



April 15, 2024

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Central Lane Metropolitan Planning Organization
c/o Lane Council of Governments
859 Willamette, Suite 500
Eugene, OR 97401

Re: 2024 Public Participation Plan *DRAFT*

Dear Metropolitan Policy Committee members and staff:

Thank you for this opportunity to comment on the draft of the 2024 Public Participation Plan (“Plan”).

Executive Summary

- 1. The Central Lane MPO should follow industry best practices for engaging effectively with the public:**
 - **Revise “Chapter 2: Goals, Objectives, and Policies” to incorporate and emphasize guiding principles, in particular, those Lane Transit District is proposing in its draft Community Outreach Framework.**
- 2. To have a “continuing, cooperative, and comprehensive” (3C) transportation planning process, the Central Lane MPO should continually inform the public, not only when decisions are made but as taxpayer monies are spent:**
 - **Add a new “Chapter 2.5: Informing the Public” to detail ongoing practices for keeping the public abreast of plans, projects, and programs under the Central Lane MPO’s purview.**
- 3. The Central Lane MPO should measure the ultimate effectiveness of public input by its usefulness:**
 - **Revise “Chapter 4: Evaluation” to add a measure of how often public input results in a change to what would have happened absent that input.**

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Better Eugene-Springfield Transportation • PO Box 773, Eugene, OR 97440 • 541-343-5201

info@best-oregon.org • www.best-oregon.org • www.facebook.com/BetterEugeneSpringfieldTransportation

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1. Review LTD's Community Outreach Framework

Getting the public to participate in transportation decision-making is challenging. The metropolitan area is littered with examples of projects that stumbled when engaging with the public. Indeed, BEST formed in 2012 in response to accusations that “arrogant bureaucrats” at Lane Transit District (LTD) had already decided to extend EmX bus rapid transit to west Eugene and were just going through the motions of getting public input.

Since then, we have seen problems engaging the public around [MovingAhead](#), Transit Tomorrow, [Main Street](#) in Springfield, and [Franklin Boulevard](#) in Eugene.

To their credit, Lane Transit District is undertaking a [Community Outreach and Communications Assessment \(COCA\)](#) to determine what they can do to better engage and collaborate with the community. They just released a [draft Community Outreach Framework](#) for public review. In brief, it outlines a set of guiding principles for public participation.

Draft Guiding Principles for Community Engagement			
STYLE: The approach LTD uses to engage with the public	CONTENT: The type of information provided to the public	PROCESS: The methodology used in public engagement	INTENT: The goals of public engagement
Two-Way Dialogue	Data-Driven	Feedback Loop	Meaningful
Accessible	Clarity of Purpose	Continuous Improvement	Community-First Mentality
Respectful	Fiscal Transparency	Adaptable	
Active Listening	Outcome Oriented		

The Central Lane MPO should follow industry best practices for engaging effectively with the public:

- **Revise “Chapter 2: Goals, Objectives, and Policies” to incorporate and emphasize guiding principles, in particular, those Lane Transit District is proposing in its draft Community Outreach Framework.**

2. Public “Output”: At a minimum, inform the public

As the Plan notes, “Public involvement goes beyond just informing the public, although that is an essential component” (p. 1).

At a minimum, the public wants to know what their taxpayer dollars buy:

- What projects and programs are happening?
- How much does each cost?
- What benefits to the public result?

The [Santa Cruz County Regional Transportation Commission \(SCRTC\)](#) is part of the [Association of Monterey Bay Governments \(AMBAG\)](#), one of 18 MPOs in California.

The SCRTC website includes pages for [all projects](#) under its purview. For example, information is available about the [Monterey Bay Sanctuary Scenic Trail Network](#), including a [fact sheet](#). This information is aimed at informing the interested public.

In contrast, the Central Lane MPO typically provides information about particular projects only when they are up for a decision, for example, a Metropolitan Transportation Improvement Program (MTIP) amendment. Such information is typically posted on the [Public Comment Opportunities](#) webpage, and remains only for the duration of the public comment period.

Once the Central Lane MPO decides to implement a project, in general, there is no systematic way for the public to follow what happens next.

