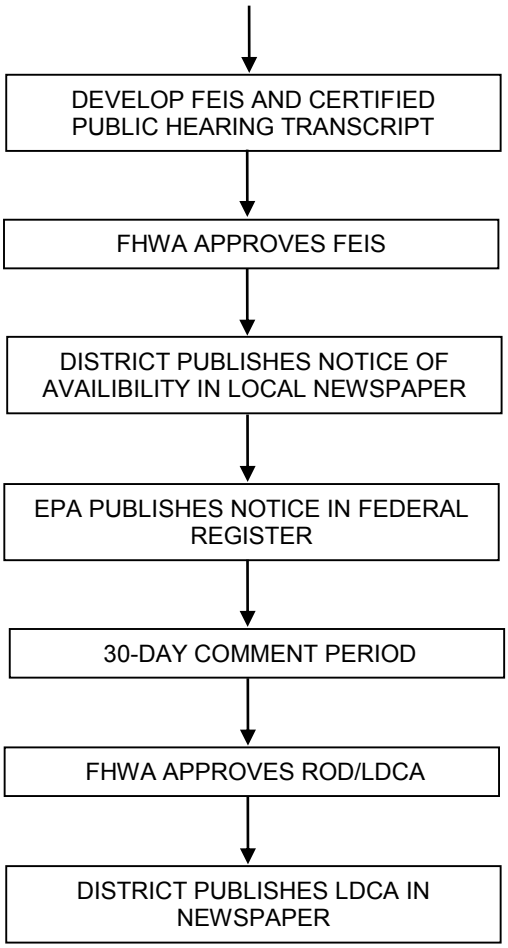

FIGURE 11.3 Public Involvement Process for Environmental Impact Statements (Page 2 of 2)

SAMPLE PUBLIC INVOLVEMENT PLAN

Project Name: _____
Project Limits: _____
County/State: _____
Financial Management Number: _____
Federal Aid Project Number: _____
Efficient Transportation Decision Making (ETDM): _____

In accordance with Part 1, Chapter 11 of the **Project Development and Environment (PD&E) Manual**, this Public Involvement Plan is submitted to the manager of the District office in charge of PD&E studies as appropriate based on District organizational structure for his/her review and approval.

Submitted by: _____(Name)_____
Project Manager

_____(Name of Consulting Firm)_____

Date: _____

Approved by: _____
Manager of the District office in charge of PD&E studies as appropriate based on District organizational structure or Designee

Date: _____

FIGURE 11.4 Sample Public Involvement Plan (Page 1 of 11)

PUBLIC INVOLVEMENT PLAN
Project Development and Environment (PD&E) Study
(Project Name)
from _____ to _____
(County), Florida

The purpose of this Public Involvement Plan (PIP) is to assist in providing information to and obtaining input from concerned citizens, agencies, private groups (residential/business), and governmental entities. The overall goal of this plan is to help ensure that the study reflects the values and needs of the communities it is designed to benefit. A schedule of events and a list of documentation exhibiting compliance with these procedures are included.

This plan is in compliance with the Florida Department of Transportation's *Project Development and Environment (PD&E) Manual*, *Part 1, Chapter 11.*

I. DESCRIPTION OF PROPOSED IMPROVEMENT

Financial Management Number: _____

Federal Aid Project Number: _____

Project Limits: _____

Proposed Activity: _____

Class of Action: _____

Project Location Map:

INSERT PROJECT LOCATION MAP HERE

FIGURE 11.4 Sample Public Involvement Plan (Page 2 of 11)

Project Contact Information

For additional information regarding this project contact:

(Name) _____	(Name) _____
FDOT Project Manager	Consultant Project Manager
Address: _____	Address: _____
_____	_____
_____	_____
Telephone: _____	Telephone: _____
E-mail: _____	E-Mail: _____

II. PROJECT BACKGROUND

(Note: Give a brief project background description)

III. PROJECT GOALS

The following goals and objectives have been defined for this study:

(Note: List and define project goals)

IV. IDENTIFICATION OF AGENCIES AND AFFECTED PUBLIC

The following local, regional, state, or federal agencies having a concern in this project due to jurisdictional review or expressed interest have been identified and will be contacted directly by the Florida Department of Transportation (FDOT) through the Advance Notification (AN) process at the outset of the project in accordance with the PD&E Manual, Part 1, Chapter 3, Preliminary Environmental Discussion and Advance Notification. As other concerned public agencies are identified throughout the study, they also will be listed and contacted.

(Note: the ETDM/ETAT distribution list can be used for specific names and contact details for state, federal, and regional agencies)

State: Florida Department of State, Division of Historical Resources
Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection
Florida Department of Fish and Wildlife Conservation Commission
Florida Department of Economic Opportunity

(Note: Add others that pertain to the project)

FIGURE 11.4 Sample Public Involvement Plan (Page 3 of 11)

Federal: Federal Highway Administration
Federal Transit Administration
U.S. Army Corps of Engineers
U.S. Coast Guard
U.S. Department of Interior - National Park Service
U.S. Department of Interior - U.S. Fish and Wildlife Service
U.S. Department of Commerce - National Marine Fisheries Service
U.S. Environmental Protection Agency

(Note: Add others that pertain to the project)

Regional: ***(List: e.g., Chamber of Commerce, Regional Planning Council, Transportation Planning Organization, Water Management District, or others that may pertain to the project)***

Native American Tribes:
Miccosukee Tribe of Indians of Florida
Muscogee (Creek) Nation
Poarch Band of Creek Indians of Alabama
Seminole Nation of Oklahoma
Seminole Tribe of Florida
Mississippi Band of Choctaw Indians (only contact for projects in the Florida Panhandle, west of the Apalachicola River to the Alabama state line)

Local Elected and Appointed Officials:

Florida State Senators for Local Districts:

Name	Senator, District _____
Name	Senator, District _____
Name	Senator, District _____

Florida State Representatives for Local Districts:

Name	Representative, District _____
Name	Representative, District _____
Name	Representative, District _____

Federal Delegation:

Name	U.S. Senator
Name	U.S. Senator
Name	U.S. Representative, District _____
Name	U.S. Representative, District _____

