



DRAFT

**PUBLIC INVOLVEMENT
PLAN (PIP)**

2024

KACTS Members:

Kittery • York • Kennebunk • Wells • Kennebunkport • Ogunquit • Eliot • South Berwick •
Berwick Maine Turnpike Authority • MaineDOT • Southern Maine Planning and
Development Commission Public Transportation Agencies

Prepared by Southern Maine Planning and Development Commission

APPROVED BY THE KACTS COMMITTEE ON DATE TBD

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Non-Discrimination Policy Statement

The Kittery Area Comprehensive Transportation System (KACTS), as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes and regulations, is committed to ensuring that no person shall, on the grounds of race, color, national origin, gender, age, disability, income, or limited English proficiency, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination under any program or activity conducted by KACTS, regardless of whether programs and activities are federally funded or not.

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TRANSLATION / TRADUCTION / TRADUCCIÓN

If you would like an accommodation for language, please contact / Si vous souhaitez un logement pour la langue, veuillez contacter / Si desea una acomodación para el idioma, comuníquese con:

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INTRODUCTION & BACKGROUND

The KACTS Region

As one of Maine's four Metropolitan Planning Organizations (MPOs), the Kittery Area Comprehensive Transportation System (KACTS) is the federally designated entity that oversees transportation planning and infrastructure spending in the Kittery urban area.

The KACTS region, in which nearly 74,000 people live, includes nine towns: York, Kittery, Eliot, South Berwick, Berwick, Ogunquit, Wells, Kennebunk, and Kennebunkport. The KACTS transportation system is essential to supporting southern Maine's economy and residents' quality of life. The region's transportation system includes major corridors like Interstate 95 and Route 1, and several smaller arterial routes with local and regional significance in southern Maine. The region includes major employers such as the Portsmouth Naval Shipyard and is greatly impacted by summertime influxes of visitors to the region's many coastal beaches.

What is KACTS?

Federal legislation passed in the early 1970s requires that any urban area with a population greater than 50,000 have a designated MPO. KACTS was designated in 1982 as

the federally mandated MPO for the Maine portion of the Dover-Rochester and Portsmouth-Kittery Urban Areas. As an MPO, KACTS has

the authority and responsibility for transportation policymaking in the metropolitan planning area. KACTS' primary responsibility is to develop regional plans that coordinate various elements of transportation networks into one cohesive regional transportation system and identify transportation investment priorities within the region. KACTS identifies and evaluates transportation improvement projects; facilitates communication between member communities

