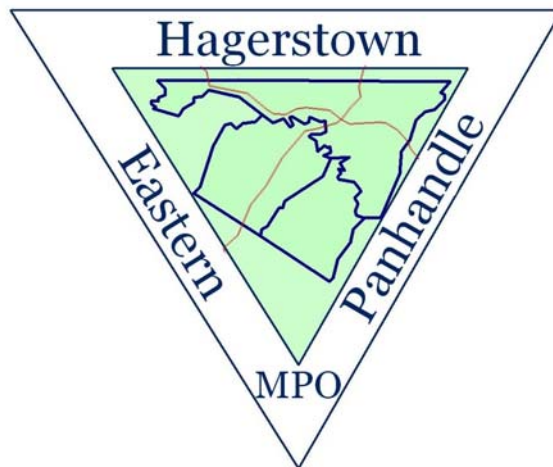


**PARTICIPATION PLAN
FOR
TRANSPORTATION PLANNING**



**ADOPTED
JANUARY 2007**

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HAGERSTOWN/EASTERN PANHANDLE MPO PARTICIPATION PLAN FOR TRANSPORTATION PLANNING

Overview

On August 10, 2005, the President signed into law the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). With guaranteed funding for highways, highway safety, and public transportation totaling \$244.1 billion, SAFETEA-LU represents the largest surface transportation investment in our Nation's history. The two landmark bills that propelled the nation's transportation program into a new era – the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and the Transportation Equity Act for the 21st Century (TEA-21) – shaped the transportation program to meet the Nation's changing transportation needs. The recently enacted legislation, SAFETEA-LU builds upon the prior transportation programs to supply funds and to further refine the transportation program to provide a framework for investments needed to maintain and grow our transportation infrastructure. SAFETEA_LU addresses the many challenges facing our transportation system today-challenges such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment- as well as laying the groundwork for addressing future challenges. SAFETEA_LU promotes more efficient and effective Federal surface transportation programs by focusing on transportation issues of national significance, while giving State and local transportation decision makers more flexibility for solving transportation problems in their communities.

Furthermore, SAFETEA_LU encourages a decision-making process for transportation that is more responsive to local needs. The Hagerstown-Eastern Panhandle Metropolitan Planning Organization (HEPMPO) has developed this Participation Plan to accomplish the following major objectives:

- Create a process that will improve and increase participation in the transportation planning process by all stakeholders
- Provide for early involvement in the planning process by stakeholders to ensure there are ample opportunities to participate in key decisions.
- Facilitate access to the transportation planning process by populations that typically lack formal access, such as low income, elderly, minorities, and persons with disabilities.
- Encourage involvement in the planning process by non-traditional participants.
- Foster a process that will result in transportation plans and projects that reflect the values of the communities that HEPMPPO serves.

The participation activities discussed in this document represent an attempt to meet the federal requirements and to develop a program that will gain as much input as possible for the transportation planning process.

Participation Procedures

Participation Plan

The components of this Participation Plan are included in the development, adoption, and amendment of HEPMPO Transportation Plans and programs. The Participation Plan will be monitored and reviewed on a tri-annual basis to evaluate its effectiveness. The strategies identified in this plan are intended to result in well-attended public meetings, local news coverage of programs, and more public interest in transportation issues within the region. A public comment period of 45 days will be provided prior to the adoption or amendment of the Participation Plan in accordance with federal guidelines.

Open Meetings

All HEPMPO meetings are open for the public to attend. This includes the meetings of the following bodies:

- HEPMPO Interstate Council Committee (ICC)
- HEPMPO Technical Advisory Committee (TAC)
- Other working committees as needed

Opportunities for public comment are included on each meeting agenda. Since issues often pass from the HEPMPO-TAC to the ICC, there will often be two opportunities to comment on issues. Due to the Tri-State structure of HEPMPO, meetings are rotated throughout the region. Based on the location of the meetings, the appropriate State "open meetings law" will be followed.