FIGURE 11.4 Sample Public Involvement Plan (Page 4 of 11)

_____ County:

Name	County Administrator
Name	Commissioner, District 1
Name	Commissioner, District 2
Name	Commissioner, District 3
Name	Commissioner, District 4
Name	Commissioner, District 5
Name	Clerk of the Circuit Court
Name	Public Works Director
Name	County Engineer
Name	County Sheriff
Name	County Superintendent of Schools

_____(City)_____

Name	Mayor
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilwoman/Commissioner
Name	City Manager
Name	City Clerk
Name	Fire Chief
Name	Chief of Police
Name	Recreation and Parks Director
Name	Public Works Director
Name	City Engineer
Name	Airport Director (if applicable)

The following local, state, and national public interest groups or organizations having a direct or expressed interest in the project study have been identified and will be contacted by the Florida Department of Transportation ***(e.g., Sierra Club, Audubon Society, local neighborhood association(s).***

_____

_____

_____

FIGURE 11.4 Sample Public Involvement Plan (Page 5 of 11)

V. OUTREACH ACTIVITIES

The following techniques will be used to notify the public of the proposed transportation improvement and to solicit public input into the project development process.

Newspaper(s):

- *Name of Publication*
  Address

  Phone Number
- *Name of Publication*
  Address

  Phone Number

Television:

- Name of Television Station
  Address

  Phone Number
- Name of Television Station
  Address

  Phone Number

Radio:

- Name of Radio Station
  Address

  Phone Number
- Name of Radio Station
  Address

  Phone Number

In addition to working with the media, a number of different notification techniques will be used throughout the project development process. A brief description of these techniques is provided below.

Letters/Newsletters: Invitational and informational letters and newsletters will be distributed to elected and appointed officials, property owners/tenants, business owners/operators, and interested parties as feasible. It is anticipated that (number) newsletters will be distributed for this study: (note when in the project process). Notices will be hand-delivered to residences and businesses located directly along the project corridor (optional) as deemed necessary by the FDOT.

News/Press Releases: News/press releases will be submitted to the FDOT seven days prior to each public meeting and the public hearing.

Public Notices/ Display Ads: Public advertisement will consist of a display advertisement published in the area newspaper with the largest circulation twice prior to the public meeting/hearing, and once to announce federal Location and Design Concept Acceptance (LDCA) at the end of the study.

FIGURE 11.4 Sample Public Involvement Plan (Page 6 of 11)

Public Announcements: In order to distribute PD&E phase information, fliers will be made available to organizations such as neighborhood/civic groups, the FDOT, and _(name)_ County, to publish in existing newsletters and websites. Any such correspondence will be coordinated through the District's Public Information Office (PIO).

Direct Mail List For Public Hearings: The following will be contacted by direct mail in order to obtain input throughout the project development process and/or in order to provide project information:

- Those whose property lies, in whole or part, within at least 300 feet on either side of the centerline of each project alternative (Section 339.155, FS), as well as other local citizens who may be impacted by the construction of this project. This portion of the mailing list will be based on the County Property Appraiser's tax rolls.

- Local elected and appointed public officials or individuals who request to be placed on the mailing list for this project.

- Public and private groups, organizations, agencies, or businesses that request to be placed on the mailing list for this project.

Techniques: **Local Advisory Group:** A local advisory group will be selected with the assistance of local governments; composed of local citizens having an active role in the community, such as representatives from impacted/interested cities, counties, regional agencies, MPOs and committees, and neighborhood associations or other groups within the project area. This group will be organized at the beginning of the project to involve local participants for advisory purposes, especially on highly controversial or sensitive projects (See PD&E, Part 1, Chapter 11, Section 11.2.2). (optional)

Presentations to Local Officials: Presentations will be given to local officials and agencies such as the MPO prior to the Public Information Meeting(s) and the public hearing to apprise local officials of the project status, specific location, and design concepts, and to receive their comments.

FIGURE 11.4 Sample Public Involvement Plan (Page 7 of 11)

Public Information Meetings: (number) (#) public meeting(s) will be conducted, as required by the FDOT, to present the project and the conceptual project alternatives being considered, and to obtain comments from the general public. These meetings will be informal.

Public Hearing: A formal public hearing, as required by federal regulations and state law, will be held.

Informal Meetings: In addition to the scheduled public meetings, there will be (number) (#) additional meetings with the public, elected and appointed officials, public agencies, or civic groups. The purpose of these meetings will be to apprise the attendees of the project status, specific location, and design concepts, and to receive input.

Public Outreach Activity Schedule:

	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Compile Mailing List	★									
Advance Notification	★									
Newsletter #1	★									
Public Kick-off Meeting		★								
Corridor / Other Public Meeting				★						
Small Group Meetings		▬	▬	▬	▬	▬	▬	▬	▬	
Newsletter #2					★					
Alternatives Public Meeting						★				
Public Hearing								★		
LDCA Ad										★

Note: This is a sample project schedule. Adjust the months and tasks to pertain to a specific project.

FIGURE 11.4 Sample Public Involvement Plan (Page 8 of 11)

VI. COORDINATION WITH _____ COUNTY

Copies of aerial maps depicting all alignment and design concepts under consideration, along with draft copies of engineering and environmental study documentation, will be furnished to the County Engineers, with their review and written comments solicited. Updated information will also be forwarded to the county(s) for review and comment prior to the scheduled public hearing.

VII. ANALYSIS AND SUMMARY OF PUBLIC COMMENTS

A Comments and Coordination Report will be developed to summarize the public meeting/workshop results and recommendations. The report also will contain the overall input provided through the other public involvement techniques utilized in the project development process. The report will be forwarded to the District Environmental Management Engineer.

VIII. PUBLIC HEARING

In compliance with the Project Development and Environment (PD&E) Manual, 23 CFR 771, and Section 339.155, FS, a public hearing will be held.

Public Hearing Site: The public hearing will be held at an appropriate facility convenient to the study area.

Public Advertisement: A display advertisement will appear in the _____ (name of newspaper) twice (at least 15 days and no more than 30 days) prior to the public hearing.

