

## **PART 1, CHAPTER 11**

# **PUBLIC INVOLVEMENT**

### **TABLE OF CONTENTS**

11.1	OVERVIEW.....	11-1
11.1.1	Public Participation and Public Input.....	11-2
11.1.2	Compliance with Federal and State, Requirements.....	11-3
11.1.2.1	Title VI / Nondiscrimination .....	11-3
11.1.2.2	Limited English Proficiency (Executive Order 13166) .....	11-4
11.1.2.3	Plain Language Initiative.....	11-4
11.1.3	Public Involvement During the Efficient Transportation Decision Making Process .....	11-5
11.1.4	Public Involvement Based on Environmental Document Type.....	11-6
11.1.4.1	Categorical Exclusions.....	11-6
11.1.4.1.1	Type 2 Categorical Exclusion.....	11-6
11.1.4.2	Environmental Assessment .....	11-7
11.1.4.3	Environmental Impact Statement.....	11-8
11.1.4.4	State Environmental Impact Report .....	11-10
11.1.4.5	Non-Major State Action.....	11-10
11.2	PROCEDURES.....	11-11
11.2.1	Developing a Public Involvement Plan.....	11-11
11.2.1.1	Project Background.....	11-11
11.2.1.2	Project Goals .....	11-11
11.2.1.3	Identification of Elected Officials and Agencies .....	11-12

---

11.2.1.4	Identification of Affected Communities and Stakeholders .....	11-12
11.2.1.5	Outreach Activities .....	11-14
11.2.1.6	Analysis of Public Comments .....	11-14
11.2.2	Formation of a Local Advisory Group .....	11-15
11.2.3	Small Group Meetings .....	11-15
11.2.4	Procedures for Holding a Public Meeting.....	11-16
11.2.4.1	Types of Public Meetings.....	11-16
11.2.4.1.1	Scoping Meeting for Environmental Impact Statement Projects.....	11-16
11.2.4.1.2	Kick-off Meeting .....	11-18
11.2.4.1.3	Public Information Meetings and Workshops.....	11-18
11.2.4.2	Public Meeting Format and Layout .....	11-19
11.2.4.3	Public Meeting Dates and Times .....	11-19
11.2.4.4	Selecting a Meeting Location.....	11-19
11.2.4.5	Meeting Notification and Advertisement Requirements .....	11-21
11.2.4.5.1	Notification to Elected Officials and Agencies .....	11-21
11.2.4.5.2	Notification to Property Owners and Tenants.....	11-22
11.2.4.5.3	Newspaper Advertisement.....	11-22
11.2.4.5.4	Florida Administrative Register Notice .....	11-23
11.2.4.5.5	Florida Department of Transportation Public Notice Website.....	11-23
11.2.4.5.6	Press Release.....	11-23
11.2.4.5.7	Websites and Social Media.....	11-24
11.2.4.5.8	Alternative Notification Methods.....	11-25

---

11.2.4.6	Visualization Techniques .....	11-26
11.2.5	Procedures for Holding a Public Hearing .....	11-26
11.2.5.1	Public Hearing Format .....	11-27
11.2.5.2	Public Hearing Dates and Times .....	11-30
11.2.5.3	Selecting a Hearing Location .....	11-30
11.2.5.4	Public Hearing Notification and Advertisement Requirements .....	11-31
11.2.5.4.1	Notification to Elected Officials and Agencies .....	11-31
11.2.5.4.2	Notification to Property Owners .....	11-32
11.2.5.4.3	Public Hearing Newspaper Ads .....	11-32
11.2.5.4.4	Florida Administrative Register Notice .....	11-33
11.2.5.4.5	Florida Department of Transportation Website .....	11-33
11.2.5.5	Documents for Public Review .....	11-33
11.2.5.6	Public Hearing Presentation and Script .....	11-33
11.2.5.7	Public Hearing Documentation .....	11-38
11.2.5.8	Specific Public Hearing Concerns.....	11-39
11.2.5.8.1	Noise Abatement and Outdoor Advertising .....	11-39
11.2.5.8.2	Access Management .....	11-39
11.2.5.8.3	Toll-Rate Workshops and Hearings .....	11-40
11.2.5.9	Public Comment Opportunities after the Public Hearing for Environmental Impact Statements.....	11-40
11.2.5.10	Notice of Opportunity to Request a Public Hearing.....	11-40
11.2.5.11	Joint Public Hearings .....	11-41
11.2.6	Notice of Location and Design Concept Acceptance .....	11-41

11.2.7	Public Involvement Documentation.....	11-42
11.2.8	Public Involvement Evaluation.....	11-42
11.2.9	Subsequent Public Hearings.....	11-43
11.2.10	Public Involvement During Re-evaluations .....	11-43
11.2.11	Community Awareness Plans.....	11-44
11.3	REFERENCES .....	11-44
11.4	FORMS.....	11-47
11.5	HISTORY.....	11-47

## LIST OF FIGURES

Figure 11-1	Public Involvement Process for Type 2 Categorical Exclusions.....	11-48
Figure 11-2	Public Involvement Process for Environmental Assessments.....	11-49
Figure 11-3	Public Involvement Process for Environmental Impact Statements .....	11-50
Figure 11-4	Sample Public Involvement Plan.....	11-52
Figure 11-5	Sample Press Release.....	11-63
Figure 11-6	Sample Public Meeting Notice .....	11-64
Figure 11-7	Sample Public Meeting Facility Checklist.....	11-65
Figure 11-8	Sample Scoping Meeting Invitational Letter.....	11-68
Figure 11-9	List of Titles and Salutations .....	11-71
Figure 11-10	Sample Officials/Agencies Kick-off Meeting Invitation .....	11-72
Figure 11-11	Public Hearing Planning Checklist .....	11-76
Figure 11-12	Public Hearing Notice Requirements .....	11-77
Figure 11-13	Sample Florida Administrative Register Ad Form .....	11-78
Figure 11-14	Sample Public Hearing Newspaper Display Ad .....	11-79

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Figure 11-15 Sample Hearing Invitation Letter for Officials and Agencies .....	11-80
Figure 11-16 Sample Hearing Invitation Letter for Property Owners .....	11-81
Figure 11-17 Sample Comment Form .....	11-82
Figure 11-18 Sample Hearing Speaker Card .....	11-83
Figure 11-19 Sample Public Hearing Certification Form .....	11-84
Figure 11-20 Sample Notice to Request a Public Hearing .....	11-85
Figure 11-21 Sample Notice of Final Environmental Impact Statement .....	11-86
Figure 11-22 Sample Location and Design Concept Acceptance Announcement.....	11-87

## PART 1 CHAPTER 11

### PUBLIC INVOLVEMENT

#### 11.1 OVERVIEW

Pursuant to **23 United States Code (U.S.C.) § 327** and the implementing Memorandum of Understanding (MOU) executed on December 14, 2016, the Florida Department of Transportation (FDOT) has assumed and Federal Highway Administration (FHWA) has assigned its responsibilities under the **National Environmental Policy Act (NEPA)** for highway projects on the State Highway System (SHS) and Local Agency Program (LAP) projects off the SHS (**NEPA** Assignment). In general, FDOT's assumption includes all highway projects in Florida which source of federal funding comes from FHWA or which constitute a federal action through FHWA. **NEPA** Assignment includes responsibility for environmental review, interagency consultation and other activities pertaining to the review or approval of **NEPA** actions. Consistent with law and the MOU, FDOT will be the Lead Federal Agency for highway projects with approval authority resting in the Office of Environmental Management (OEM).