Meeting dates, times, and locations will be advertised in regional newspapers fourteen (14) days prior to the meeting date. In addition to newspaper ads, meeting notifications will be posted to the MPO's website at www.hepmo.net, sent out to regional radio stations, and advertised on local government cable channels.

Availability of Information

HEPMPO staff will make written materials provided to our committees available to the public upon request. HEPMPO will utilize the Washington County regulations concerning Public Information Act Request (See Appendix A). Appropriate charges for copies and research will apply as outlined on pages 4-5 of the policy. All such materials are available for viewing at HEPMPO offices at no cost.

Public Notification and Participation Procedures

A variety of public notification and participation procedures will be used to encourage the early and continuous involvement of citizens, jurisdictions, communities, and other interests in the planning process and the decisions and actions of the HEPMPO. They will include but not be limited to the following:

- Public notices will be used to inform the general public and media of upcoming input opportunities.
- HEPMPO will conduct a public comment period prior to the adoption of a new Long Range Transportation Plan or a new Transportation Improvement Program.

- The HEPMPO web page (www.hepmo.net), will include information about HEPMPO transportation responsibilities, plans, programs, committees, and meetings.
- Meetings will be held in facilities that are accessible to persons with disabilities.

Visualization Techniques

HEPMPO will strive as we move to improve our planning process to maximize its use of various visualization techniques to help inform the public and convey pertinent information concerning transportation plans, projects, and programs. Appropriate methods include, but are not limited to, static maps, interactive GIS demonstrations, computer model simulations, photographs, and artist renderings. For each plan, project, or program, HEPMPO will endeavor to utilize the best techniques available to inform the public.

Response to Public Comments

Public comments on the Long Range Transportation Plan, the Transportation Improvement Program and on all other plans and key decisions will be summarized and the group receiving the comments will write responses. Comments and responses will be kept on file, available for public review and will be made part of the plan, program, or other document as adopted. Responses to comments will be made before decisions are made or plans or programs are adopted. Responses will be made in a timely manner, so that they can be considered during the next phase of the plan or program development.

Specific Participation Strategies

The HEPMPO intends to maximize the public's comment and input in the Metropolitan Transportation Planning Process.

We feel that it is important to have participation from a wide array of participants. Therefore, we will work to insure that all interested and affected parties have an opportunity to participate in the planning process. We will attempt to reach all those interested or affected by the plans and programs of the MPO.

The activities described in this document will be used together or separately to incorporate public involvement in all of the HEPMPO transportation planning processes, including the development of the Long Range Transportation Plan update and the Transportation Improvement Program development. The activities are designated to inform the public regarding opportunities to provide input into and expand the public's perception of transportation needs or deficiencies. This plan represents an improved effort of public inclusion, outreach and engagement and is consistent with the expectations of public involvement and participation per SAFETEA-LU and the recently completed Federal review of the HEPMPO planning process.

The two major categories of public involvement activities are (1) information and (2) involvement/education. These categories and their individual components are discussed separately below:

Information

There are two major areas in this category that apply to the processes of developing the various HEPMPO plans and other transportation-related documents.

A. Website:

Our current website was designed to meet the need of the most recent update to the Long Range Transportation Plan. However, efforts are underway to redesign the website to provide historic/background information about HEPMPO and to better facilitate information exchange related to the HEPMPO planning activities and plan developments.

This proposed plan will add the following items to the website that are designed to improve/increase public input. The proposed additions will address public participation in three ways.

1. Online Survey
2. Online invitation to link our website. HEPMPO encourages communities, libraries, educational institutions, chambers of commerce, and other organizations to include a link to HEPMPO's website to provide increased opportunities for information dissemination.
3. The following section will be added to the HEPMPO web page:

Public Comments

Your feedback is important to us:

- Did you find what you needed?

yes no

If no, please explain _____

- Do you have any ideas on how we can improve this web site?

yes no

If yes, tell us how: _____

B. Media

HEPMPO will, to the extent feasible, work to develop and maintain a strong relationship with the print and broadcast media. HEPMPO recognizes the media as a valuable link to promote and motivate public involvement in the transportation planning process.