For example, here is a portion of the Public Comment Opportunities [webpage as it existed in March 2023](#):

The public is invited to comment on the following open topic(s):

Comments will be accepted on the following proposal(s) until March 9, 2023:

Project Name: I-5 (NW OR) & OR569 (Eugene) wrong way driving treatments

Applicant: ODOT

STIP Key Number: 22723

Description: Complete design to install the wrong way driving deterrents of signing, striping enhancements and/or other items at various exit ramps on I-5 in NW Oregon to aid in preventing wrong way driving at interchange off-ramps. Similar deterrents will be designed for various exit ramps on OR-569 in Eugene.

Funding: \$545,290 (Highway Safety Improvement Program (ARTS))

Proposed Changes: Advance the 2024 engineering phase to 2023, advancing the project from the draft 24-27 TIP to the current 21-24 TIP.

Notes on Changes: The affected exits in Eugene are OR-569 exits 5, 6, 7, 8, 9 & 12.

Action: These changes are requested by Oregon DOT. CLMPO approved the original project scope for inclusion in the TIP. Any changes must be approved by the MPO upon consideration of the federal requirements of [Title 23 U.S.C. 450.326](#). MPO approval signifies that this project is consistent with the [goals and objectives](#) of the MPO's Regional Transportation Plan and meets the federal requirements for inclusion in the TIP.

Public review period: February 23 – March 9, 2023

First, this information hardly informs the public. There is no map or graphic to visualize the project. The description is written in a terse language perhaps comprehensible to planners and engineers but hardly to anyone else, with no links to additional information. Compare this description to that for the [Monterey Bay Sanctuary Scenic Trail Network](#), which is aimed at a general audience.

Second, even if the description were more comprehensible, it was pulled after the March 9, 2023, public comment deadline. It's as if once a decision was made to spend taxpayer money, the public would have no interest in what happened next.

To have a “continuing, cooperative, and comprehensive” (3C) transportation planning process, the Central Lane MPO should continually inform the public, not only when decisions are made but as taxpayer monies are spent:

- Add a new “Chapter 2.5: Informing the Public” to detail ongoing practices for keeping the public abreast of plans, projects, and programs under the Central Lane MPO’s purview.

3. Public Input: When does it really matter?

Again, at a minimum the Central Lane MPO must continually *inform* the public.

It is less clear when and how it makes sense for the public to participate at a higher level on the International Association of Public Participation’s [Spectrum of Public Participation](#).

It makes sense to meaningfully *consult, involve, collaborate, or empower* with the public only when the Central Lane MPO is itself meaningfully making decisions.

IAP2 Spectrum of Public Participation



IAP2’s Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public’s role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

		INCREASING IMPACT ON THE DECISION				
		INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL		To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
	PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Of course, technically, the Central Lane MPO makes decisions to approve the [Regional Transportation Plan \(RTP\)](#), [Air Quality Conformity Determination \(AQCD\)](#), [Metropolitan Transportation Improvement Program \(MTIP\)](#), [Unified Planning Work Program \(UPWP\)](#), [Public Participation Plan \(PPP\)](#), how to allocate discretionary funds, etc.

BEST very much appreciates the touching preface to the Plan about Carleen Riley (who passed away earlier this year) testifying after the tragic death of Irene Ferguson (“[Sheriff: 70-year-old Eugene woman dies after being struck by vehicle](#)”).

In 2019, comments by Ms. Riley and others, including by BEST, did result in reallocating some funding to make some improvements after the fact where Ms. Ferguson died. But this example of when public input made a difference is more the exception than the rule.

In 2017, public comments, including by BEST, calling on the Central Lane MPO to adopt a specific goal of zero deaths and life-changing injuries in the [Transportation Safety Action Plan \(TSAP\)](#) were not embraced.

More recently, concerted efforts by citizens, including BEST, over a period of a year to urge the Regional Transportation Plan (RTP) to more proactively reduce greenhouse gas emissions were well received by members of the Metropolitan Policy Committee (MPC). But in the end, apparently there was no time to incorporate these comments and public input was ineffective.