This chapter contains FDOT's procedure for public involvement during the Project Development and Environment (PD&E) phase of a transportation project. The intent of public involvement is to engage the public, including property owners, tenants, business owners and operators, public officials and agencies, facility users, interested individuals, and special interest groups, during the development of transportation projects. Early and continuous public involvement provides FDOT an opportunity to understand potential issues/impacts early in the project development process so they can be considered and solutions can be found prior to the final Design phase.

FDOT has established a plan for coordinating public and agency participation in and comment on the environmental review process for transportation projects consistent with **23 U.S.C. § 139(g)**. This plan consists of: the [PD&E Manual, Topic No. 650-000-001](#); [Efficient Transportation Decision Making \(ETDM\) Manual, Topic No. 650-000-002](#); ETDM interagency agreements; project screening; preliminary project schedule; and the **Public Involvement Plan (PIP)**.

Public involvement should:

1. Be inclusive of decision-makers and stakeholders, especially those who will be most affected.
2. Emphasize partnering and consensus.
3. Begin early in the project process, be proactive and ongoing.
4. Be defined, structured, transparent, and clearly delineated at the beginning of the project. Use the most appropriate tools for each audience, by identifying

the audience and needs for each project and any potential barriers to communication.

While public involvement is an on-going process, activities are most prevalent during the PD&E phase. This coordination allows the public to provide input in transportation decisions resulting in the development of transportation systems that meet community needs and desires. Through public involvement, FDOT can gain insight into an affected community and use this knowledge to evaluate the sociocultural effects of the project alternatives. Another important objective of this outreach is to engage other agencies and public entities to facilitate in identifying, evaluating, and addressing the potential project effects on the surrounding community. Public involvement, in conjunction with other sources of data, plays an essential role in the assessment of the social, economic, environmental, and relocation effects of transportation projects.

[\*\*FDOT's Public Involvement Policy, Topic No. 000-525-050\*\*](#), effective January 18, 2017, states:

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

[\*\*FDOT's Environmental Policy, Topic No. 000-625-001\*\*](#), effective November 18, 2015, includes the following:

...the Department will develop and implement environmental processes and procedures consistent with environmental laws and regulations, and will coordinate and provide the opportunity for input by federal, state and local environmental resource and regulatory agencies, non-governmental organizations and the public to assist the Department in achieving its mission.

Note that links to references in this chapter are provided in [\*\*Section 11.3\*\*](#). An additional resource for public involvement is the [\*\*Public Involvement Handbook\*\*](#), published by FDOT's OEM.

### **11.1.1 Public Participation and Public Input**

Public involvement is the active and meaningful solicitation of public participation in the development of transportation plans, programs and projects. The process offers the public a chance not only to be informed, but to inform agency decision-making to address public needs and preferences. Various federal and state regulations require that state departments of transportation and Metropolitan Planning Organizations

(MPOs)/Transportation Planning Organizations (TPOs) proactively seek the involvement of all interested parties, including those traditionally underserved by the current transportation system.

Public input can be a statement, fact, or opinion, received via various forms of media or through participation in a public forum. Comments may also be received in conjunction with public hearings, which are required for major transportation improvements. **Section 339.155(5)(b), Florida Statutes (F.S.)**, describes major transportation improvements as those increasing the capacity of a facility through the addition of new lanes, providing new access to a limited or controlled access facility, or construction of a facility in a new location.

Comments received from the public serve several purposes. In addition to providing documentation for public involvement activities, they help inform the agency of community issues and needs that should be considered in designing transportation solutions that fit community needs. Information gleaned from public comments may also serve to inform future project phases. The public comment process includes the following:

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

The types of comments received help evaluate the individual public involvement activities, as well as the overall **PIP**, further explained in [Section 11.2.1](#).

## 11.1.2 Compliance with Federal and State, Requirements

All public involvement guidelines and recommendations in this chapter are in compliance with federal and state requirements. This chapter was reviewed and approved by FHWA for compliance with **23 Code of Federal Regulations (CFR) § 771.111** on July 17, 2018.

### 11.1.2.1 Title VI / Nondiscrimination

All FDOT project activities must comply with **Title VI of the 1964 Civil Rights Act** and related statutes, as referenced in FDOT's [Non-Discrimination Policy, Topic Number](#)



[001-275-006](#) and implementing procedure [Topic Number 275-010-010](#). This includes all federal and non-federal programs administered by FDOT and its sub-recipients.

### 11.1.2.2 Limited English Proficiency (Executive Order 13166)

Presidential **Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP)**, ensures people with LEP will have meaningful access to programs and activities of agencies receiving federal financial assistance.

Guidance implementing **Executive Order 13166** identifies four factors to be balanced in assessing whether LEP services are needed on a case by case basis. These factors are:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;

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

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

Factor 4: The resources available to the recipient and costs.

When applying the Four Factors, the **PIP** accommodations for LEP may include translations of brochures, meeting invitations, and newsletters in the appropriate language(s). Notice of availability of workshops or public meetings should also be provided in appropriate languages. In addition, interpreters may be provided at workshops and public meetings. While recipients must take reasonable steps to address needs of LEP populations, FDOT has flexibility to assess language needs and decide steps to ensure meaningful access for LEP persons.

### 11.1.2.3 Plain Language Initiative

All notices to the public should comply with the State's Plain Language Initiative. This applies to presentations on websites, letters, advertisements, notices, applications, reports, pamphlets, and any other communication meant for public use. The initiative requires clear language, using the active voice and containing only necessary information presented in a logical sequence. For help in complying with this initiative, contact your District's Public Information Office.

Beginning in 2003, FHWA, American Association of State Highway and Transportation Officials (AASHTO), and American Council of Engineering Companies (ACEC) cooperated in an effort to improve the readability of **NEPA** documents prepared for transportation projects. Their recommendations for quality **NEPA** documents were:

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

2. Keep the document as brief as possible by using clear, concise writing; an easy-to-use format; effective graphic and visual elements; and discussion of issues and impacts in proportion to their relative importance.
3. Ensure that the document meets all legal requirements in a way that is easy to follow for regulators and technical reviewers.