Name of Publication
Address

Phone Number

All advertisements will be sent to local newspapers via e-mail or by registered mail, return receipt requested.

In addition, an announcement of the public hearing will be published in the *Florida Administrative Register* at least 7 days prior to the public hearing. See Section 11.2.5.4.4 for instructions regarding FAR Ad submittal.

FIGURE 11.4 Sample Public Involvement Plan (Page 9 of 11)

Letters of Invitation: Letters will be mailed to all property owners as required by Section 339.155, FS, and to local elected and appointed government officials notifying them of the upcoming public hearing. Notices also will be hand-delivered to residences and businesses located directly along the project corridor as deemed necessary by the FDOT (optional).

Hearing Preparation: Slide presentations and/or video presentations, project corridor aerial maps, graphics, and handouts will be prepared to supplement the oral public hearing presentation.

Transcript: A verbatim transcript of the public hearing will be compiled to include written comments received at the hearing and written comments received within the established comment period after the hearing. All public hearing documentation (handouts, presentation, graphics, etc.) will be included with the transcript. The transcript will include a script of the recorded presentation, if applicable.

Documents for Public Review: All draft documents to support PD&E studies evaluation will be available for public review at least 21 calendar days prior to the public hearing date.

Locations of Documents for Public Review: Public notice will be provided in the public hearing advertisement and by mailed invitational letters as to where the study documents are located for public review.

Suggested public review sites are:

- County Libraries
- District Offices
- County Offices
- City Offices

Title VI and Related Statutes: Information about the Title VI Program will be provided in the presentation, by handout, signage, and through availability of personnel, on the Title VI Program and the Relocation Assistance Program.

Americans with Disabilities Act Compliance: Notification of the Department's intent to comply with the Americans with Disabilities Act will be provided in the public advertisements for the public hearing, in invitational letters to property owners/tenants and local officials, in handouts, and by selection of a public hearing site that meets all ADA requirements.

FIGURE 11.4 Sample Public Involvement Plan (Page 10 of 11)

IX. PUBLIC HEARING FOLLOW-UP

The following procedures will occur after the public hearing.

Responses: Responses to all letters received as a result of the hearing and questions and comments not answered at the public hearing will be made in writing.

Recommendation Notice: A legal notice announcing the Federal Highway Administration's (FHWA's) approval of the final document and recommendations will be published in the *(Name of Local Publication)* newspaper. In addition, news items detailing the Department's recommendations to FHWA will be provided to local media *(applies to federal projects only)*.

Public Hearing Transcript Package: A Transcript Package will be produced and submitted following the public hearing. The Transcript Package will include a verbatim hearing transcript prepared by an approved court reporter, an errata sheet detailing any transcript discrepancies, a copy of all correspondence received by the Department as part of the public hearing record, and affidavits of publication for newspaper ads advertising the hearing.

Public Involvement Summary: A public involvement summary will be produced and submitted at the conclusion of the study, containing, at a minimum, all documentation regarding public participation performed throughout the study period. This summary will include all comments and responses received from the public, as well as Advance Notification, coordination with local officials and agencies, and public meetings, etc.; the verbatim transcript from the public hearing; proof of publication of ads; sign-in sheets; public hearing certification by the Project Manager (Moderator); and all public correspondence.

X. EVALUATION OF THE PUBLIC INVOLVEMENT PLAN

A public involvement evaluation process will be developed to assess the effectiveness of the public involvement efforts utilized throughout the PD&E phase. This process will include identification of the public involvement tools, establishment of performance measures, performance evaluations, and identification of improvement strategies.

XI. PUBLIC INVOLVEMENT DURING DESIGN

It is anticipated that the Design Project Manager will maintain the appropriate level of public involvement activities throughout the final design process. These public involvement activities may include additional coordination meetings with local government and environmental permitting agencies, work sessions, and small group meetings, as directed by FDOT.

FIGURE 11.4 Sample Public Involvement Plan (Page 11 of 11)

Florida Department of Transportation

GOVERNOR

District Address
District City, State and Zip Code

SECRETARY

PRESS RELEASE

FOR IMMEDIATE RELEASE:_____Date_____
PROJECT CONTACT: _____(Name)_____
_____(Phone Number)_____

PUBLIC MEETING/PUBLIC HEARING NOTICE

The Florida Department of Transportation (FDOT) District ___ has scheduled a public meeting/ public hearing regarding the proposed improvements to _____ from _____ _____ to _____ in _____ County, Florida. The meeting/ hearing will be held on _(day of week)_, (month) (day), (year), at ___(meeting location)_____. The meeting/hearing will begin as an open house from _____ to _____, with a formal presentation at _____.

This meeting/hearing is being held to allow interested persons an opportunity to express their views concerning the location; conceptual design; and social, economic, and environmental effects of the proposed improvements to _____(name of project)_____. The proposed improvements consist of improving the roadway capacity to meet future travel demand, improving existing drainage and bridge deficiencies, constructing a sidewalk, and improving safety (select or add items pertaining to a specific project).

The _____ (Environmental Document type), along with other pertinent information developed by the Department, will be available for public review on weekdays from _____ _____, 20___ through_____, 20__, at _(name of facility)__, _____(address)_____, _(City/State)_____. These materials will also be available at the meeting/hearing site from _____ p.m. until the end of the meeting/hearing. Persons desiring to submit written statements in place of or in addition to oral statements, may do so at the meeting/hearing or by sending them to _____ at FDOT District __, _____(FDOT address)_____. All statements postmarked no later than (10 days after meeting), 20__will become a part of the meeting/public hearing record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact _____ at _____ at least seven days prior to the meeting.

FIGURE 11.5 Sample Press Release

PUBLIC MEETING ANNOUNCEMENT

Name of Project
Project Limits
County, Florida

Financial Management Number #
Federal Aid Project ID #
Efficient Transportation Decision Making (ETDM) #

The Florida Department of Transportation (FDOT), District ___, has scheduled a public meeting to discuss the proposed improvements to (name of facility) from _____ to _____ in _____County, Florida. The meeting will be held in an open house format on (date), from (time) to (time), at (location and street address). The proposed improvements consist of (describe improvements).