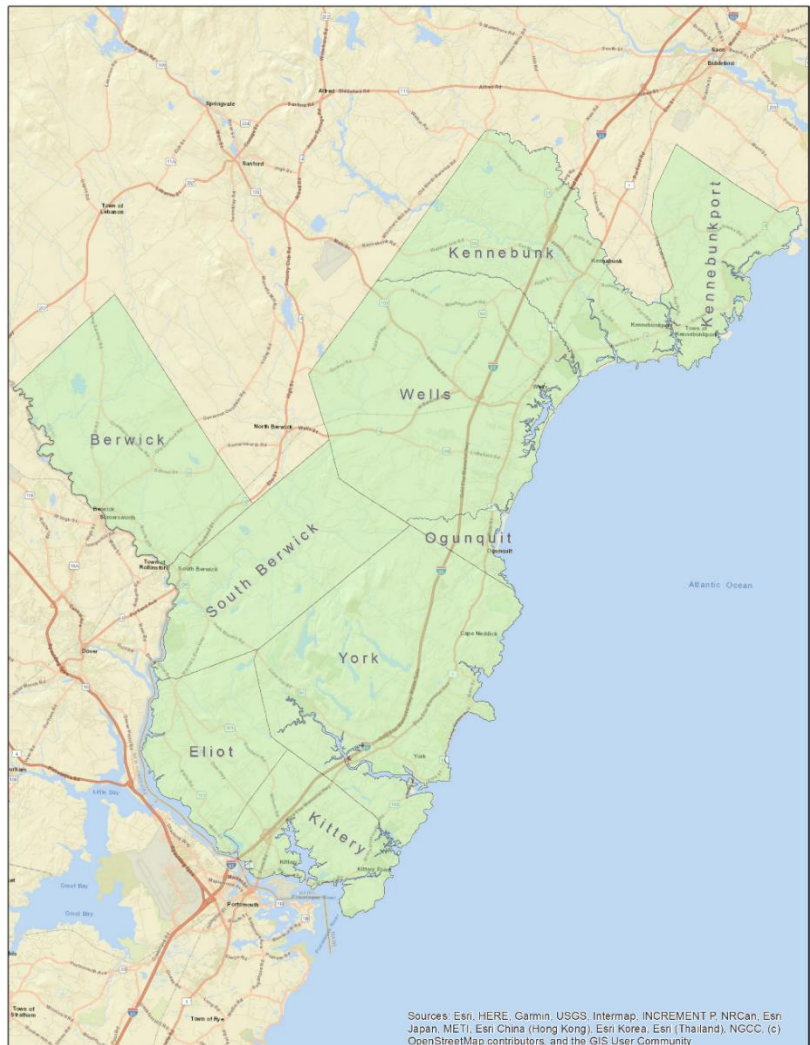


Figure 1. The KACTS region includes the towns of York, Kittery, Eliot, South Berwick, Berwick, Ogunquit, Wells, Kennebunk, and Kennebunkport.

and local, state, and federal transportation agencies; and sponsors and conducts studies to assist in the transportation planning process with the goal of executing a continuing, cooperative, and comprehensive (3-C) planning process in the region. Although KACTS does not actually own or operate the region’s transportation system, it serves an overall coordination and consensus-building role in planning and programming funds for projects and operations.

Purpose of the Public Involvement Plan

As a relatively small but growing region, a single transportation project can impact community well-being, economic opportunities, access to goods and services, and land use functionality. Each project should seek to understand these potential effects on the public. Engaging the public is critical because people who use the transportation system know best its impact on their lives and communities.

KACTS seeks participation from residents, agency partners, business owners, and civic and environmental coalitions, including but not limited to minorities, low-income individuals, the elderly and disabled, and those with limited English proficiency. Early and targeted incorporation of these groups in plan or project development will be key to effective and inclusive public processes in the KACTS communities, especially in multiyear and long-term projects.

This Public Involvement Plan aims to lay out a path to inform and engage the public about transportation issues in southern Maine. It recognizes that public participation should come from many stakeholders, especially traditionally underserved populations, and that successful planning processes allow and encourage meaningful public input. This plan describes the Federal and State requirements that KACTS must meet, establishes the steps needed to meet those requirements, and determines additional ways KACTS can achieve meaningful and representative public participation.

KACTS Governance

KACTS is governed by the KACTS Policy Committee. This board of 13 voting members includes municipal representatives from the nine member communities, the Southern Maine Planning and Development Commission, public transportation providers, the Maine Turnpike Authority, and the Maine Department of Transportation (Table 1). It receives a

Voting Member	# of Representatives
York	2
Kittery	2
Wells	2
Kennebunk	2
Berwick	1
South Berwick	1
Eliot	1
Ogunquit	1
Kennebunkport	1
SMPDC	1
Public Transportation Providers	1
Maine Turnpike Authority	1
Maine Department of Transportation	1

Table 1. KACTS Voting Members

biennial allocation of funds from MaineDOT (FHWA and FTA funding) for its transportation planning. The committee meets monthly, and notices are posted to the SMPDC website at least 7 days prior to each meeting. Each meeting provides an opportunity for public comment, including those received by KACTS electronically and in hard copy. Meeting minutes are available on the KACTS website after committee approval.

KACTS Core Plans & Programs

As an MPO, KACTS creates plans and policies for transportation at the regional level. The five federally required core plans and documents produced by KACTS are as follows:

1. **Unified Planning Work Program (UPWP).** The UPWP outlines administrative costs of running the MPO and lists transportation studies and tasks KACTS will perform to support the Metropolitan transportation planning process – such as corridor planning, bicycle and pedestrian planning, technical planning assistance, data collection, and other transportation planning tasks – and reflects KACTS goals and federal and state funding sources. This plan covers a 2-year period and must be updated every 2 years.
2. **Transportation Improvement Program (TIP).** The TIP is a capital improvement program developed in cooperation with Maine DOT. This program results in a prioritized list of transportation projects that are submitted for federal, state, and local funding, such as road resurfacing and reconstruction. Candidate projects are submitted by the member communities and ranked through a technical scoring/project prioritization process. The TIP covers a 4-year period and is updated every year.
3. **Metropolitan Transportation Plan (MTP).** The MTP lays out a 20-year vision for the future of the region’s transportation system. The plan considers projected growth in population, employment, and residential and commercial development as the basis for new policies and projects to facilitate all modes of transportation. This plan must be updated every 5 years.
4. **Public Involvement Plan (PIP).** The PIP provides the public with information on opportunities for involvement in the transportation planning process.
5. **Title VI Plan.** The Title VI Plan lays out how KACTS will conduct its planning activities in accordance with Title VI of the Civil Rights Act of 1964.