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

### 11.1.3 Public Involvement During the Efficient Transportation Decision Making Process

Florida's ETDM process was developed to streamline and incorporate information from the transportation planning process into the PD&E process. Information collected as part of the ETDM Planning and Programming screening events can assist in identifying project stakeholders and affected communities.

Qualifying transportation projects are screened through the Environmental Screening Tool (EST). See [Part 1, Chapter 2, Class of Action Determination for Highway Projects](#) and the [ETDM Manual, Topic No. 650-000-002](#) for a list of qualifying project types.

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

The PM should review the **Programming Screen Summary Report** developed during the Programming Screen. The EST also provides access to a **Sociocultural Data Report**, which includes United States Census Bureau demographic data and current land use data for the project area. The EST can also be used to generate mailing labels for property owners within the project boundary, as well as provide a list of community desired features.

Information about transportation projects reviewed in the EST is available on the [ETDM Public Access Site](#). The website provides contact information, general information, a project diary, project effects, maps, and a project search feature. The Project Effects menu provides comments received from the Environmental Technical Advisory Team (ETAT) and a data query feature for identifying natural, cultural, physical, and sociocultural resources in the project vicinity. The Project Diary menu provides various reports that describe a selected project and its alternatives. The public is not able to comment through

the EST. However, contact information is provided and comments can be given to the ETDM Coordinator or through traditional public involvement activities.

Additional information regarding the ETDM process and access to the [ETDM Public Access Site](#) is available at FDOT's OEM website (see [Section 11.3](#) for link to website) and in the [ETDM Manual, Topic No. 650-000-002](#).

#### 11.1.4 Public Involvement Based on Environmental Document Type

A Class of Action (COA) Determination is required for all federal actions and establishes the level of Environmental Documentation required to comply with *NEPA*, and the regulations of the Council on Environmental Quality (CEQ), *40 CFR, Parts 1500 - 1508*. The Environmental Documentation for state funded actions are Non-Major State Actions (NMSA) and State Environmental Impact Reports (SEIRs).

The procedures for the COA Determination are described in [Part 1, Chapter 2, Class of Action Determination for Highway Projects](#). The following sections illustrate the public involvement requirements and activities for each COA.

##### 11.1.4.1 Categorical Exclusions

Categorical Exclusions (CEs) are the lowest level COA requiring the least amount of documentation and analysis described in [Part 1, Chapter 2, Class of Action Determination for Highway Projects](#) and [Part 1, Chapter 5, Type 2 Categorical Exclusion](#). FDOT prepares two types of CEs. Type 1 CE actions are listed in *23 CFR § 771.117(c)* or identified in *23 CFR § 771.117(d)*. Type 2 CEs are prepared for actions that are not listed, but will not have significant impacts.

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

##### 11.1.4.1.1 Type 2 Categorical Exclusion

Public involvement activities for Type 2 CEs (see [Figure 11-1](#)) include the following:

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

2. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See [Figure 11-10](#) for a sample Officials/ Agencies Kick-off Meeting Invitation.
3. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and to receive input.
4. A public hearing is required pursuant to **Section 339.155(5), F.S.**, for a “Major Transportation Improvement”.
5. For projects that are not a Major Transportation Improvement pursuant to **Section 339.155(5), F.S.**, see [Section 11.2.5.10](#).
6. The District uploads the public hearing transcript to the StateWide Environmental Project Tracker (SWEPT) and sends the **Type 2 Categorical Exclusion Determination Form, Form No. 650-050-11** to OEM.
7. A Location and Design Concept Acceptance (LDCA) announcement is published in the local newspaper.

#### 11.1.4.2 Environmental Assessment

Environmental Assessments (EAs) are used for projects where there is a question of significance. Public involvement activities for EAs (see [Figure 11-2](#)) include the following:

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

A Citizens Public Advisory Committee (CPAC) **may** be established (optional).

2. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See [Figure 11-10](#) for a sample Officials/ Agencies Kick-off Meeting Invitation.
3. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and to receive input.

After approval of the EA, the District places a notice in the local newspaper stating the EA has been approved and where it is available for review. The same ad should include the notice of a public hearing. Notice of public hearings should also be placed on the agency website and in the **Florida Administrative Register (FAR)**.

4. A public hearing is conducted to comply with **Section 339.155(5), F.S.**, for a “Major Transportation Improvement”.

5. For projects that are not a Major Transportation Improvement pursuant to **Section 339.155(5), F.S.**, see [Section 11.2.5.10](#).
6. After the public hearing, the District uploads the public hearing transcript to SWEPT, and electronically submits it to OEM, and if significant impacts have not been found, the District submits the EA with Finding of No Significant Impact (FONSI) to OEM for approval. If the project impacts are determined to be significant, then the Environmental Impact Statement (EIS) process is followed (see [Section 11.1.4.3](#)).
7. After the EA with FONSI is approved, the District publishes an announcement in the local newspaper to let the public know that LDCA has been received.

### 11.1.4.3 Environmental Impact Statement

An EIS is prepared for an action with significant impacts. Public involvement activities for Draft and Final Environmental Impact Statements (DEIS and FEIS) (see [Figure 11-3](#)) include the following:

1. Once a COA is approved and the decision is made to prepare an EIS, the District prepares a **Notice of Intent (NOI)** for publication in the **Federal Register (FR)** to inform the general public and stakeholders that an EIS is being prepared for the proposed project. The District submits the **NOI** to OEM, who sends it to FHWA to publish the notice in the **FR**. Refer to [Part 1, Chapter 8, Draft Environmental Impact Statement](#) for additional information concerning the **NOI**.
2. The District may hold a formal scoping meeting with OEM, government agencies, and other parties with an interest in or jurisdiction over the project area. This meeting is optional but the scoping process is required ([Part 1, Chapter 8, Draft Environmental Impact Statement](#)).
3. The District initiates a **PIP** in compliance with state and federal rules, regulations, and policies.
4. A Citizens Public Advisory Committee (CPAC) may be established (optional).
5. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See [Figure 11-10](#) for a sample Officials/ Agencies Kick-off Meeting Invitation.
6. Public information meetings/workshops may be held to inform the public of alternative designs and potential impacts, and receive input.

After approval of the DEIS, the District places a notice in a local newspaper(s) stating that the DEIS has been approved and where it is available for review. The notice should also include the public hearing notice. Notice of the public hearing should also be placed on the agency website and in the **FAR**.