Moreover, some explained that the public was actually commenting to the wrong body: *It isn't MPC that plans what projects to construct but rather individual jurisdictions: Eugene, Springfield, Coburg, Lane County, Lane Transit District, and the Oregon Department of Transportation. The public should have appeared years earlier when plans for those jurisdictions were being adopted. MPC does not change those plans, only affirms what had previously been decided.*

We appreciate all the effort the Central Lane MPO takes to notify the public of pending decisions and to accept input. Doing so serves as a kind of safety valve in extreme cases, for example, the death of Irene Ferguson. Moreover, such opportunities are required by law.

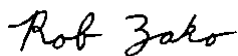
But transportation decisions are often hard to understand and the public is busy. It is challenging enough to engage the public even when they think their voice might matter. When they question whether it does, efforts to engage them are less likely to be successful.

The Central Lane MPO should measure the ultimate effectiveness of public input by its usefulness:

- **Revise “Chapter 4: Evaluation” to add a measure of how often public input results in a change to what would have happened absent that input.**

Thank you for all your efforts on behalf of the public. We hope these comments are useful and, indeed, result in changes to the draft Plan.

For BEST,



Rob Zako
Executive Director
rob@best-oregon.org

Attachment:

- BEST's comments on Public Participation Plan update, 7/20/23



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July 20, 2023

DELIVERED ELECTRONICALLY

Transportation Planning Committee
c/o Lane Council of Governments
859 Willamette, Suite 500
Eugene, OR 97401

Re: Central Lane MPO Public Participation Plan Update

Dear Transportation Planning Committee:

As the Central Lane Metropolitan Planning Organization (MPO) updates the current Public Participation Plan (PPP),^{1, 2, 3} Better Eugene-Springfield Transportation (BEST) offers these general recommendations.

1. Consult with interested parties.

Of course, the MPO must comply with federal requirements for public participation.⁴

These requirements refer to “interested parties,” i.e., individuals, businesses, organizations, and other public agencies that are interested in what the MPO does: “The MPO shall develop the participation plan in consultation with all interested parties ...” 23 CFR § 450.316(1).

As the list of parties that have historically expressed interest in the MPO is likely short (it includes at least BEST), explicitly consult with these known interested parties to understand their interests and how they wish to participate with the MPO.

Two basic questions to ask:

- a. Who is interested in what the MPO does?
- b. What interests do they have? Are they simply wanting certain kinds of information or are they wanting to affect certain kinds of decisions?

2. At a minimum, inform the public about planned and programmed projects.

The MPO is federally required to periodically approve a Regional Transportation Plan (RTP),⁵ a Metropolitan Transportation Improvement Program (MTIP),⁶ and other documents concerning projects of regional significance and/or using federal funding.

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These documents do not adequately inform the public, as they are (understandably) expressed in a technical shorthand sufficient to satisfy those requirements. But an average person reading a list of projects in the RTP or MTIP will likely have only the foggiest notion of what these are all about. (But don't take our word for it: Consult with interested parties to learn if the RTP and MTIP adequately inform them!)

Beyond federally required documents, going forward anyone interested should be able to learn about any project under the MPO's purview:

- a. What is a summary of the project? What are the details? Is there a map, photo, or other graphical design? What are the intended benefits?
- b. What is its current status? In what phase of planning or development is it?
- c. How much has or will the project cost by the time it is completed? Who has or will pay for it?
- d. After it was completed, what benefits has the project provided? How do projected and actual performance measures compare?

For example, the Santa Cruz Regional Transportation Commission has a separate web page for each project under its purview—not merely when there is an opportunity for public comment but whenever an interested party wants information about the project.⁷

(In contrast, projects under the Central Lane MPO's purview appear on a web page only when there is a public comment opportunity and then disappear after the comment period is over.)

3. Focus public comment opportunities for when the MPO is actually making a significant decision.

When the MPO is making a significant decision, provide robust opportunities for comments.

Of course, in a formal sense, the MPO is constantly making decisions. It adopts an RTP, adopts an MTIP, approves amendments to the MTIP, adopts an Air Quality Conformity Determination (AQCD), adopts a Unified Planning Work Program (UPWP), and decides how to allocate federal Surface Transportation Block Grant (STBG) and Congestion Management and Air Quality (CMAQ) funding that flows directly to the MPO.