This meeting is being held to present the project progress to-date and obtain comments on the alternatives being considered. Department representatives will be available during the meeting to informally discuss the project and answer questions. Attendees are encouraged to come to this meeting at any time between (time) and (time) to review the proposed transportation improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact _____, at least seven (7) days prior to the public hearing at (phone #). Email: name@dot.state.fl.us.

For more information, please visit our website at www._____.com

Meeting location map

FIGURE 11.6 Sample Public Meeting Notice

PUBLIC MEETING FACILITY CHECKLIST

Project Name: _____ Project Number: _____
Facility Name: _____ Phone Number: _____
Facility Address: _____ Contact Name: _____
_____ Date of Visit: _____
_____ Time of Visit: _____

Facility Information	Notes/Information	✓
Meeting Room Measurements		
Capacity Number		
ADA Requirements: Wheelchair Access Ramps		
Sound System: Microphone Speakers Podium		
Audiovisual Equipment Available: Screen Projector Projector Table		
Room Layout (Draw Sketch): Wall Space Available Location of Doors, Windows Room for Display Boards Stage Presentation Area		
Number of Chairs Needed		
Number of Tables Needed		
Janitor Service/Self Service		
Fees: Facility Rental Fee Janitorial Fee Other		
Available Parking		
Access to Meeting Room from Parking Lot		

FIGURE 11.7 Sample Public Meeting Facility Checklist (Page 1 of 3)

Facility Information	Notes/Information	✓
Number of Directional Signs Needed (Outside)	Right Arrow, Left Arrow, Down Arrow, Up Arrow, Double Sided, Welcome Sign	
Restroom Facilities: Location from Meeting Room Water Fountain ADA Accessibility		
Food/Beverage Allowed? Soft Drink Dispenser Trash Containers		
Electrical Outlets: Number/Locations Extension Cords Needed		
Special Instructions: Lights Thermostat Lock-Up Other		
Insurance Needed:		
Facility Agreement Needed:		
Facility Schedule/Conflicts: Other Meetings/Activities Split Use/Exclusive Use		
Overall Site Security: Lighting, etc.		
General Notes	**SKETCH OF OUTSIDE OF FACILITY, ADJACENT STREETS, ETC.**	

FIGURE 11.7 Sample Public Meeting Facility Checklist (Page 2 of 3)

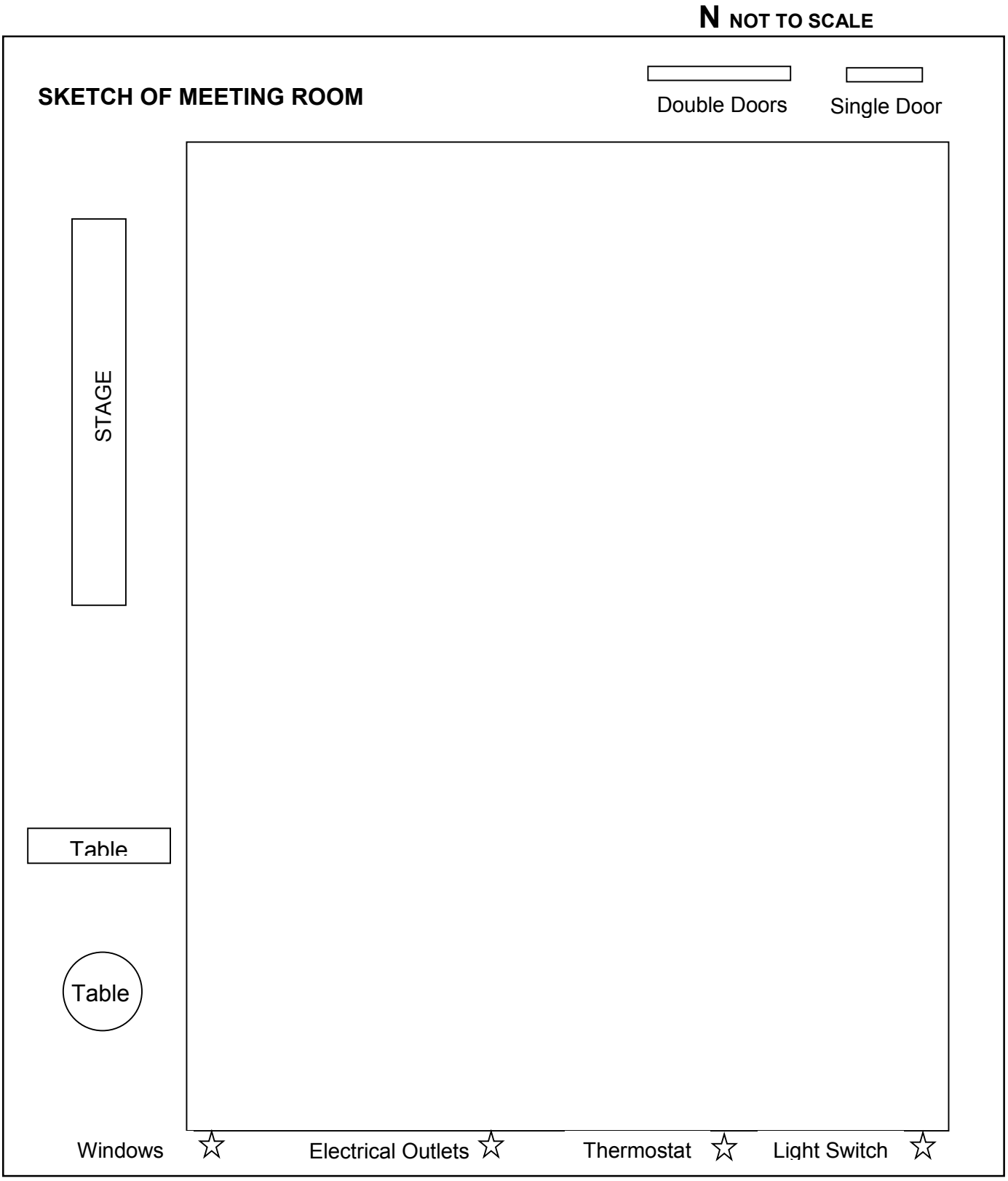

FIGURE 11.7 Sample Public Meeting Facility Checklist (Page 3 of 3)

Florida Department of Transportation

GOVERNOR SECRETARY

District Address
District City, State and Zip Code

Date

Name
Position
Agency
Address
City, State Zip Code

Subject: Project Name _____
Project Limits _____
County/State _____
Financial Management Number: _____
Federal Aid Project Number: _____
ETDM Number: _____

Dear Mr./Ms. Last Name:

The Federal Highway Administration (FHWA) (or lead federal agency) and the Florida Department of Transportation (FDOT) are preparing an Environmental Impact Statement (EIS) on the above-referenced project. This letter is an invitation for your agency to attend a scoping meeting.