7. The District provides OEM with a specifically formatted (see [Part 1, Chapter 8, Draft Environmental Impact Statement](#)) PDF copy of the DEIS for upload into the U.S. Environmental Protection Agency's (USEPA) e-NEPA site for publication in the **FR**. The EPA then publishes the **Notice of Availability (NOA)** of the DEIS in the **FR** for a 45-day comment period.
8. A public hearing is conducted to comply with **Section 339.155(5), F.S.** for a "Major Transportation Improvement".
9. The District may prepare the combined FEIS/Record of Decision (ROD) or FEIS after the 45-day public comment period for the DEIS closes ([Part 1, Chapter 9, Final Environmental Impact Statement](#)). The District uploads the public hearing transcript to SWEPT and submits the FEIS/ROD or FEIS to OEM for review.
10. If a combined FEIS/ROD is prepared then LDCA is granted upon approval. The District must publish an Announcement of LDCA in the same local newspaper(s) used for public hearing notification, informing the public that the project has received LDCA and is being advanced. The District ensures the FEIS/ROD is available upon request by the public. The District provides OEM with a PDF copy of the FEIS for upload into USEPA's e-NEPA site for publication in the **FR**.
11. If the FEIS is prepared separately from the ROD, the District places a notice in a local newspaper(s) stating that the FEIS has been approved and where it is available for review (see [Figure 11-21](#) for a sample notice). The District provides OEM with a PDF copy of the FEIS for upload into USEPA's e-NEPA site for publication in the **FR**. EPA publishes the **NOA** of the FEIS for a 30-day comment period and OEM signs the ROD when the comment period closes. A signed ROD constitutes OEM approval (LDCA).
12. After receiving approval of the ROD, the District must publish an Announcement of LDCA in the same local newspaper(s) used for public hearing notification, informing the public that the project has received LDCA and is being advanced. For noticing of a ROD and LDCA, see [Section 11.2.6](#).
13. The District provides OEM the project information to prepare a **Limitations of Claims Notice**. OEM will provide FHWA this information for publication in the **FR** ([Part 1, Chapter 9, Final Environmental Impact Statement](#)).

#### 11.1.4.4 State Environmental Impact Report

The preparation of a SEIR is required for state-funded transportation projects that qualify for screening through the EST (See [Part 1, Chapter 2, Class of Action Determination for Highway Projects](#) for a list of qualifying projects). If a SEIR is prepared, the District Secretary signs the SEIR for public availability prior to the public hearing.

Public Involvement activities for SEIRs are similar to the activities outlined for a Type 2 CE or EA. State law ([Section 339.155, F.S.](#)) requires a public hearing for the following types of projects:

1. Increasing capacity through the addition of new lanes;
2. Providing new access to a limited or controlled access facility (new interchanges); and
3. Construction of a facility in a new location.

Public Involvement activities for SEIRs include the following:

1. The District initiates a **PIP** in compliance with state and FDOT policies
2. A CPAC may be established (optional).
3. The District may conduct an elected officials/agency kick-off meeting and/or public kickoff meeting. In some cases, a formal letter may be used in place of a meeting. See [Figure 11-10](#) for a sample Officials/ Agencies Kick-off Meeting Invitation.
4. A public information meeting/workshop may be held to inform the public of alternative designs and potential impacts, and receive input.
5. After approval of the SEIR by the District Secretary, the District places a notice in the local newspaper stating that the SEIR is available for review and noting the location where the document can be reviewed. The same ad includes the notice of a public hearing.

A public hearing is conducted to comply with [Section 339.155\(5\), F.S.](#), and [Section 11.2.5](#). In addition to publication in a newspaper of general circulation, public hearing notice should also be placed on the agency website and in the **FAR**.

#### 11.1.4.5 Non-Major State Action

A NMSA does not require a public hearing, but may necessitate public involvement activities as determined by the District. See [Part 1, Chapter 10, State, Local, or Privately Funded Project Delivery](#) for more information about NMSAs.

## 11.2 PROCEDURES

### 11.2.1 Developing a Public Involvement Plan

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

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

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

#### 11.2.1.1 Project Background

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

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

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

#### 11.2.1.2 Project Goals

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



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

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

### 11.2.1.3 Identification of Elected Officials and Agencies

This section of the **PIP** involves identification of elected officials and agency representatives. The **PIP** should include a contact list of all the appropriate elected officials, including city, county, state, and federal representatives, whose jurisdictional/political boundary intersects the project area. Native American Tribes must also be included. A contact list for Native American tribes is provided within [FDOT's Native American Coordination website](#).

Agency representatives include local, state, regional, and federal agencies who may have an interest in the project or may be involved in the jurisdictional review process. The [ETDM Public Access Site](#) provides a list of the ETAT agency representatives. Additional agencies can be added, as necessary. The sample **PIP** shown in [Figure 11-4](#) provides a general list of the elected officials and agencies that should be included. Elected official information should be updated after every election cycle, and the agency representatives list should be updated as appropriate.

### 11.2.1.4 Identification of Affected Communities and Stakeholders

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

Projects processed through the ETDM EST have undergone a Sociocultural Effects (SCE) evaluation as part of the screening process prior to the PD&E phase. Information regarding affected communities may be found under the project name on the [ETDM Public Access Site](#) (see [Section 11.3](#) for link to website). The information compiled through the ETDM screening process can be used as a starting point and updated, as necessary, when incorporating into the **PIP**.

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

Under the provisions of **23 U.S.C. 135(f)(3)** pertaining to the transportation planning process interested parties are broadly characterized as including the following:

1. Citizens (Residents/Tenants)
2. Affected Public Agencies
3. Representatives of Public Transportation Employees
4. Freight Shippers
5. Private Providers of Transportation
6. Representatives of Users of Public Transportation
7. Representatives of Users of Pedestrian Walkways and Bicycle Transportation Facilities
8. Representatives of the Disabled
9. Providers of Freight Transportation Services
10. Other Interested Parties

One quick resource for identifying a project area's demographics is the **Sociocultural Data Report (SDR)** provided through the EST. The **SDR** provides a snapshot of a study area's population, race, age, income, educational attainment, housing types, and language over the last three censuses and most recent American Community Survey. The output from the **SDR** is summarized in the **PIP** and added as an appendix and summarized in the Environmental Document. More information about the **SDR** can be found on [FDOT's SCE Evaluation Process website](#).

The demographics of the surrounding community should be identified to help tailor the **PIP**. A review of this information could help the project team determine the need for future translation services and if meeting notifications and advertisements may need to be provided in other languages. To reach people who may not read or speak English well, public involvement opportunities to develop relationships with community leaders within local health clinics, community centers, places of worship, advocacy groups, and schools should be included. The use of this network is an efficient method to reach those who monitor the pulse of the community as the plans and project move forward. Additional information regarding how to identify affected audiences can be found in [Part 2, Chapter](#)

[4, Sociocultural Effects Evaluation](#); FDOT's [Public Involvement Handbook](#); and the [ETDM Manual, Topic No. 650-000-002](#).