PUBLIC PARTICIPATION ACTIVITIES

In Title 23 of the United States Code of Federal Regulations (CFR) Section 450, all Metropolitan Planning Organizations must generate a documented participation plan for the development and update of Transportation Plans and Transportation Improvement Programs (TIPs). CFR Section 450.316 (a) mandates that the MPO’s participation plan must allow for adequate public notice of public participation activities, public review and comment at key decision points in plan development, and multiple, accessible participation formats, including electronic and in-person. See [Appendix A](#) for full requirements and the [Federal Transit Administration Website](#) for more information.

Annual List of Obligated Projects

In the interest of transparency, federal law requires MPOs to produce annual listings of projects in their regions for which federal funds have been obligated. MPOs must post these listings on their websites or otherwise make them publicly accessible via means such as printed reports, newsletters, and publication in local newspapers within 90 calendar days of the September 30 end of a federal fiscal year. This requirement is designed to give the public an accurate understanding of how federal transportation funds are being spent.

In Maine, MPOs rely on MaineDOT to provide them with listings of transportation improvements, including mass transit and bicycle-pedestrian projects, for which federal funds were obligated during the most recent federal fiscal year. MPOs submit requests for these listings to MaineDOT each year. For each project, the annual listing must identify:

- The amount of federal funds requested in the TIP
- The type of work done
- The beginning and end points of the project
- The project length, in miles
- The federal funding that was obligated during the previous year
- The federal funding remaining and available for subsequent years

Interested and Affected Parties List

The following interested and affected parties (in addition to KACTS non-voting members and media sources) will be kept informed during the development of KACTS plans and programs. The list will remain open to any new agencies or individuals wishing to be notified of MPO activities. Also, if warranted, agencies or individuals may be removed from the list or replaced.

The KACTS Interested and Affected Parties list includes:

- Bicycle Coalition of Maine
- KACTS Municipal Committee and Boards
- Seacoast Area Bike Routes (SABR)
- Natural Resources Council of Maine
- Maine Turnpike Authority
- Maine Transit Association
- Private transportation providers
- GoMaine Commuter Program
- Maine Department of Environmental Protection
- Federal Environmental Protection Agency
- Municipal Staff (Managers and Planners)
- Public Works Directors
- Members of State Legislature
- York County Community Action Corporation (YCCAC)

Public Information Meetings

Public Information Meetings take place during plan or project development to inform the public and offer an opportunity for questions and comments. In-person public information meetings occur near the location of plans or projects whenever possible. Staff and, if applicable, contracted professionals will host these meetings to answer questions and provide information. All public meetings will be noticed. The public can expect notices to contain the following information:

- What action is being undertaken and an explanation of the process
- Who should be interested/concerned
- How decisions may affect the region
- Schedule for the process
- Who may be contacted to offer comments and/or suggestions
- Future opportunities for comment and participation
- The intent, schedule, location, and time of the meeting
- The location where technical and/or policy information is available
- Length of the comment period

Social Media

KACTS alerts the public of planning, projects, and other MPO activities, and that of neighboring and partner agencies, through SMPDC's Facebook and Instagram. SMPDC's social media pages each have over 500 followers as of this document's publication.



Facebook:

facebook.com/Southernmaineplanning



Instagram:

instagram.com/southernmaineplanning

Website Resources

The KACTS website, smpdc.org/kacts, is housed within the SMPDC website and provides a comprehensive overview of all KACTS activities, including notices of public comment periods, MPO documents, meeting agendas and minutes, and an event calendar. Contact information for KACTS staff is included as well.

Electronic Newsletter

SMPDC sends an electronic newsletter to KACTS member towns and stakeholders on a quarterly basis. The newsletter covers the work of the entire SMPDC region, involving plans and projects within, adjacent to, and outside of the KACTS region. It covers a range of topics from transportation, economic development, sustainability, and land use activities.

Newspaper Notices

When announcing MPO activities such as public information meetings and surveys, KACTS notifies multiple local and regional news outlets to reach as many constituents as possible.

Public Comment Periods

KACTS provides public comment periods that range from 10 to 45 days. Members of the public can access draft planning documents and are invited to provide formal feedback on them. Comments can be submitted in writing to KACTS staff via email or regular mail.

Surveys

KACTS uses surveys as a tool to gather public input on a variety of topics. KACTS often employs surveys to inform decision-makers and stakeholders of community knowledge and opinions, and guide KACTS' transportation planning efforts. Surveys can be deployed electronically or on paper to maximize accessibility to all stakeholders, including those with limited digital access. Surveys can also be translated to reach individuals with limited English proficiency.

Public Outreach Events

KACTS tables at public events to provide valuable opportunities for face-to-face interaction and information gathering from community members who may not otherwise attend a more formal public meeting.