Specifically, HEPMPO will provide meeting information to local print as well as radio/television providers. This activity is intended to spur a certain amount of visibility and coverage regarding HEPMPO business.

The office will attempt to gain several opportunities per fiscal cycle to join as “In Studio” program guests. The office has identified possible opportunities to begin this practice. We believe this will represent a productive “outreach & education” strategy. Also, as opportunities and topics present that are “news worthy” we will aggressively seek to gain public awareness by working with the media to obtain appropriate coverage. This could be by news print article, interviews with radio/television, letters to the editor, etc.

Involvement and Education

HEPMPO is aware that there is a need to increase public awareness of both the role of HEPMPO and the Transportation Planning Process. The community involvement and education components will work together to achieve the following results: (1) Wide recognition of HEPMPO and its mission in the community and (2) Community awareness that an open door exists to participate in the transportation planning process. HEPMPO has identified three (3) major subsets of this agenda to address its goals.

- A. Community Organizations
- B. Outreach Activity
- C. Collaboration

A. Community Organizations

The office has identified numerous key organizations that we need to keep “in the transportation planning loop” regarding the activities of HEPMPO. We propose to where possible, partner with outside organizations, and will seek organizations representing the underserved to ensure their views and needs are considered. The office has identified some key organizations and will attempt to gain desired input and participation. Appendix B of this document identifies some of the key organizations and will be updated on a continuous basis.

B. Outreach Activity

This activity simply means being more visible in the community, to gain additional input by attending meetings of other organizations as appropriate and to be available to give presentations to groups of leaders and citizens. By increasing opportunities to do these presentations, HEPMPO should greatly expand knowledge of and input in the transportation planning process within the region.

C. Collaboration

This is another desirable part of the Participation Plan. HEPMPO proposes to work with other local groups, such as Greater Hagerstown, the Berkeley County Chamber Transportation Committee and other groups to expand our number of transportation opinion surveys. By collaborating with these groups we can insure that we are reaching a greater audience within the region.

Participation Processes for Major Transportation Planning Documents

Public comment periods of 30 days will be provided prior to the adoption of major HEPMPO transportation planning documents, specifically the Long Range Transportation Plan (LRP), the Transportation Improvement Program (TIP) and Conformity Determinations. All comments will be printed as an appendix to the appropriate document.

At least one public hearing will be conducted prior to the adoption of the LRP, TIP and any other major planning documents that are developed as part of the metropolitan transportation planning process.

Attempts will be made to employ appropriate visualization techniques to describe the plans. This could include any combination of maps, photographs, project descriptions, charts or diagrams that are presented at public meetings, provided on web sites, or that are used as part of displays and any other efforts directed at informing stakeholders and the public about HEPMPO plans and projects.

An outline of the specific processes that will be used to develop the LRP and the TIP is provided below:

Participation Process for the Long Range Transportation Plan Development

- Phase I: Meetings and consultation with stakeholders identified in Appendix 1 and other interested parties. Summaries of the meetings and consultations will be included in the plan document.
- Phase II: Outreach activities, with information posted on the HEPMPO website and media releases distributed to announce public meetings and the plan development schedule.
- Phase III: Conduct community forums at convenient times and places to present the plan process and obtain input.
- Phases IV: Present the draft plan at advertised open house, and describe the plan approval process and timeline.