### 11.2.1.5 Outreach Activities

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

1. What is the purpose of the activity?
2. With whom do you need to meet to accomplish your purpose?
3. What format will be most appropriate for your purpose and audience?
4. Where is the appropriate meeting location, based on the purpose, audience, and format?
5. What type(s) of notification will you use?
6. What materials and distribution methods are the most appropriate?
7. Will it be necessary to use more than one type of material and/or distribution method to reach audiences due to dissimilar cultures?
8. How will input be collected?

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

### 11.2.1.6 Analysis of Public Comments

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

activities should be analyzed in relationship to the project, its goals, and the overall impact to the community.

The public comments serve several purposes. Public comments help build an understanding of community issues and needs that should be considered while designing transportation solutions that fit community needs. Comments help provide documentation for public involvement activities. See FDOT's [Public Involvement Handbook](#) for more detailed information on documenting public involvement activities.

### **11.2.2 Formation of a Local Advisory Group**

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

A local advisory group is established early in the project to serve as a special resource to the project team. It is selected with the assistance of local governments, and is usually composed of local persons having an active role in the community, as well as representatives from affected/interested cities, counties, regional agencies, MPOs and committees, and neighborhood associations within the project area. The group meets at key milestones during the PD&E phase to assist in the evaluation of proposed transportation alternatives and to ensure that these alternatives are developed in the best interest of the local community, as well as all roadway users.

It is important to note that the local advisory group is not a decision-making body and carries no authority. Care must be taken to solicit representatives from all interested groups. It is the District's responsibility to outline the group's role so that all members understand their function. The District must keep the group apprised of the project's status; bring them together regularly; and at the conclusion of the project, thank and disband the group. Information regarding the establishment of an advisory group can be obtained through the FHWA's Public Involvement website (see [Section 11.3](#) for link to website).

### **11.2.3 Small Group Meetings**

Small group meetings may be held with groups of people who may have specific issues or concerns that may not involve the general public in the project area. This may include neighborhood associations, environmental groups or agencies, public interest groups, county or city staff, affected businesses, committees, or other concerned people who may be impacted by the proposed transportation improvements. Meetings organized by

outside groups or individuals do not have to follow the notification or advertisement requirements typically associated with a public meeting or hearing.

## 11.2.4 Procedures for Holding a Public Meeting

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

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

### 11.2.4.1 Types of Public Meetings

#### 11.2.4.1.1 Scoping Meeting for Environmental Impact Statement Projects

The Environmental Scoping Process is a formal process for projects requiring an EIS. Scoping is required by and described in **40 CFR Section 1501.7**. Guidance on this process is provided in [Part 1, Chapter 8, Draft Environmental Impact Statement](#). A formal scoping meeting (which is optional) may be held early in the development process as a part of the Environmental Scoping Process. To determine whether a scoping meeting should be held, information from the ETDM screening process and input/comments from the agencies, as well as coordination with OEM, should be considered. Scoping meetings, like other public meetings, are subject to the **Sunshine Law**. Notification to the public must be provided in the **FAR** and on the FDOT's Public Notices website (see [Sections 11.2.4.5.4](#) and [11.2.4.5.5](#)), and the public is permitted to attend and listen to the proceedings. The objectives of scoping are listed below. If a scoping meeting is held, these objectives should be discussed at the meeting.

1. Invite the early participation of affected federal, state, and local agencies, any affected Native American tribe, and other interested persons (including those who might not be in accord with the action on environmental grounds).
2. Determine the scope and significance of issues and the degree of analysis required in the EIS. This includes identification of the range of alternatives and impacts to be evaluated.
3. Identify and eliminate from detailed study those issues that are not significant or have been covered by prior environmental studies, thereby narrowing discussion in the EIS to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.

4. Allocate assignments for preparation of the EIS among FDOT and cooperating agencies, with FDOT retaining responsibility for the EIS.
5. Indicate any public EAs or impact statements that are being prepared and are related to, but are not part of, the scope of the EIS under consideration.
6. Identify other environmental review and consultation requirements so that FDOT and cooperating agencies may prepare, if possible, other required analyses and studies concurrently with, and integrated with, the EIS. This includes related surveys and studies required by the ***Fish and Wildlife Coordination Act of 1934 as amended***, the ***National Historic Preservation Act (NHPA) of 1966***, the ***Endangered Species Act of 1973***, and other environmental review laws and executive orders.
7. Identify whether any permits, licenses, or entitlements are necessary. Determine whether a joint public hearing can be held and outline the coordination required.
8. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

A scoping meeting is initiated by an invitation letter sent by the District to relevant government agencies, public interest groups, and others with an interest in or knowledge about the project. The letter is formatted as in [Figure 11-8](#) and as described below.

1. Describe the project in the SUBJECT
2. Give notice that a scoping meeting is being held and why
3. Describe what FDOT expects as an outcome of the scoping meeting and the roles of the participants
4. Provide an information package about the project and potential alternatives
5. Provide a project location map
6. Provide a meeting agenda
7. Provide information on the date, time, and site of the scoping meeting, along with directions on how to get to the meeting
8. Provide the name, telephone number, mailing address, and email address of a contact person.

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

To provide a first-hand look at the project location, a field review may be scheduled. After the field review, participants reconvene and further discuss potential project issues. Before adjourning, each agency is asked to state its position on the identified issues. The cooperating agencies should be finalized and a determination made as to whether these agencies will contribute to the EIS or participate in its development, based on jurisdiction or expertise. Each agency's position is included in a meeting summary (minutes) for use by FDOT.

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

#### **11.2.4.1.2 Kick-off Meeting**

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

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

#### **11.2.4.1.3 Public Information Meetings and Workshops**

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

The format for an information meeting or workshop is at the discretion of the District; however, the format should facilitate good interaction and communication. The format is generally informal. A brief live or recorded presentation may be given and/or an open-house format can be used for attendees to review project maps, alternative concepts, and other information, and discuss issues or concerns with District staff and other project team

members. Tables should be provided for people to sit and write down their comments on a comment card or form. A sample comment form is provided within [Figure 11-17](#). A summary of the meeting and comments received are placed in the project file. Reference material on holding effective meetings is available in FDOT's [Public Involvement Handbook](#).

#### **11.2.4.2 Public Meeting Format and Layout**

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

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

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

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

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

#### **11.2.4.3 Public Meeting Dates and Times**

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

#### **11.2.4.4 Selecting a Meeting Location**

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



All public meetings must be held at a site that is **ADA** compliant and provides “reasonable accommodation” and access for disabled persons wishing to attend. FDOT has interpreted “reasonable accommodation” to mean that a site location and facility must be **ADA** compatible in design so that reasonable access is provided for disabled persons to attend. FDOT does not provide transportation for disabled persons or pay for transportation of disabled persons to attend public meetings.