Steering Committees

KACTS periodically recruits and convenes steering committees to support specific projects and planning efforts that require community insights. Such committees are typically focused and time-limited in nature and aim to incorporate a diversity of community perspectives.

Virtual Meetings

KACTS uses virtual meetings to maximize opportunities for meaningful public involvement. The majority of the Policy Committee's meetings are now held in a hybrid format, meaning people can choose to attend either in-person or virtually, according to their own needs and preferences.

Public Workshops

Workshops can be conducted in person or virtually, allowing for face-to-face conversations on topics that are of interest to transportation stakeholders. Participants are often given prompt questions or materials to ensure that they have a basic understanding of the topic and can provide thoughtful feedback. Public workshops provide an opportunity to delve into topics in-depth and clarify community priorities.

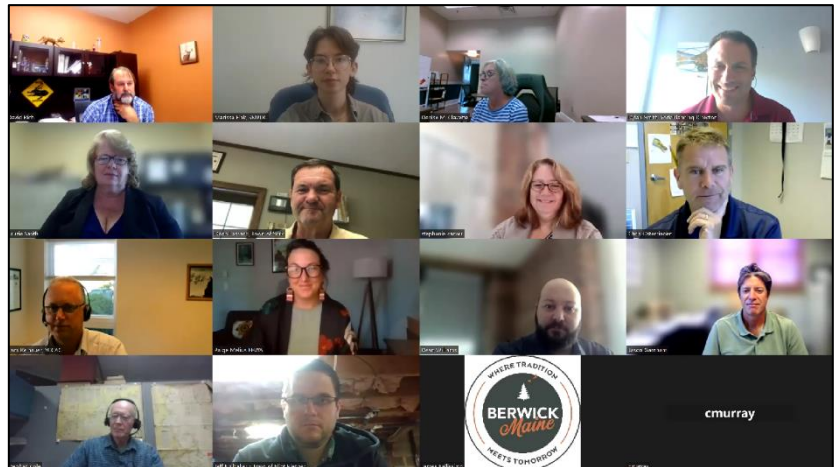


Figure 2. Virtual meetings are an important tool for KACTS to maximize public involvement opportunities.

KACTS Public Involvement Plan

Table 2. Summary of KACTS Plans and Public Participation Strategies

KACTS MPO Plan	Description	Minimum Public Comment Period	Public Participation Strategies Employed
Unified Planning Work Program (UPWP)	Work plan identifying all transportation planning activities to be undertaken by KACTS, covering a 2 year time frame. Updated every 2 years.	10 days	Website postings, Social media postings, Electronic newsletter
Metropolitan Transportation Plan (MTP)	Long-range (20 year) vision for the region’s transportation system. Considers projected growth in population, employment, and residential and commercial development as the basis for new policies and projects. Updated every 5 years.	30 days	Public information meetings, Surveys, Newspaper notices, Website postings, Social media postings, Electronic newsletter, Public workshops, Public outreach events
Transportation Improvement Program (TIP)	Short-range (4 year) program of transportation improvement projects that are submitted for federal, state, and local funding, such as road resurfacing and reconstruction. Updated every 2 years in cooperation with MaineDOT.	10 days	Website postings, Social media postings, Electronic newsletter
Public Involvement Plan (PIP)	Outlines the goals, strategies, approaches, and performance measures to be used to advance meaningful public involvement in KACTS’ regional transportation planning efforts.	45 days	Website postings, Social media postings, Electronic newsletter
Title VI Plan	Lays out how KACTS will conduct its planning activities in accordance with Title VI of the Civil Rights Act of 1964.	30 days	Website postings, Social media postings, Electronic newsletter

INDIVIDUAL PLAN REQUIREMENTS

Unified Planning Work Program (UPWP)

The UPWP is updated every two years and summarizes how KACTS intends to spend its federal planning funds over a two-year period. It serves as a management tool and a program budget and includes anticipated financial resources and expenditures for the years covered. KACTS develops the UPWP in coordination with the Maine Department of Transportation (MaineDOT). It directly links to the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP).

Public Notification of UPWP Development

Prior to drafting the UPWP, KACTS solicits public input for proposed planning activities. A Notice of the 10-day Public Comment for the draft plan is posted on the KACTS website and sent to the list of Interested and Affected Parties. Any public comments received are reviewed, compiled, and presented to the KACTS Policy Committee prior to development of the final UPWP. The KACTS Policy Committee reviews the public comments and discusses the concerns raised, including if and how to address them. The approved UPWP is posted to the KACTS website and available at the SMPDC office.