The purpose of this scoping meeting is to:

1. Determine the scope and significance of issues and the degree of analysis required for the EIS. This will also include identification of the range of alternatives and potential impacts to be evaluated.

2. Identify issues that are not significant or have been covered by prior environmental studies, and eliminate them from detailed study. This would narrow discussion in the EIS to a brief description of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

3. Allocate assignments for sections of the EIS among lead and cooperating agencies, with the lead agency (FHWA/FDOT) retaining responsibility for the EIS preparation.

4. Identify any environmental assessments or impact statements that are being prepared and are related to, but not part of, the scope of the EIS under consideration.

FIGURE 11.8 Sample Scoping Meeting Invitational Letter (Page 1 of 3)

5. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS. Examples of additional requirements include surveys and studies required by the National Historic Preservation Act and the Endangered Species Act.

6. Identify permits, licenses, or entitlements that will be necessary.

7. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

_____(name of consultant firm)_____ of __(City/State)_____, has been retained by the Florida Department of Transportation to develop the conceptual design features for the proposed project and an EIS.

The scoping meeting will be held on (day of week), (month), (date), 20__ from (time) to (time) at (street address)_____ .

The proposed improvements would involve __(project description)_____ for _____(project name and project limits).

Alternatives currently under consideration include:

1. Taking no action;
2. Widening to a _____;
3. Widening to a _____; and
4. Alternate corridors.

The study also includes consideration for _____.
(Additional project description - e.g., *The project may be an influencing factor for an increased rate of development in an area containing transitional wetlands. It may affect pedestrian safety and have an economic effect on existing commercial property that may be displaced or lose parking spaces.)*

This formal scoping meeting is necessary to aid the Department in project development and to increase interagency awareness of concerns. An agenda and project location map are enclosed to assist you in studying this project and outlining potential issues. If you have any questions prior to the meeting, please contact: (FDOT Project Manager's name) (District address) or (consultant Project Manager's name) (consultant's address).

Your agency's participation and cooperation in this preliminary issues identification effort are encouraged, and the Department would appreciate being notified by (date) whether your agency will attend this meeting.

Sincerely,

_____
District Environmental Management Engineer

xx/xx
Enclosures

FIGURE 11.8 Sample Scoping Meeting Invitational Letter (Page 2 of 3)

Scoping Meeting Suggested Invitation Mailing List

Early agency coordination and involvement are part of the Efficient Transportation Decision Making (ETDM) process. Review the ETDM Public Access Site at http://etdmpub.fla-etat.org to help determine which agencies have already been contacted regarding a specific project. Include those agencies and others as necessary:

Florida Department of Agriculture - Division of Forestry

Florida Department of Economic Opportunity

Florida Department of Environmental Protection (FDEP) - Branch Office

Florida Department of Environmental Protection (FDEP) - District Office

Florida Department of Environmental Protection (FDEP) - Office of Environmental Services-

Florida Department of Environmental Protection (FDEP) - Land Management Advisory Council

Florida Department of Environmental Protection (FDEP) - Office of Greenways and Trails

Florida Department of State - State Historic Preservation Officer

Florida Fish and Wildlife Conservation Commission (FFWCC) - Division of Marine Fisheries

Florida Fish and Wildlife Conservation Commission (FFWCC) - Office of Environmental Services

Florida Fish and Wildlife Conservation Commission (FFWCC) - Regional Office

National Oceanic and Atmospheric Administration (NOAA) - National Marine Fisheries Services (NMFS) Regional Office

U.S. Army Corps of Engineers (USACE) - Branch and Permits Section

U.S. Coast Guard - District

U.S. Department of the Interior - Bureau of Indian Affairs

U.S. Department of the Interior - Bureau of Land Management

U.S. Department of the Interior - Fish and Wildlife Service (USFWS)

U.S. Environmental Protection Agency (USEPA) - Ecological Review Branch

U.S. Forestry Service

Water Management District (for project location)

FIGURE 11.8 Sample Scoping Meeting Invitational Letter (Page 3 of 3)

TITLES AND SALUTATIONS			
Title	**Address on Envelope**	**Salutation in Letter**	**Close**
U.S. Senator	The Honorable (full name) United States Senate Address	Dear Senator (last name)	Sincerely or Respectfully yours
U.S. Representative	The Honorable (full name) House of Representatives Address	Dear Congressman/Congresswoman (last name)	Sincerely or Respectfully yours
Governor	The Honorable (full name) Governor of (State) Address	Dear Governor (last name)	Sincerely or Respectfully yours
State Senator	The Honorable (full name) Florida Senate Address	Dear Senator (last name)	Sincerely or Respectfully yours
State Representative	The Honorable (full name) House of Representatives Address	Dear Representative (last name)	Sincerely or Respectfully yours
Chairman City/County Commission/Council	The Honorable (full name), Chairman (City/County) Commission/Council Address	Dear Chairman/Chairwoman/Chairperson (last name)	Sincerely or Respectfully yours
Commissioner City/County	The Honorable (full name) (City/County) Commissioner Address	Dear Commissioner (last name)	Sincerely or Very truly yours
Mayor	The Honorable (full name), Mayor City of _____ Address	Dear Mayor (last name)	Sincerely or Very truly yours
Rear Admiral	Rear Admiral (name), U.S. Coast Guard (number) Division Address	Dear Admiral (last name)	Sincerely or Respectfully yours

FIGURE 11.9 List of Titles and Salutations

Florida Department of Transportation

GOVERNOR

District Address
District City, State and Zip Code

SECRETARY

Date

(Mr./Ms./The Honorable) First Name Last Name, Suffix
Position/Title
Address
City, State Zip Code

SUBJECT: Kick-off Meetings
Name of Project
Project Limits
County/State
Financial Management Number
Federal-Aid Project Number

Dear (Salutation - see Figure 11.10 for proper salutations):

The Florida Department of Transportation (FDOT), District ___, has scheduled an Elected Officials/Agencies Kick-off Meeting and Public Kick-off Meeting to discuss the (name of project) from (begin limit) to (end limit) in _____ County, Florida. The study will consider (describe proposed improvements).