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

The following questions should be considered when selecting a facility:

1. If a sound system is needed, does the facility provide such equipment?
2. Will the facility allow entry into the space early enough for time to set up?
3. Is there a closing time that restricts time to remove meeting materials?
4. Is there plenty of parking?
5. Is the parking lot easily accessible from the meeting room?
6. Is the parking lot well lit for a night meeting?
7. Is there space for signage to direct people to the correct room?
8. Is there a custodian or property manager on duty at the time of the meeting for emergency purposes?
9. Should the local law enforcement office be contacted to request their staff be on hand at the meeting?

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

charter schools, and alternative schools. Alternate facilities that may be used include colleges, universities, and private schools.

All potential meeting sites should be physically investigated for suitability as a meeting location. A meeting facility should be approved by the District Project Manager and reserved prior to advertising for a public meeting. [Figure 11-7](#) is an example of a sample public meeting facility checklist that can be used as a guide when reviewing potential meeting sites.

#### 11.2.4.5 Meeting Notification and Advertisement Requirements

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

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

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

Similarly, the following standard statement related to project development must be included for all agency outreach and public involvement notification methods:

*The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.*

##### 11.2.4.5.1 Notification to Elected Officials and Agencies

Before holding a public meeting, a letter of invitation is sent to the local governments and agencies at least 25 but **no more than 30 calendar days prior to the public meeting date**. The letter of invitation should be received by the local governments and agencies before the public is notified by letter or advertisement. See [Figure 11-15](#) for a sample letter of invitation to officials and agencies which, at a minimum, should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification
2. A description of the project

3. The date, time, and location of the public meeting
4. A statement requesting public participation
5. Notice of non-discrimination and information about **ADA** requests as provided in [Section 11.2.4.5](#)
6. Notice of standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities. Meeting notice and map
7. A copy of the newspaper advertisement

It is important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See [Figure 11-9](#) for a listing of salutations and titles.

#### **11.2.4.5.2 Notification to Property Owners and Tenants**

Real property owners, tenants, and leaseholders in whole or in part, within at least 300 feet of the centerline [or Right of Way (ROW) line for interstates] of each proposed project alternative must be notified of an upcoming meeting. The names and addresses of property owners are obtained from the county property tax appraiser's office. Notification must be received by property owners and tenants **at least 14 to 21 calendar days prior to the date of the meeting**. They are notified through the use of invitational letters sent by mail. It is also acceptable to include the invitation as part of a newsletter. [Figure 11-16](#) is an example of an invitational letter to property owners, which at a minimum should include the same elements as described in [Section 11.2.4.5.1](#).

#### **11.2.4.5.3 Newspaper Advertisement**

Advertisement of a public meeting is not required, but should be published in the local newspaper(s) with general circulation in the vicinity of the project. The newspaper ad should include:

1. The purpose of the public meeting
2. Project description (the use of a project location map is suggested)
3. Date, time, and location of the meeting
4. Name, telephone number, and email address of a contact person for information on the meeting
5. An address where written comments can be directed
6. Standard statement on nondiscrimination compliance

7. Notice of standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities.
8. A contact person and information for accommodation of disabilities under **ADA**

It is suggested that the **newspaper ad be published a minimum of one time, 10 to 14 days prior to the meeting**. [Figure 11-6](#) is an example of an ad for a public information meeting. An affidavit or proof of publication should be obtained from the newspaper.

#### 11.2.4.5.4 Florida Administrative Register Notice

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

The **FAR** is published each weekday except on those days observed as official state holidays designated by **Section 110.117, F.S.** All materials to be published must be uploaded to the **FAR** website by 3:00 p.m. on the day prior to publication. For publication on Mondays, the ad must be uploaded to the website by 3:00 p.m. on the previous Friday. See [Figure 11-13](#) for an example of a **FAR** notice.

#### 11.2.4.5.5 Florida Department of Transportation Public Notice Website

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

#### 11.2.4.5.6 Press Release

Press releases should only be used in appropriate circumstances and must be coordinated with the District PIO. On some projects, the press releases are prepared by the consultant and then submitted through the PIO. Writing a press release can result in positive media coverage by following a few simple rules. [Figure 11-5](#) is an example of a press release.

1. Submit press releases on FDOT letterhead.

2. Type the press release, single-spaced, in an easy-to-read font.
3. Include a contact name and phone number, listed in a prominent place (most commonly on the right side of the page immediately above the headline on the press release).
4. Summarize the press release with a headline that captures the essence of the entire release. Try to incorporate the five “Ws” - who, what, when, where, and why. Also incorporate the five “Ws” in the body of the message: Who is the contact person? What is happening? When is the activity or meeting taking place? Where will the activity be held? Why is the activity taking place?
5. Format the press release properly, starting with a dateline and the city and state from which the information is being released.
6. Keep the press release at one page if possible, but if it is necessary to have more than one page, write “more” at the bottom of each page until the end.
7. Include standard statement: *The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.*
8. End the press release with one of the three universally accepted symbols: “-30-,” “-End-,” or “\*\*\*.”
9. Have the press release approved by the District PIO. This approval is required.

#### **11.2.4.5.7 Websites and Social Media**

Project websites are cost effective means of reaching a broad cross section of the public. Website addresses should be included on all printed materials, including letters to property owners, newspaper ads, newsletters. Project websites may contain information such as announcements, publications, project information, and study updates.

Information for creating a project website compatible with FDOT standards is found on [FDOT's Consultant Managed Website](#) page.

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

1. Contact information (project manager's name, mailing address, phone, fax, and e-mail address)
2. The project schedule

3. Meeting calendars and agendas (notice of public meetings, workshops, hearings)
4. A brief project description; include standard statement: *The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.*
5. A public involvement section (brief synopsis of the **PIP**)
6. Links to related agencies (District, MPOs)
7. A comment/question/survey form

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

FDOT has its own Twitter, Facebook, and YouTube accounts, and the District PIO can place notifications about project events and activities on these outlets. Stakeholders and team members can spread project information through their personal and professional online links. Special interest groups may be willing to share updates and notifications about the project on their social media sites. Many people may appreciate a diversified public engagement strategy, one that includes digital material, print material, and ability to speak with someone in person; however, it is important to keep in mind there may be people who feel most comfortable with in-person interaction or tangible media that does not require a power source or internet connectivity.

#### **11.2.4.5.8 Alternative Notification Methods**

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

1. Distribute flyers to post on bulletin boards or include in newsletters of major employers, apartment complexes, or home-owners' associations.
2. Provide meeting information to places of worship for inclusion in church bulletins and/or newsletters.
3. Provide informational flyers to local schools to be sent home with school children.
4. Post flyers at commonly frequented retail establishments, laundromats, banks, grocery stores, post offices.