Metropolitan Transportation Plan (MTP)

The MTP lays out a vision for what the region's transportation system will look like in 20 years and must be updated every 5 years. The plan considers projected growth in population, employment, and residential and commercial development as the basis for new policies and projects to facilitate all modes of transportation.

Public Notification of MTP Development

The Interested and Affected Parties list (in addition to KACTS non-voting members and media sources) receives notices of plan development and KACTS MPO Committee meetings. KACTS holds at least one Public Information Meeting during the development of the MTP to solicit comments and ideas from the public. Notice of the informational meeting(s) are sent to the Interested and Affected Parties list and to media sources not less than 10 days prior to the meeting date. KACTS regularly utilizes other techniques to increase public involvement during the development of the MTP, including public workshops, surveys, and public outreach events. These techniques occur throughout the planning process, allowing an iterative cycle of informing, consulting, and collaborating with the public through which public input directly guides the plan.

Once the MTP development process has reached the Final Draft stage, the MPO makes the Draft Plan available for a comment period of not less than 30 days. The Interested and Affected Parties list and media sources are then notified of its availability, and copies of the Draft Plan are made available at the SMPDC office. The MPO may also choose to hold an additional Public Information Meeting once the Draft Plan is completed.

If the Final Plan differs significantly from previous draft versions and contains substantial new ideas or issues, these changes/additions are made known to the public and an additional comment period of not less than 10 days will be provided.

The KACTS Policy Committee addresses substantial written or oral comments on the MTP and include those, with responses, as part of the Final Plan.

MTP Modifications or Amendments

Per the USDOT's Metropolitan Planning Regulations, the MTP may be amended between updates. Should the MTP be amended, KACTS:

- Publishes the proposed amendment(s), supporting documentation, and a brief summary on the KACTS website, with paper copies available at the SMPDC office
- Provides a public comment period of no less than 10 days; posts a notice of public comment on KACTS website and notifies the Interested and Affected Parties list
- Compiles all relevant public comments for consideration by the Policy Committee prior to amendment approval
- Includes all relevant comments received in the Plan, as well as the Policy Committee responses to all relevant comments
- Posts approved amended MTP on the KACTS website, with paper copies available at the SMPDC office

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is a capital improvement program developed every year in cooperation with MaineDOT.

Public Notification of TIP Development

Public notice of TIP development and opportunity for public comment is posted on the KACTS website and sent to the Interested and Affected Parties list. A period of at least 10 calendar days beginning from the date of public notice is provided during which comments may be submitted to KACTS for consideration.

These procedures also satisfy the public involvement requirements that pertain to the development of the Program of Projects (POP) for regular Federal Transit Administration (FTA) Section 5307, Urbanized Area Formula Program, grant applications including the provision for public notice and the time established for public review and comment. Public notices relating to the TIP (and significant amendments of the TIP) shall say, in part, "public notice of public involvement activities and time established for public review and comment on the Transportation Improvement Program (TIP) will satisfy the POP requirements of the Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program."

KACTS will compile all relevant public comments, or a summary of similar comments, for consideration by the Policy Committee prior to final approval of the TIP. All relevant comments received, and Policy Committee responses will be included in the final TIP document. The approved TIP will be posted on the KACTS website and will be available at the KACTS office for public viewing.

TIP Revisions

Whenever action is taken at the project level by the KACTS Policy Committee between updates, a revision to the TIP may be necessary. KACTS follows the same TIP revision guidelines and

processes as those agreed upon by FHWA, FTA, and MaineDOT in adding, removing, or changing projects to the Statewide Transportation Improvement Program (STIP).

The procedure for formally revising the TIP varies depending on the nature of the proposed change to the document. As described in 23 CFR §450, there are two types of revisions to an approved S/TIP:

1. Amendment (Requires public process and Federal approval)
2. Administrative Modification (Information Only)

The degree of MPO, State and Federal action and approval varies based on revision type. As agreed upon by the FHWA, FTA, and MaineDOT, the guidelines included in [Appendix B](#) distinguish between an Amendment and an Administrative Modification to revise the S/TIP.

TIP Amendment Public Notification Process

Amendments are major changes; therefore, a public involvement process is required. In accordance with 23 CFR § 450, the TIP Amendment process must provide a “reasonable opportunity” for public comment. For any project requiring an amendment, KACTS will post a public notice of TIP Amendment on the KACTS website, provide opportunity for public comment, and send a notice to the Interested and Affected Parties list. A period of at least 10 calendar days beginning from the date of public notice will be provided during which comments may be submitted to KACTS. The proposed amendment(s), along with a summary and supporting documentation, will be available on the KACTS website and at the SMPDC office. Any technical analysis in support of the amendment will be referenced in the public notice and made available to the public for review and comment.