Participation Process for the Transportation Improvement Program Development

- Phase I: Draft Document Input
- A. Notice to involvement mailing list, website, and newspapers.
 - B. Draft project list and other relevant background information made available prior to meeting on website and elsewhere.
 - C. Comment opportunities available on website and at meeting.
 - D. Public Comment Opportunity at HEPMPO meeting.
- Phase II: Final Draft Available for Review/Comment
- A. Notice as in Phase I above.
 - B. Project list being considered is presented.
 - C. Other relevant information and analysis is presented.
 - D. Public Comment Opportunity at HEPMPO meeting prior to adoption of final draft TIP.
- Phase III: TIP Amendment Process
- A. Notice As in Phases I & II above.
 - B. Minimum of 14-day public comment period provided.
 - C. Projects presented at HEPMPO meeting
 - D. Public comment accepted and closed at HEPMPO meeting prior to adoption of the amendments.

Note: Amendments to the adopted TIP that are deemed by the MPO as "Administrative Changes" are not subject to a formal public notification process. Input will be accepted but not solicited. For the purposes of this document, an amendment to the adopted TIP may be considered "administrative" if the following criteria are met:

- a. Change is to correct a non-substantive clerical error;
- b. Changes in funding levels are less than two (2) million dollars;
- c. Changes are air quality neutral;

- d. Changes in funding type, provided funding levels remain constant or do not exceed the requirement under (b) above;
- e. Any other changes deemed by a majority vote of the interstate council that meet the criteria of an administrative amendment.

AMENDMENTS TO THE PUBLIC INVOLVEMENT PROCESS

In accordance with SAFETEA-LU guidance HEP establishes a public comment period of forty-five (45) days before revision or implementation of the public involvement process. Significant revisions to the basic procedures contained herein will require a comment period before such revisions may be utilized. However, activities, which will enhance the opportunity for public comment, as outlined by the basic procedures herein shall not be considered revisions subject to public comment. Draft documents will be made available for public review at the MPO website, all county libraries, and the regional offices of the MPO both in Maryland and West Virginia.

Written comments on these procedures will be accepted via mail, e-mail, fax, interstate council meetings, and technical advisory meetings. All comments received on the public involvement process will be responded to by the HEPMPO prior to implementation of the public involvement process. All comments and responses will be maintained until implementation or until HEP conducts a periodic review on the effectiveness of the procedures. In order to help assure that the process is effective in providing full and open access to all, HEP will review the specifics of these procedures at least once every three (3) years. Final adopted documents will be posted to the MPO website and also be made available at all county libraries and the MPO regional offices in Maryland and West Virginia.

HOW TO CONTACT THE HEPMPO

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APPENDIX A

REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS

POLICY NUMBER: AT-1
ADOPTION DATE: January 2, 2001
EFFECTIVE DATE: January 1, 2001
FILING INSTRUCTIONS:

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REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS

CHAPTER 01 PUBLIC INFORMATION ACT REQUESTS

.01 General.

These regulations set out procedures for filing requests with Washington County, Maryland for the inspection and copying of records under the Public Information Act, State Government Article 10-611 through 10-628, Annotated Code of Maryland. It is the policy of the County to facilitate public access to the records of the County, when such access is allowed by law, by minimizing costs and time delays to persons requesting information.

.02 Definitions.

A. "Act" means the Public Information Act, State Government Article 10-611 through 10-628, Annotated Code of Maryland.

B. "Applicant" means a person requesting disclosure of public records.

C. "County" means Washington County, Maryland.

D. "Custodian" means an authorized person employed by the County having personal custody and control of public records of the County.

E. "Official Custodian" means the person who is responsible for the maintenance, care, and keeping of the public records of the County. Unless otherwise provided by law, the County Attorney is the official custodian of the County's records.

F. "Public records" means all paper, correspondence, forms, books, photographs; photostats, films, microfilm, sound recordings, maps, drawings, or other written documents, regardless of physical form or characteristics. "Public records" includes all copies made or received by the County in connection with the transaction of public business and includes the salaries of all employees of the County.

G. "Working day" means a day other than Saturday, Sunday, or a County holiday.

H. "Written documents" means all books, papers, maps, photographs, cards, tapes, recordings, computerized records including e-mails, and other documentary materials, regardless of physical form or characteristics.

REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS

.03 Who May Request.

Any person may request to inspect or copy public records of the County.