5. Include meeting information on the community calendar in local media.
6. Prepare brochures, newsletters, and postcards for a mailing.
7. Use transit vehicles and stations to post advertisements, information, and notices.
8. Post signs along the project corridor (first check local regulations and ordinances).
9. Hand-deliver brochures, newsletters, flyers to business owners/operators and property owners/tenants along the project corridor.
10. Submit public service announcements to radio and television stations.

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

#### **11.2.4.6 Visualization Techniques**

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

Examples of visualization techniques include sketches, drawings, artist renderings, physical models and maps, simulated photos, videos, computer modeled images, interactive Geographic Information System (GIS) systems, GIS-based scenario planning tools, photo manipulation and computer simulation. Districts should use various visualization techniques as applicable (See [Section 11.3](#) for a link to the FHWA Visualization in Planning website).

#### **11.2.5 Procedures for Holding a Public Hearing**

While public involvement and participation is encouraged for all projects, public hearings are not required for all projects. Rather, public hearings are generally reserved for higher COA or for those projects which constitute major transportation improvements. The public involvement provisions in **23 CFR § 771.111** generally provide that reasonable notice of either a public hearing or an opportunity for a public hearing be provided.

State law contemplates that a public hearing will occur when planning for major transportation improvements (regardless of the funding source or COA) when increasing the capacity of a facility through the addition of new lanes, providing new access to a limited or controlled access facility, or construction of a facility in a new location. **Section 339.155, F.S.**, further states that the public hearing must be held “prior to the selection of the facility to be provided, prior to the selection of the site or corridor of the proposed facility, and prior to the selection of and commitment to a specific design proposal for the proposed facility.”

The primary difference between a public meeting and a public hearing is that a public hearing has specific time frames associated with advertising, hearing notice, and when written comments must be received. A public hearing must also meet formal requirements for the way it is conducted. Typically, project information is presented and then members of the public, elected officials, and other interested persons can provide oral or written comments which become part of the project record. Public hearings are usually held at the end of the PD&E process and prior to the submittal of the Environmental Document to OEM.

In preparation for a public hearing, a **Public Hearing Planning Checklist** is provided in [Figure 11-11](#). Also see [Figure 11-12](#) for requirements related to **Public Hearing Notices**.

### 11.2.5.1 Public Hearing Format

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

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

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

The third area includes seating for the formal presentation where the public can sit and watch a live or voiced-over presentation. For those participants interested in providing



oral comments, an opportunity to speak into a microphone is provided for comment purposes. The length of time for the public comment period is at the District's discretion, but is usually two to three minutes per speaker depending on the number of people who wish to speak. The public also has the opportunity to provide their comments in writing or directly to a court reporter. It should be mentioned that all comments carry equal weight.

The public hearing generally includes the following elements:

1. All staff attending the hearing should be knowledgeable about the project. Generally, approximately one week prior to the hearing, a briefing or hearing rehearsal takes place at the District office to fully acquaint staff members with the project and the hearing process. The rehearsal must include a thorough discussion of the room arrangement, the content of the presentation, all brochures and handouts, roles and responsibilities, and the type and format of project and general information to be displayed at the public hearing.
2. The moderator is generally an FDOT employee whose principal concern is to coordinate the hearing and ensure that everything runs smoothly.
3. A specific "script" is used to present the project, explain the ROW acquisition process to the public, and describe some of the compensation requirements at public hearings. A copy of the script can be found in [Section 11.2.5.6](#).
4. Wall displays are used to show base/aerial maps, project alternatives, comparative evaluation matrices, schedules, charts, renderings, and other project-related information. These should use plain language as much as possible.
5. Informational posters may be used to provide information to the attendees to help them participate in the hearing or provide instructions regarding how to comment on the project.
6. Laws and regulations applicable to the public hearing process may be placed on a display board or presentation slide. A list of these laws is provided below. If you display them on a board, then include the following statement within the script: "This public hearing was advertised consistent with federal and state requirements." A sample script is provided within [Section 11.2.5.6](#).
  - a. **Section 120.525, F.S.** – Meetings, hearings, and workshops
  - b. **Section 286.011, F.S.** – Government in the Sunshine Law
  - c. **Section 335.199, F.S.** – Transportation projects modifying access to adjacent property (use only if there are proposed access changes)
  - d. **Section 339.155, F.S.** – Transportation planning
  - e. **Americans with Disabilities Act of 1990 (ADA)**

- f. **Title VI of the Civil Rights Act of 1964** and Other Nondiscrimination Laws
  - g. **49 CFR Part 24**, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs
  - h. **40 CFR Part 1506**, Other Requirements of **NEPA**
7. Project handouts or brochures may be used at hearings. Handouts are used to convey the same material that is usually found in a formal presentation. Handouts may include:
- a. A project location map
  - b. Federal, ETDM, and FM Numbers
  - c. A description of the project and its logical termini
  - d. The purpose of the public hearing
  - e. An explanation of the information hearing process
  - f. An explanation of how the public can comment on the project
  - g. A statement of the date when the final written comments are due
  - h. The date, time, and place of the hearing
  - i. A discussion of the Federal-State Partnership
  - j. Information regarding the project development process
  - k. A summary of the project: justification/need, alternatives considered, typical sections, potential environmental impacts, potential ROW relocation, **Title VI** programs, the role of a public hearing, and the project status and schedule.
  - l. Notice of standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities

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

8. Staff members will be assigned as greeters to welcome attendees and explain the hearing process. All attendees should be asked to sign-in upon entering the hearing room. Greeters will also orient each attendee to the layout of the room and provide them with handout material, comment forms, and speaker cards, and explain how verbal and written comments may become part of the official public record. Those wishing to speak during the public testimony portion of the hearing are asked to provide their name and address on a speaker card. The speaker card is then given to a staff member and attendees will be invited to speak in the order which their speaker cards are received. [Figure 11-18](#) provides an example speaker card.
9. The record of the public hearing, or transcript, is accomplished by using one or more court reporters hired to attend the hearing; or the District may choose to tape-record the proceedings and transcribe the tape at a later date. In either case, a verbatim transcript is made to document the proceedings. Attendees may speak directly to the court reporter to express views concerning the project or fill out a speaker card and speak into a microphone during the public testimony portion of the hearing. Written comment forms are also provided for those not wishing to make a verbal statement. Written comment forms are generally deposited in a comment box available at the hearing or may be mailed, postmarked no more than 10 days following the date of the hearing, to be included as part of the public record. A sample comment form is provided in [Figure 11-17](#).
10. A live or voiced-over presentation is used to inform the attendees about the project and reiterate how to comment on the project. The general content of the hearing presentation is discussed in [Section 11.2.5.6](#).