TIP Administrative Modification Public Notification Process

Administrative Modifications are not significant changes; therefore, no public involvement process is required. For administrative modifications made to MaineDOT funded and sponsored projects in the KACTS region, MaineDOT submits the request to the KACTS Director who executes the administrative modification following a three-day notification and comment period to the Policy Committee. KACTS will post TIP administrative modifications on the KACTS website and have the document available at the SMPDC office.

Public Involvement Plan (PIP)

This document outlines the goals, strategies, approaches, and performance measures to be used to advance meaningful public involvement in KACTS’ transportation plans and projects.

For a PIP update, KACTS posts a public notice on the KACTS website and sends it to the Interested and Affected Parties list. The public comment period is a minimum of 45 calendar days. KACTS shares the proposed PIP on the KACTS website and at the SMPDC office. KACTS staff compiles all relevant public comments for consideration and response (if warranted) by the KACTS Policy Committee. KACTS prepares the final PIP after carefully considering all the comments and input received from the public process. All relevant written or oral comments received on the draft Plan, with Policy Committee response, are included in the final Plan. The approved PIP is posted on the KACTS website and available at the SMPDC office.

Title VI Plan

The Title VI Plan lays out how KACTS conducts its planning activities in accordance with Title VI of the Civil Rights Act of 1964. KACTS is committed to upholding the fundamental principles of equal opportunity in all decisions involving our employees, contractors, and consultants, and ensuring public access to our programs and services.

A public comment period of at least 45 calendar days is provided when the Title VI Plan is updated, during which comments may be submitted to KACTS for consideration. Notice of the public comment period is posted on the KACTS website and sent to the Interested and Affected Parties. The proposed Title VI Plan is made available on the KACTS website and at the SMPDC office. KACTS compiles all relevant public comments, or a summary of similar comments, for consideration by the Policy Committee prior to final approval of the Title VI Plan. All relevant comments received and Policy Committee responses are included in the final document. The approved Title VI Plan is posted on the KACTS website and available at the SMPDC office.

GOALS AND PERFORMANCE MEASURES

Public participation is essential to the success of any planning program or project. A proactive public involvement process leads to a transportation system that reflects the needs and values of the community. KACTS seeks to incorporate the involvement of the public in its planning efforts.

Public participation efforts are intended to include individuals, public agencies, representatives of public transportation, ports, providers of freight transportation services, providers of transportation, public transportation riders, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. This PIP is designed to provide all interested parties, including local public agencies and planning partners, with information on how KACTS engages the public in the transportation planning and programming processes.

A performance measure is an indicator that helps organizations track their progress toward achieving their goals. KACTS has identified a series of performance measures, which will be tracked to ensure our public involvement goals are met. Table 3 on the following page outlines KACTS' performance measures and indicates how they support each public involvement goal. By regularly updating and reviewing these performance measures, KACTS is able to gain insight into the effectiveness of outreach strategies, pinpoint potential challenges, and uncover new opportunities for enhancing public participation in our region. KACTS staff will internally review performance measure data and publicly report on progress.

KACTS Public Involvement Plan

Table 3. KACTS Public Participation Performance Measures

Strategy	Performance Measure	Evaluation Criteria	Method to Meet Goal
Interested and Affected Parties Distribution List	Keep database current	Number of returned emails	Make immediate corrections when items are returned
KACTS website and Calendar of Events	Increase number of website visitors and keep calendar current	Calendar maintained and reflects current meetings and events	Use other tools to increase awareness of website and post in timely manner
Public Meeting Advertisements	Advertise all required Committee meetings and public hearings 7 days ahead	All required Committee meetings are advertised 7 days ahead	Ensure system in place to advertise with enough lead time
Translation and Interpretive Services	Satisfy all requests	How many requests are made and filled	Advance notice of meetings; opportunity for translation service is prominent and clear on all notices
Social media	Maintain and post content regularly	Calls, messages, number of followers	Provide meeting information, announcements, access to surveys; monitor accounts
Comment Forms; Surveys; Questionnaires	50% of meeting attendees complete; or 25% of mail/email recipients complete	Number of responses received; number of persons reached	Encourage response by explaining importance of receiving feedback; Provide incentives for completion
Public information sessions, Public Hearings, Project meetings, and workshops	Attendance reflects public interest; progress is able to be made using input from affected parties	Attendance, emails, letter, etc.	Schedule convenient times/locations; Adopt a “meet people where they are” approach
Advisory Committees	80%-member participation across length of project	Percent of member participation	Schedule at convenient times and locations, ensure timely distribution of materials; Keep members engaged and informed

PERIODIC REVIEW OF PUBLIC PARTICIPATION PROCEDURES & STRATEGIES

KACTS will review this Public Involvement Plan and the procedures and strategies used to solicit public participation and feedback and ensure a full and open participation process at least once every three years.