The Elected Officials/Agencies Kick-off Meeting is scheduled for (date), from (time) to (time) at (location and address).

This Elected Officials/Agencies Kick-off Meeting is an opportunity for elected and public officials to discuss the social, environmental and economic effects of the potential improvements. The meeting format will include a short presentation providing an overview of the potential improvements and anticipated issues, followed by a question and answer session. Similar notices have been sent to other public officials and agencies interested in the project.

FIGURE 11.10 Sample Officials/Agencies Kick-off Meeting Invitation (Page 1 of 2)

The Public Kick-off Meeting is scheduled on the same day and location as the Elected Officials/Agencies Kick-off Meeting, but will be held from (time) to (time). This meeting will be held in an informal, open house format with a brief presentation at (time). This meeting will provide an opportunity for the public to learn about the project, become familiar with the study process, and provide initial feedback. Enclosed is a copy of the display notice for the Public Kick-off Meeting.

If you require further information concerning this project, please contact (name) at (phone) or by email at name@dot.state.fl.us. You may also visit the project website at www._____.com.

Sincerely,

_____
District Environmental
Management Engineer or Designee

Enclosure

FIGURE 11.10 Sample Officials/Agencies Kick-off Meeting Invitation (Page 2 of 2)

PUBLIC HEARING PLANNING CHECKLIST - Project Name: _____ Public Hearing Date: _____

Task	Person Resp.	Target Start	Target Complete	Date Complete	Comments
Meeting Facility					Ensure ADA compliant
Identify Public Hearing Facility					
Reserve/Confirm Public Hearing Facility					
Send Letter of Reservation/Confirmation to Facility					
Newspaper Ads - Two (2) 1/4 Page Size and Press Release					Newspaper Ads: PUBLISH TWICE First Notice at least 15 days but not more that 30 days prior to Public Hearing Second Notice 7-12 days prior to Public Hearing
Draft Newspaper Ad and Press Release					
Submit Draft Ad and Press Release to Consultant PM for Review					
Consultant PM Review of Draft Ad and Press Release					
Submit Draft AD and Press Release to FDOT for Review					
FDOT Review of Draft Ad and Press Release					
Final Revisions to Ad and Press Release					
Submit Ad to Newspaper (Send by E-mail or Return Receipt Requested)					
First print date at least 15 calendar days prior to Hearing					
Second print date 7 to 12 calendar days prior to Hearing					
Fax Press Release to Media 5 Days Prior to Hearing					
Obtain Affidavit of Publication from Newspaper - Forward to FDOT					
FAR AD (Publish Not Less Than 7 Days Prior to Hearing					FAR Ad FAR notice to be printed no less than 7 calendar days prior to Hearing
Draft Florida Administrative Register Ad					
Submit Draft FAR Ad to Consultant PM for Review					
PM Review of Draft FAR Ad					
Make PM Revisions to FAR Ad					
Submit Draft FAR Ad to FDOT for Review					
FDOT Review of Draft FAR Ad					
Final Revisions to FAR Ad					
Submit FAR Ad to District PIO to be Received:					
FAR Ad to FAR - to be Received on or Before 12:00 p.m. on:					
Mailing Lists					**Public** Mailing Lists Update to include any new elections/appointments and new property owners
Update Mailing List for Elected/Appointed Officials and Agencies					
Update Property Owners/Tenants/Interested Citizens Mailing List(s)					
Submit Mailing Lists to PM for Review					
PM Review of Mailing Lists					
Make Consultant PM Revisions to Mailing Lists					
Submit Mailing Lists to FDOT for Review					
FDOT Review of Mailing Lists					
Make Final Revisions to Mailing Lists					
Letters to Elected/Appointed Officials and Agencies					Letters to Elected/Appointed Officials and Agencies Officials/Agencies to receive notification at least 25 days but no more than 30 calendar days prior to Public Hearing
Draft Letter to Officials and Agencies					
Submit Draft Letter to Consultant PM for Review					
PM Review of Draft Letter					
Make PM Revisions to Draft Letter					
Submit Draft Letter to FDOT for Review					
FDOT Review of Draft Letter					
Make Final Revisions to Letter and Merge with Officials Mailing List					
Send Letters to FDOT EMO for Signature					

Task	Person Resp.	Target Start	Target Complete	Date Complete	Comments
Letters to be Mailed No Later Than:					
Newsletters (or Letter) to be Sent to Property Owners					Newsletter (or Letter) to Property Owners Property Owners to receive notification no less than 21 calendar days prior to Public Hearing
Draft Newsletter (or Letter)					
Submit Draft Newsletter to PM for Review					
PM Review of Draft Newsletter					
Make PM Revisions to Draft Newsletter					
Submit Draft Newsletter to FDOT for Review					
FDOT Review of Draft Newsletter					
Make Final FDOT Revisions to Newsletter					
Prepare Newsletter for Distribution - Print, Fold, Address, Stamp					
Locations for Documents to be Available for Public Review					Documents to be available for public review 21 days prior to the Public Hearing
Facility Name/Address					
Facility Name/Address					
Facility Name/Address					
Facility Name/Address					
Presentation/Hearing Materials					Meeting materials should be prepared well in advance of the Public Hearing to allow for reviews and revisions
Engage Court Reporter for Public Hearing					
Prepare PowerPoint or Video Presentation					
Prepare Narration Script and Moderator's Script					
Sign-in Sheets					
Comment Forms					
Project Facts Sheet (for Team Members)					
Handouts and/or Brochures					
Speaker Cards					
List of Project Team Attendees and Name Tags					
Table Signs					
Directional Signs (outdoor/indoor)					
Welcome Sign					
Title VI Display Board and Complaint Forms					
Roadway Profiles and/or Typical Sections					
Comparative Evaluation Matrix					
Aerial Photograph Display Boards					
Submit Draft Hearing Materials to PM for Review					Preparations for Briefing with FDOT
PM Review of Meeting Materials					
PM Revisions to Meeting Materials					
First Briefing Meeting with FDOT - Public Hearing Preparation Review					First Briefing Meeting with FDOT
FDOT Review of Hearing Materials					
FDOT Revisions to Hearing Materials					
Second Briefing Meeting with FDOT					Finalize Materials in Preparation for Public Hearing
Finalize Materials for Public Hearing					
Post Public Hearing Activities and Tasks					
Obtain Hearing Transcript from Court Reporter					
Review Transcript and Prepare Errata if Necessary					
Prepare Transcript Certification Form					
Review and Revisions to Errata and Certification Form					
Submit Transcript, Errata, and Certification to FDOT for Signature					
Comments and Coordination Report					