But beyond merely satisfying federal requirements, for which of these actions are there multiple reasonable options and defensible reasons to choose one over the other?

Experience suggests that most actions the MPO has taken recently have not been decisions in this practical sense but rather ratifications of decisions previously made by others.

For example, before the current RTP was adopted, the MPO received robust comments around the climate change impacts of various projects. Some members of MPC agreed with some of these comments. Nonetheless, no changes were made to the draft RTP, in part, because the public was informed that the MPC did not have the authority to change projects in the RTP that had already been approved by other bodies through other processes.

For example, during the last major allocation of federal funding, there were some public comments questioning the recommended allocation.⁸ Again, these comments had no impact, as there was a single draft list of projects that lined up with the available funding, and no time to revise this list that had been carefully constructed and balanced by staff.

For example, items that appear on the Public Comment Opportunities web page⁹ are typically not actual decisions but once again ratifications. The public is often informed that the MPO does not have the authority to change a project, because it is another jurisdiction's.

(The Public Comment Opportunities web page currently invites comments during a 14-day period on changes proposed by ODOT to its project to make signal enhancements along various state highway in Springfield using federal safety funds, which presumably are not controlled by the MPO.)

To be clear, we are not suggesting that there is necessarily anything wrong with public officials ratifying carefully crafted recommendations from staff that take account of many technical details while generally being in line with regional goals and policies.

We are, however, suggesting that the public probably isn't so interested in providing comments when there is only a single viable option.

4. Review member participation.

Ultimately, members of the public are most interested when they can make a difference by supporting their representatives in making a difference.

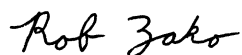
BEST believes that the MPO is not living up to the federal purpose for it to pursue a continuing, cooperative, and comprehensive ("3C") process. 23 U.S. Code § 134(c)(3).

Specifically, BEST urges the MPO to ask itself:

- a. What is a *cooperative* process? In what way are members of the MPO cooperating with each other? If prior decisions cannot be changed, what is there to cooperate about?
- b. What is a *comprehensive* process? For example, recognizing that MPO itself cannot make land use decisions but that several members of MPO do make land use decisions, are there opportunities for the MPO to cooperate on (exchange information about) land use decisions in order to better advance regional transportation goals? For example, is there a relationship between land use plans and the viability of public transit that is worth discussing?

In brief, before taking pains to develop a public participation plan, BEST suggests the MPO look at its own member participation, perhaps not in a formal meeting but maybe in some kind of strategic planning retreat.

For BEST,



Rob Zako, Executive Director

¹ Public Participation Plan, Central Lane MPO, October 2015, https://www.lcog.org/sites/default/files/fileattachments/transportation/mpo/page/4723/final_public_participation_plan.pdf.

² Item 7b: Cover Memo: Public Participation Plan Update, MPC, 6/1/23, https://www.lcog.org/sites/default/files/fileattachments/metropolitan_policy_committee/meeting/33463/5.mpc7_b_covermemo_public-participation-plan-update.pdf.

³ Item 7b Attachment 1: 2015 Summary Table of Public Involvement, MPC, 6/1/23, https://www.lcog.org/sites/default/files/fileattachments/metropolitan_policy_committee/meeting/33463/6.mpc7_b_attachment1_2015-summary-table-of-public-involvement.pdf.

⁴ 23 CFR § 450.136, <https://www.law.cornell.edu/cfr/text/23/450.316>.

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.

(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.

⁵ Regional Transportation Plan, <https://www.lcog.org/thempo/page/regional-transportation-plan>.

⁶ Metropolitan Transportation Improvement Program, <https://www.lcog.org/thempo/page/metropolitan-transportation-improvement-program>.

⁷ Projects, Santa Cruz Regional Transportation Commission, <https://sccrtc.org/projects/>.

⁸ Review of Federal Discretionary Federal Funding Recommendations, BEST, 8/28/22, https://www.lcog.org/sites/default/files/fileattachments/metropolitan_planning_organization/meeting/33060/8.mpc6_a5.attachment4_public_comments.pdf.

⁹ Public Comment Opportunities, <https://www.lcog.org/thempo/page/public-comment-opportunities>.