A Notice of Public Comment will be posted on the KACTS website and sent to the list of Interested and Affected Parties when the Public Involvement Plan is revised. A period of at least 45 calendar days will be provided during which comments may be submitted to KACTS for consideration. KACTS will make available the proposed Plan with a brief description of significant changes on the KACTS website and at the KACTS office. KACTS staff will compile all relevant public comments, or a summary of similar comments, for consideration and response (if warranted) by the KACTS Policy Committee. KACTS will prepare the final Public Involvement Plan after carefully considering all comments and input received from the public process. All relevant written or oral comments received on the draft Plan, with Policy Committee response, will be included in the final Plan. Copies of the approved Public Involvement Plan will be provided to FHWA and FTA for informational purposes and be posted on the KACTS website.

Appendix A – Federal Regulations for Interested Parties, Participation, and Consultation

23 CFR 450.316 Interested parties, participation, and consultation.

(a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

- (i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
- (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
- (iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;
- (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
- (v) Holding any public meetings at convenient and accessible locations and times;
- (vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
- (vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- (viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
- (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
- (x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

Appendix A – Federal Regulations for Interested Parties, Participation, and Consultation

(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 201–204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.

Appendix B – Statewide Transportation Improvement Program (STIP) Procedures for the State of Maine

I. Introduction

The Statewide Transportation Improvement Program (STIP) lists transportation programs and projects covering four years. Projects funded by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must be listed in an approved STIP before they are eligible for federal expenditures. A STIP is necessary for states to demonstrate fiscal constraint, adequate public involvement, and compliance with the Clean Air Act. Projects or programs become included in an approved STIP through a comprehensive revision process that supersedes the previous STIP or they are amended to the current STIP, and they must be developed according to the performance-based provisions of 23 CFR Part 450. This agreement between the FHWA, FTA, and MaineDOT, describes the process for adding, removing, or changing projects in the current STIP.

II. STIP Revision Guidelines

The procedure for formally revising the STIP varies depending on the nature of the proposed change to the STIP document. As described in 23 CFR §450, there are two types of revisions to an approved STIP:

- Amendment (Requires public process and federal approval)
- Administrative Modification (Information Only)

The degree of state and federal actions varies depending on revision type. As agreed upon by the FHWA, FTA, and MaineDOT, the following guidelines distinguish between an Amendment and an Administrative Modification to revise the STIP.

NOTE: For financial adjustments, federal funding would come from reserved federal funding, existing projects with excess funding based on latest estimate, bid savings from advertised projects, and/or unprogrammed federal funding associated with the fourth year of the STIP. Schedule adjustments may be required to accommodate the obligation of funding.

Amendment Guidelines

- Any change to a project in the current STIP/TIP that impacts the regional air quality conformity emissions analysis used for the current conformity determination
- Adding or removing a significant project (Project requiring an EIS and a construction cost greater than \$35M)
- Adding or removing a Non-Exempt phase of a project
- Adding or removing a project
- Adding or removing a phase(s) to a project with a financial adjustment in accordance with Table 1
- A scope change resulting in a financial adjustment in accordance with Table 1
- A change in the total cost of a project in accordance with Table 1
- Creating a lineage WIN with a total project cost in accordance with Table 1
- Project location/limits (by reference or otherwise) can be revised/updated in accordance with Table 1 and/or Table 2

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- Adding a project from a prior STIP to the current STIP.

Administrative Modification Guidelines

Statewide and Regional Capital Projects: Capital projects identified as “Statewide” and/or “Regional” or “Region #” in the current MaineDOT STIP can be re-established as location-specific project(s) in the current STIP, given the following requirements are met.

- Located in non-metropolitan and/or rural areas – any located within the metropolitan planning area (MPA) must be programmed in the MPO’s TIP
- Statewide and regional capital projects are developed using MaineDOT’s documented public involvement process o Scope of location-specific work is consistent with or not materially different with the scope of the statewide or regional effort from which it is derived
- Qualifies for a Categorical Exclusion per the Programmatic Agreement between FHWA and MaineDOT
- In non-attainment and maintenance areas, project is exempt as defined in the EPA’s transportation conformity regulations

*NOTE: Activities that do not meet the above requirements must be added to the STIP and/or respective MPO’s TIP per the Amendment process.