Task	Person Resp.	Target Start	Target Complete	Date Complete	Comments
Prepare Comments and Coordination Report containing transcript, errata, and signed certification, as well as documentation for all public involvement activities conducted throughout the project.					FDOT to Submit the Comments and Coordination Report to FHWA
Submit Comments and Coordination Report to PM for Review					
Consultant PM Review of Comments and Coordination Report					
Consultant PM Revisions to Comments and Coordination Report					
Submit Comments and Coordination Report to FDOT for Review					
Location and Design Concept Acceptance (LDCA) Newspaper Ad and Press Release (FHWA projects only)					Publish LDCA after receiving FHWA acceptance
Draft LDCA and Press Release and have PM Review					
Make LDCA Ad and Press Release Revisions and Submit to FDOT					
Finalize LDCA Ad and Submit to Local Newspaper					
Finalize Press Release and Submit to FDOT for Media Notification					
Obtain Affidavit of Publication from Local Newspaper - Forward to FDOT					

FIGURE 11.11 Public Hearing Planning Checklist

Public Notice Type	Statute/Laws	Federal/State Requirements	FDOT Requirements	Justification
Florida Administrative Register Ad	Section 120.525, FS	7 days	7 days	FDOT's FAR ad requirement is consistent with Chapter 120, FS.
Newspaper Display Ads	Section 339.155, FS	Published Twice 1st – 15-30 days 2nd – Not Specified	Published Twice 1st – 15-30 days 2nd – 7-12 days	FDOT's requirement for the first newspaper ad coincides with the time frame of the property owner notification, as well as when project documents will be available for public review.
Officials and Agencies	Section 339.155, FS	Not Specified	25-30 days	The required period for notification to officials and agencies is prior to notification to property owners so that they can obtain additional project information to prepare for any questions they might receive from the public.
Property Owners	Section 339.155, FS	20 days	21 days	FDOT's requirement for property owner notification is consistent with the time frame when project documents will be available for public review. It also coincides with the first newspaper display ad.

FIGURE 11.12 Public Hearing Notice Requirements

Notice of Meeting/Workshop Hearing
DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District XX

announces a (hearing, workshop, telephone conference call – Choose one) to which all persons are invited.

DATE AND TIME _____

PLACE_____

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A copy of the agenda may be obtained by contacting:

__X___Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least _____ (days, hours – choose one) before the workshop/meeting by contacting:

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

_____If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, that person will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact:

FIGURE 11.13 Sample Florida Administrative Register Ad Form
(www.flrules.org/agency/login.asp)

PUBLIC HEARING ANNOUNCEMENT

Name of Project
Project Limits
County, Florida

Financial Management #
Federal Aid Project ID #
Efficient Transportation Decision Making (ETDM) #

The Florida Department of Transportation (FDOT), District ___, will conduct a public hearing for the proposed improvements to (name of facility) from _____ to _____ in _____County, Florida. The public hearing will be held on (date) at (location and street address). The public hearing will begin as an open house at (time), with a formal presentation at (time), followed by a public comment period. The proposed improvements consist of (describe improvements).

This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. Draft project documents will be available for public review from (date) to (date) at the (location and address) and on the project website, www.____.com.

Persons wishing to submit statements, in place of or in addition to oral statements, may do so at the hearing or by sending them to (FDOT contact name and address) or at (email address). All statements postmarked on or before (end of 10-day comment period) will become part of the public hearing record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact _____, at least seven (7) days prior to the public hearing at (phone #). Email: name@dot.state.fl.us.

Hearing Location Map

FIGURE 11.14 Sample Public Hearing Newspaper Display Ad

Florida Department of Transportation

GOVERNOR District Address City, State and Zip Code **SECRETARY**

Date

(Mr./Ms./The Honorable) First Name Last Name, Suffix
Position/Title
Address
City, State Zip Code

SUBJECT: Public Hearing Announcement
Name of Project
Project Limits
County, State
Financial Management Number
Federal Aid Project Number
Efficient Transportation Decision Making (ETDM) Number

Dear (Salutation - see Figure 11.10 for proper salutations):

The Florida Department of Transportation (FDOT), District ____, will hold a public hearing for the above referenced project on(date) at (location and address). The hearing will begin as an open house at (time) with a formal presentation at (time) . A copy of the newspaper display ad, including a location map for the hearing is enclosed. Notices are being sent to all property owners and tenants located within at least 300 feet on either side of the proposed alignment and to other public officials, regulatory agencies, organizations, and individuals interested in the project. The hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

This hearing is being held as part of a current Project Development and Environment (PD&E) Study that is being conducted to evaluate proposed transportation solutions for this segment of (facility name) and to provide documented information necessary for FDOT to reach a decision on the type, design, and location of the improvements. The project is being developed to (describe what the project is trying to achieve – reduce congestion, enhance safety, achieve an acceptable level of service, etc.) while minimizing potential impacts to the natural and human environments

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact (name) at (phone #) or by email at name@dot.state.fl.us at least seven days prior to the hearing.