.04 Necessity for Written Request.

A. Inspections.

(1) Except as otherwise provided in this chapter, the custodian shall generally make public records available for inspection by an applicant without demanding, a written request.

(2) The custodian shall require a written request if the custodian reasonably believes that the Act or any other law may prevent the disclosure of the record to the applicant or that a written request will materially assist the County in responding to the request.

B. Copies.

If the applicant is requesting a copy of any public record, the custodian may require a written request by the applicant.

.05 Contents of Written Request.

A written request shall contain the applicant's name and address, shall be signed by the applicant, and shall reasonably identify by brief description the record sought.

.06 Filing Written Request.

A written request shall be addressed to the custodian of the record. If the custodian is unknown to the applicant, the request may be addressed to the County Attorney.

.07 Response to Written Request.

A. If the custodian decides to grant a written request for inspection, the custodian shall produce the record for inspection immediately or within a reasonable period, not to exceed 30 days from the date of the request where such period of time is needed to retrieve the information;

B. If the custodian decides to deny the written request, the custodian shall do so within 30 days of the written request and immediately upon deciding to deny the request, notify the applicant of the denial.

c. If a requested public record is not in the custody or control of the person to whom \1Written application is made, that person shall, within 10 working days of the receipt of the request, so notify the applicant. If that person knows the name of the custodian of the record or the location or possible location of

the record, this information shall also be given to the applicant.

D. With the consent of the applicant, any time limit imposed by .07 A to C may be extended for an additional period not to exceed 30 days.

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.08 Notification of Persons 'Who May Be Affected By Disclosure.

Unless prohibited by law, the custodian should notify any person who could be adversely affected by disclosure of a record that a request for inspection or copying of the record has been made. The custodian may consider the views of that person before deciding whether to disclose the record to the applicant.

.09 Records Temporarily Unavailable.

If a requested public record is in the custody and control of the person to whom written application is made but is not immediately available for inspection or copying, the custodian shall, within 10 working days of the receipt of the request, so notify the applicant and set a date and hour within a reasonable time for inspection or copying.

.10 Records Destroyed or Lost.

If a requested record has been destroyed' or lost, the custodian to whom the application is made shall, within 10 working days of the request, notify the applicant of this fact and explain in the response the reasons why the record cannot be produced.

.11 Review of the Denial.

A. If a written request is denied by the custodian for a reason other than that the record is temporarily unavailable, the applicant may, within 30 days after receipt of the notice of the denial, request an administrative hearing.

B. If the applicant requests a hearing, the hearing shall be conducted by a hearing officer designated by the County Attorney and the hearing shall be governed by Title 10, Subtitle 2 of the State Government Article. After the hearing, the hearing officer shall prepare a recommended decision for the County Attorney. The County Attorney shall issue the final decision of the County.

C. If the hearing results in a total or partial denial of the written request, the applicant may file an appropriate action in the circuit court under 10-623 of the Act.

D. If the applicant chooses not to request a hearing under ~A above, the applicant may file an action for judicial enforcement under 10-623 of the Act without exhausting that administrative remedy.

.12 Disclosure Against Public Interest.

If, in the opinion of the County Attorney, disclosure of any public record that may otherwise be subject to disclosure under the Act would do substantial injury to the public' interest, the County Attorney may temporarily deny the request in writing and apply within 10 working days of the denial to the appropriate circuit court for an order permitting continued denial or restriction of access. Notice of the application filed with the circuit court shall be served on the applicant in the same

REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS

manner that is provided for service of process by the Maryland Rules of Procedure.

.13 Fees.

A. The fee schedule for copying and certifying copies of records is as follows:

(1) Copies. The fee for each copy is \$.15 per page if reproduction is made by a photocopying machine within the County. If records are not susceptible to photocopying (for example, punch cards, magnetic tapes, blueprints, and microfilm), the fee for copies will be based on the actual cost of reproduction. There will be no charge for a request for five (5) copies or fewer.