- Financial adjustments in accordance with Table 1
- Combining or separating two or more projects that are part of an approved STIP/TIP
- Combining or separating phases within a project that are part of an approved STIP/TIP
- Adding or removing phase(s) to a project with a financial adjustment in accordance with Table 1
- Creating a lineage WIN with a total project cost in accordance with Table 1
- A scope change resulting in a financial adjustment in accordance with Table 1
- Project location/limits (by reference or otherwise) can be revised/updated in accordance with Table 1 and/or Table 2
- Can add a fully obligated project from a past STIP to the current STIP
- Can add “Other” funding (non-federal) to a project, which is not associated with the state and/or local match to the FHWA or FTA funding, which pertains to work not associated with FHWA and/or FTA funding such as utility work, local work, or other work regardless of Table 1
- Can change the time frame of the expenditures for projects listed in the current STIP.

Table 1 - Financial Tables Guidelines		
Project's Current Approved Funding	Funding Change Thresholds	
	Administrative Modification	Amendment
Less than or equal to \$2 Million	For changes up to \$1,000,000	Required for changes greater than \$1,000,000
Greater than \$2 Million	For changes up to 50% of current approved funding	Required for changes greater than 50% of current approved funding
Contract Awards and Change Orders require no action. (Changes to MPO-sponsored projects require approval by the MPO).		
Table 2 - Linear Project-Location Limits Change Table		
Asset	Administrative Modification	Amendment
Interstate	Unlimited	n/a
Non-interstate	Up to 1 Mile	> 1 mile
*NEPA Review covers the revised limits		

III. STIP Revision Approval Process

Administrative Modifications are not significant changes to the existing STIP. Therefore, no public involvement process is required. For Administrative Modification, MaineDOT e-mails FHWA and/or FTA and updates the STIP change information on the MaineDOT website. FHWA and/or FTA shall reply in a timely manner to MaineDOT if they have concerns.

Amendments to the STIP are major changes. Therefore, a public involvement process is required. In accordance with 23 CFR § 450, the STIP Amendment process must provide a “reasonable opportunity” for public comment. The level of public involvement is scaled to the significance of the change. For any project requiring a STIP amendment, each of the following public involvement activities constitute a “reasonable opportunity” for public comment and satisfies the public review and comment requirement:

- Public meetings
- Public hearings
- Public Advisory Committee (PAC) meetings
- City/Town Council or Select Board Meetings
- Announcements on MaineDOT’s website (can be concurrent with MPO public process if applicable)
 - 10 calendar days
- Meetings with Municipal Professional Staff that have been Open to the Public; or

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- A project that has been included in a published MaineDOT Work Plan that has been made available to the public via MaineDOT’s website per the parameters set in the 5th bullet above concerning "Announcements on MaineDOT's website".

For new projects (excluding lineage projects) or any projects that have not had adequate public involvement as defined above, MaineDOT will allow a minimum public comment period of 10 calendar days prior to requesting FHWA and/or FTA approval. STIP amendments will be posted on MaineDOT’s website. Once the public involvement period ends, MaineDOT will respond to or address all substantive comments received. FHWA and/or FTA may assist MaineDOT in determining whether a comment is substantive.

To request a STIP Amendment, MaineDOT e-mails FHWA and/or FTA. FHWA and/or FTA shall approve or reject the Amendment and notify MaineDOT as soon as practicable, but generally within 10 business days. If an Amendment is rejected, the notification will explain the reasoning and provide guidance on the corrective action needed to obtain approval.

IV. Air Quality Conformity Analysis

As indicated above, any project that is not exempt from air quality conformity requirements must be included in a conforming TIP and STIP. Under the provisions of Section 176(c) of the Clean Air Act, as amended, in 1990, certain types of projects, primarily those that add capacity in federally designated “non-attainment” or “maintenance” areas, must be included in the regional emissions analysis for the current TIP and STIP. For purposes of this agreement, it is understood by MaineDOT, FHWA, and FTA that any project requiring an air quality conformity analysis will be included in the regional emissions and air quality conformity determination for the current TIP and STIP and provide that determination with project information during the public process.

V. National Environmental Policy Act (NEPA)

Requirements For projects funded by FHWA, the most current Programmatic Agreement between FHWA, Maine Division and MaineDOT will be followed for a Categorical Exclusion (CE). For anything above a CE, FHWA and MaineDOT will coordinate.

For projects funded by the FTA, the project sponsor should coordinate with the FTA Region 1 office to complete NEPA.

VI. Metropolitan Planning Organizations (MPOs)

Maine's four MPOs approve MaineDOT-derived Transportation Improvement Programs (TIPs) project listings for their respective MPO and revise them as needed, which MaineDOT then incorporates into its STIP. MaineDOT and the MPOs coordinate under the same guidelines and public involvement periods described in this agreement such that MaineDOT will request STIP amendments from FHWA and/or FTA commensurate with this process. These are documented in each organization's respective public involvement plans.