If you have questions about the project or scheduled public hearing, please contact the Project Manager, (name), at (phone #), or by email at name@dot.state.fl.us. You may also visit the project website at www._____.com.

Sincerely,

_____
FDOT Contact

Enclosure

FIGURE 11.15 Sample Hearing Invitation Letter for Officials and Agencies

Florida Department of Transportation

GOVERNOR District Address City, State and Zip Code **SECRETARY**

Date

SUBJECT: Public Hearing Announcement
Name of Project
Project Limits
County, State
Financial Management Number
Federal Aid Project Number
Efficient Transportation Decision Making (ETDM) Number

Dear Property Owner or Current Resident:

The Florida Department of Transportation (FDOT), District ____, will hold a public hearing for the above referenced project. The proposed improvements involve (name of project) from (begin limits) to (end limits), for a distance of ___ miles. The hearing will be held on (date) at (location and address). The hearing will begin as an open house at (time) with a formal presentation at (time). A location map of the hearing site is provided at the end of this letter.

This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The project consists of (describe project improvements) . The draft project documents and other information will be available for public review from (date) to (date) at (location and address) and on the project website (www._____.com).

Persons wishing to submit written statements, in place of or in addition to oral statements, may do so at the hearing or by sending them to (FDOT contact name and address) or by email at name@dot.state.fl.us. All statements postmarked on or before (end of 10-day comment period) will become a part of the public hearing record.

This letter is being sent to all property owners and tenants within at least 300 feet of either side of the proposed project and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact (name) at (phone #) or by email at name@dot.state.fl.us at least seven days prior to the hearing.

If you have questions about the project or scheduled public hearing, please contact the Project Manager, (name), at (phone #), or by email at name@dot.state.fl.us. You may also visit the project website at www._____.com.

Sincerely,

_____
District Environmental Management Engineer

Enclosure

FIGURE 11.16 Sample Hearing Invitation Letter for Property Owners

Project Name
Public Hearing/Meeting

Date

Financial Management No. _____

Comments

(Please print)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Contact Information (please print):

Name:_____

Address:_____

City:_____State:_____Zip:_____

If you require extra time, please forward comments by (end of 10-day comment period) to be included in the project record, to:

Contact Name
Florida Department of Transportation
Address
City, State Zip

FIGURE 11.17 Sample Comment Form

Speaker Request Card Number ☐

To be completed prior to making a recorded statement

PUBLIC HEARING - _(date)___, 20___

_____(project name)_____

_____(project limits)_____

PLEASE PRINT:

Name: _____
First Middle Last

Address: _____
Street

_____
City State Zip code

Telephone: _____

Representing: Self _____ Firm/Agency _____
Government Agency _____
Civic Organization_____
Homeowners Association _____
Other _____

FIGURE 11.18 Sample Hearing Speaker Card

PUBLIC HEARING TRANSCRIPT CERTIFICATION

I hereby certify that on _(date)_____, beginning at (time) p.m., I presided over a Public Hearing for the following project:

__(Project Name)__

Project Development and Environment (PD&E) Study

from _____(Project Limits)_____

_____ County, Florida

Financial Management No.: _____

I further certify that the subject public hearing was conducted relative to the economic and social effects of the location and design concept for the subject project and its impact on the environment, that a transcript was made and the document attached herein is a full, true, and complete transcript of what was said at the hearing, and that the Florida Department of Transportation has considered the social, economic, and environmental effects of the proposed improvement and is of the opinion that it is properly located and should be constructed.

_____ _____

(Name) Date
FDOT Hearing Moderator

FIGURE 11.19 Sample Public Hearing Transcript Certification

The FLORIDA DEPARTMENT OF TRANSPORTATION announces an opportunity for a public hearing.

PURPOSE: Notice is hereby given that interested persons may request a location and design concept public hearing for:

Project Name: _____
Type of Project: _____
Project Limits: _____
City/Town/County: _____, Florida
Financial Management Number: _____
Federal-Aid Project Number: _____
This Project Includes (Project Description):
_____
_____
_____
_____

This proposed project involves the use of properties protected under the National Historic Preservation Act of 1966. Persons interested in this project may review the approved Draft Section 4(f) Statement at the following Florida Department of Transportation Office: (if applicable)

Florida Department of Transportation District ___
Mailing Address
City, State Zip Code
Telephone Number

Persons interested in requesting a location and design concept public hearing should submit a request in writing to:

Florida Department of Transportation
District Environmental Management Engineer
Mailing Address
City, State Zip Code
E-Mail Address

The request should be postmarked no more than 21 days following the publication of this notice.

FIGURE 11.20 Sample Notice to Request a Public Hearing

NOTICE OF AVAILABILITY OF
FINAL ENVIRONMENTAL IMPACT STATEMENT

Name of Project
Project Limits
County, Florida

Financial Management #
Federal Aid Project ID #
Efficient Transportation Decision Making (ETDM) #

The Florida Department of Transportation, District ____ has released a Final Environmental Impact Statement (FEIS) for the proposed improvements to (name of project) in_____County, Florida.

The project consists of (provide a brief summary of the project and recommendations) .
The FEIS will be available for a 30 calendar-day review period effective (date) to (date), at (locations and address) .

Persons wishing to submit written statements, may do so by sending them to (FDOT contact name and address).

All statements postmarked on or before (end of 30-day comment period date)_____will become a part of the project record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

(Include name, telephone number and email of contact person).

FIGURE 11.21 Sample Notice of Availability of Final Environmental Impact Statement

ANNOUNCEMENT OF
LOCATION AND DESIGN CONCEPT ACCEPTANCE

Name of Project
Project Limits
County, Florida

Financial Management #
Federal Aid Project ID #
Efficient Transportation Decision Making (ETDM) #

On (month/day), (Year), the Federal Highway Administration granted Location and Design Concept Acceptance for the (name of project) from (begin limits) to (end limits). The proposed improvements consist of (describe improvements).

This project will now proceed to the next phase of development. For more information please contact:

FDOT Project Manager
Address
City, State Zip
Contact phone #

FIGURE 11.22 Sample Location and Design Concept Acceptance Notice