(2) Certification of Copies. If a person requests that a copy of a record be certified as a true copy, an additional fee of \$1.00 per page, or if appropriate, per item shall be charged.

(3) Other documents. Standard engineering drawings (24" x 36") and half-sheet or right-of-way plat sizes will be charged at \$2.50 per sheet, and the cost of copying larger plats shall be computed by the total area of the document at the rate of \$2.25 plus \$.04 per square foot.

(4) Search Fee Charged. A search fee of \$15.00 per hour will be charged for the time required to search for and assemble documents in response to the request. No charge will be assessed for the first two hours incurred.

B. Notwithstanding paragraph A above, if the fees for copies, printouts, photographs, or certified copies of any record are specifically prescribed by a law other than the Act or this regulation, the prescribed fee shall be charged.

C. If the custodian is unable to copy a record within the County, the custodian shall make arrangements for the prompt reproduction of the record at public or private facilities outside the County. The custodian shall either collect from the applicant a fee to cover the actual cost of reproduction or direct the applicant to pay the cost of reproduction directly to the facility making the copy.

D. Before copying a record, the custodian shall estimate the cost of reproduction and either obtain the agreement of the applicant to pay the cost or demand prepayment of any estimated fee before reproducing the record.

E. Except as provided in subsection F, the official custodian shall charge the fee set forth in section .13(A)(4) for official's or employee's time expended searching for requested records or for any time expended preparing records for inspection and copying. '

F. The official custodian may not charge any search or preparation fee for the first two hours of official or employee time that is needed to respond to a request for information.

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G. Upon request, the official custodian may waive or reduce any fee charged pursuant to this regulation if the custodian determines that the waiver or reduction is in the public interest. The official custodian shall consider, among other relevant factors, the ability of the applicant to pay the cost or fee.

H. If the applicant requests that copies be mailed or delivered to the applicant, the custodian may charge the applicant for the cost of postage or delivery to the applicant.

.14 Time of Inspection.

An applicant may inspect any public record that the applicant is entitled to inspect during the normal working hours of the County.

.15 Place of Inspection.

The place of inspection shall be the place where the document is located unless the custodian, after taking into account the applicant's expressed wish, determines that another place of inspection is more suitable and convenient.

APPENDIX B

Potential Resource Agencies in the HEPMPO Area

It should be noted that the following list is intended to be a sample of those potential agencies/organizations that may have an interest in participating in the Transportation Planning Process. It is anticipated that some may decline and others may be identified. The list is expected to be modified as we work to improve the outreach efforts and the planning process.

Maryland

Maryland Department of Natural Resources
National Park Service - C&O Canal, Antietam Battlefield, Harpers Ferry
Washington County Buildings, Grounds, and Parks Department
Hagerstown Community College
Hagerstown Business College
University System of Maryland - Hagerstown Campus
Hagerstown-Washington County Chamber of Commerce
Greater Hagerstown
PenMar Development Corporation
Washington County Commission on Aging
ARC of Washington County
Habitat for Humanity
Hagerstown-Washington County Convention and Visitors Bureau
Appalachian Trail Conference
Washington County Emergency Services
Washington County Volunteer Fire and Rescue Association
Washington County Home Builders Association
Community Action Council
Washington County Free Library
CSX Railroad
Norfolk-Southern Railroad
Winchester and Western Railroad
Hagerstown Regional Airport

West Virginia

West Virginia Department of Environmental Protection
National Park Service - Harpers Ferry
Berkeley County Parks and Recreation
Shepherd University
Mountain State College
Martinsburg-Berkeley County Chamber of Commerce
Jefferson County Chamber of Commerce
Martinsburg-Berkeley County Library
Jefferson County Convention and Visitor Bureau
Jefferson County Development Authority

Berkeley County Office of Homeland Security and Emergency Management
Jefferson County Office of Emergency Management
Eastern Panhandle Home Builders Association
Eastern Panhandle Regional Airport