

CTDOT Public Involvement Update Due to Coronavirus

May 2020

Public involvement requirements are being evaluated and modified as the Connecticut Department of Transportation (Department) works to combat the spread of the Coronavirus.

As of March 14, 2020, per Governor Lamont's Executive Order no.7B, *PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – FURTHER SUSPENSION OR MODIFICATION OF STATUTES*, ("Governor's E.O. 7B") the requirement to make project documents available at public view locations/physical locations and the state requirement to hold in-person open meetings have been suspended.

Public meetings can be held remotely by conference call, videoconference or other technology, provided that: 1) the public has the ability to view or listen to each meeting or proceeding in real time, by telephone, video, or other technology; 2) any such meeting or proceeding is recorded or transcribed, and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding, and made available within a reasonable time in the agency's office; 3) the required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information about how the meeting will be conducted and how the public can access it; 4) any materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting; and 5) all speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak.

Below are procedures the Department will follow to ensure they meet the Governor's EO 7B as well as Department and FHWA/FTA requirements for Public Informational Meetings required for projects receiving federal-aid related to public involvement. This document does not cover requirements for Public Hearings required under the National Environmental Policy Act (NEPA), as States are still awaiting direction. Projects requiring Scoping and Scoping meetings under the Connecticut Environmental Policy Act (CEPA) should be coordinated on an individual basis with the Department's Office of Environmental Planning until set procedures for such meetings can be established with the Office of Policy and Management (OPM).

Planning, Design, Construction, Survey, Right of Way, Maintenance, Public Transportation projects

For federal-aid projects requiring public involvement, all pertinent project documents are to be made available online for the public to access. For Department projects, officials will post to or link from the respective webpages.

Advertise the Public Informational Meeting

- Identify Title VI and environmental Justice Populations
- Publish two legal notices or advertisements in at least one newspaper of general circulation (https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/newspaperspdf.pdf?la=en) to advertise the project informational meeting. The first posting should occur two weeks prior to the public informational meeting scheduled and the second posting should occur one week before the public informational meeting. If Limited English Proficient (LEP) populations have been identified within the project/service area, publish the meeting notice in non-English media (print, TV, radio, website, etc.).
- If the project is municipally administered, the notice must be on the municipality's website
- Mail/email notices to key stakeholders, adjacent property owners, and community-based organizations found on the Department's website (<https://portal.ct.gov/-/media/DOT/documents/ddbe/CommunityBasedOrganizationsListing09092015docx.docx?la=en>)
- Ensure project documents are available online (do not list any physical viewing location in your notice) on both the DOT's and the municipality's websites, if applicable.
- Contact the Department's Information Systems office to establish a webpage and dedicated project email address to receive comments if needed. Example of email address: DOT.PROJECTxxxx-xxxx@ct.gov. The webpage should be established prior to noticing the project and should be removed after the comment period has concluded.
- The required notice and agenda for each meeting or proceeding must be posted on the Department's calendar/websites and shall include information about how the meeting will be conducted and how the public can access the meeting and the pertinent project documents. Having the meeting on the Department's calendar automatically includes the meeting on the Secretary of the State's calendar. The meeting notice should state clearly that the meeting will be recorded.
- For certain municipally administered projects, the required notice and agenda for each meeting should be posted on the municipality's website and shall include information about how the meeting will be conducted and how the public can access the meeting and the pertinent project documents. Again, the meeting notice should state clearly that the meeting will be recorded.
- Your notice MUST include a statement that offers the public the opportunity to request project information be mailed to them. This is very important as we cannot assume everyone has reliable internet service and/or access. The statement in your legal notice/advertisement should

read “Persons with limited internet access or similar needs may request project information be mailed to them by contacting XXXXXX, Phone Number and Email address”. (allow one week for processing and delivery)

- Your notice MUST include a statement that offers the public free language assistance. The notice should include contact information and procedures for requesting the services, including the deadline for requests. The following paragraph must be included in all public notices.

“Language assistance can be provided at no cost to the public and efforts will be made to respond to timely requests for assistance. Persons needing language assistance may request assistance by contacting the Department’s Language Assistance Line at (860) 594-2109. Requests should be made at least five (5) business days prior to the meeting. Individuals with limited internet access can listen to the meeting by calling 1-(XXX) XXX-XXXX. Persons with hearing and/or speech disabilities may dial 711 for Telecommunications Relay Services (TRS). The live streams offer closed captioning for the hearing impaired and non-English translation options. Visit the project website for options for Apple users. During the Q&A session and the 14-day comment period that follows the meeting, individuals may leave a voicemail question or comment by calling (860) 944-1111. Questions or comments may also be submitted via email at xxx@ct.gov.”

- Your notice MUST include instructions on how to access the project webpage. Also include information on the duration that the webpage will be available: Example:

“A project webpage is available which contains pertinent information about the project and contains a link to the upcoming Virtual Public Information Meeting (V-PIM) live streaming event. The webpage will remain available throughout the [14] day comment period following the meeting.”

- Project information to be mailed (upon request) should include project description, location plan, details on the comment period (length, start date), potential impacts to environmental resources and ROW, contact information, etc.
- Presentation materials pertinent to the meeting objectives shall be posted ONLINE via a project webpage on the Department website. A project-specific email address must be included on the webpage that people can use for commenting during the comment period. (14 day minimum) and the start date of the comment period (the date of the Public Information Meeting), as well as the methods in which comments can be submitted. Every Public Information Meeting (or other open meeting conducted under the Governor’s E.O. 7B) should begin with a statement advising everyone that the meeting is being recorded. To the extent that there is public comment during the meeting after some presentation, the same statement should be made again before the public comments begins.

Holding a Public Information Meeting

- List process to use – CTDOT will be using TEAMS Live event
- Town official will generally want to kick-off the meeting, so coordinate with the official on how to be included in the meeting.
 - Closed caption, translation function
 - Live streaming on Facebook, YouTube or other system
 - Suggest pre-recording the presentation by the design team, which is always in advance of the open Q &A. This will minimize possible technical issues.
- Address how public comments or questions will be handled live
- Prepare guidelines for the public to participate

Post Meeting Requirements & Documentation

- As detailed in the online presentation materials, the public should be offered a minimum of 14 calendar days (with additional days provided for more complex projects) in which to submit comments and the period should begin on the date of the Public Informational Meeting.
- The Department shall consider all public comments in the decision-making process. The Department should review public comments to determine if a response is required.
- Project Manager or Lead Designer shall document the public outreach process on the attached checklist and keep this information as part of the project record.