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

### **11.2.5.2 Public Hearing Dates and Times**

Public hearings are typically held during the work week, Tuesday through Thursday, to maximize the opportunity for public participation in the project development process. Public hearings usually begin at 5:30 or 6:00 in the evening and last two hours. However, consider the ages of the anticipated audience, transportation availability, location access, distance, when determining the time of the hearing. Consideration should be given to selecting and securing an alternate date during the hurricane season. District representatives are present before the hearing to answer questions.

### **11.2.5.3 Selecting a Hearing Location**

Refer to [Section 11.2.4.4](#), for guidance on selecting a public hearing location. Public hearings involve a formal presentation; therefore, the room should be able to accommodate multiple workstations, display boards, mingling, and seating for viewing the

presentation. If a large crowd is anticipated, the meeting location should have a room large enough to accommodate two or more identical sets of workstations and/or displays.

#### **11.2.5.4 Public Hearing Notification and Advertisement Requirements**

Provisions for public involvement, including public hearings, are contained in **Chapters 120 and 339, F.S.; 23 CFR 771**, and **23 U.S.C. § 128**.

**Section 339.155(5)(b), F.S.**, directs that public hearing shall be conducted so as to provide an opportunity for effective participation by persons interested in the process of transportation planning and site and route selection and in the specific location and design of transportation facilities. As part of that process, FDOT is required to present the factors involved in its decisions and alternative proposals such that persons attending may present their views.

##### **11.2.5.4.1 Notification to Elected Officials and Agencies**

Before holding a public hearing, a letter of invitation is sent to the local governments and agencies at least 25 but **no more than 30 calendar days prior to the public hearing date**. The letter of invitation should be received by the elected officials and agency representatives before the public is notified by letter or advertisement.

See [Figure 11-15](#) for a sample letter of invitation to officials and agencies, which at a minimum should include the following, either in the body of the letter or in an attachment:

1. The purpose of the notification
2. A description of the project
3. A list of the places, dates, and times where the Environmental Document and other materials will be available for public inspection
4. The date, time, and location of the public hearing
5. A statement requesting public participation
6. Standard statement of non-discrimination compliance and information about **ADA** requests as provided in [Section 11.2.4.5](#)
7. Notice of standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities
8. Hearing notice and map.

It is important to use the correct salutations and titles when addressing elected and appointed officials and agency contacts. See [Figure 11-9](#) for a listing of salutations and titles.

#### 11.2.5.4.2 Notification to Property Owners

**Section 339.155(5), F.S.**, directs FDOT to notify certain affected property owners when holding a design hearing. Specifically, all real property owners of record, in whole or in part, within 300 feet of the centerline of the proposed facility must be notified of the upcoming hearing. The names and addresses of property owners are obtained from the county property appraiser's office or its website. Notification must be made by mail **at least 20 calendar days prior to the date of the hearing**. Invitational letters are sent using the same elements as described in [Section 11.2.5.4.1](#) (See [Figure 11-16](#)).

Reasonable efforts should also be made to notify and inform tenants and leaseholders within 300 feet of the centerline of the public hearing.

#### 11.2.5.4.3 Public Hearing Newspaper Ads

Collectively, the authorities for public involvement dictate that *reasonable notice* be provided for public hearings. Publication in a local newspaper(s) of general circulation within the project area is one method that meets that objective. **Section 339.155, F.S.**, generally directs FDOT to publish notice in a newspaper of general circulation to allow comment on transportation plans or improvements. This notice must be published in a manner that is sufficient to give the public reasonable notice of and opportunity to attend the public hearing.

In addition to these general notice requirements, **Section 339.155(5)(c)(2), F.S.**, more specifically directs that in regard to design hearings, **subsequent** to the initial hearing where individual notice is mailed to real property owners within 300 feet of the project centerline, FDOT must publish the public hearing notice according to a specified schedule; i.e., a minimum of two times with the first ad appearing **at least 15 days but no more than 30 days prior to the hearing**. The second ad should run 7-12 days prior to the hearing.

The content of advertisements should be written in plain English (see plain language initiative under [Section 11.1.2.3](#)) and must include at a minimum the following (see [Figure 11-14](#) for a sample public hearing newspaper ad):

1. The reason for the public hearing
2. An explanation of the format of the public hearing
3. The project description (the use of a project location map is suggested)
4. The date, time, and location of the hearing

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

Standard statement of non-discrimination compliance and information about **ADA** requests, as provided in [Section 11.2.4.5](#)

6. Notice of standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities
7. An address where written comments are to be sent

An affidavit or proof of publication should be obtained from the newspaper and maintained in the project file.

#### **11.2.5.4.4 Florida Administrative Register Notice**

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

#### **11.2.5.4.5 Florida Department of Transportation Website**

To comply with **Section 120.525, F.S.**, notice of all public hearings should be published on [FDOT's Public Meeting Notices Website](#) at least **7 days before the hearing**. Meeting notices are typically added to the website by District PIO staff through the FDOT INFONET. The information to be provided to the PIO includes the hearing date and time, location name and address, project description, project website, and contact names and contact information. Include the standard nondiscrimination statement and information about **ADA** requests. Additionally, the standard statement regarding FDOT assumption of FHWA **NEPA** responsibilities should be included when appropriate.

#### **11.2.5.5 Documents for Public Review**

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

#### **11.2.5.6 Public Hearing Presentation and Script**

The public hearing is officiated by a moderator and includes a live or voiced-over presentation followed by the public comment portion of the hearing. The moderator is

generally an FDOT employee. The following information is included in the presentation. The information shown in *italics*, and modified as applicable, **must** be contained in the public hearing presentation, either as a specific citation or as a content item tailored to the specific topic within the script and/or supplemental handout.

## 1. Introduction

*Good evening. The Florida Department of Transportation would like to welcome you to the public hearing for the (name of project). My name is \_\_\_\_\_. I am the District \_\_\_\_ Project Development Engineer (or insert other title) for the Florida Department of Transportation. This public hearing is for Financial Management Project Number \_\_\_\_\_ and Federal Aid Project Number (if a federal project) \_\_\_\_\_. This environmental study has been conducted by FDOT (District x) in compliance with all applicable federal environmental laws and pursuant to 23 U.S.C. § 327 and the implementing MOU between FDOT and FHWA signed on December 14, 2016; the FDOT Office of Environmental Management in Tallahassee is the approving authority. The proposed improvement involves (describe the project action including the location and limits). This hearing is being held to provide you with the opportunity to comment on this project.*

*Here with me tonight are:*

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

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

*We now will begin the presentation.*

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

## 2. Purpose of the public hearing and nondiscrimination compliance

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

*There are three primary components to tonight's hearing:*

- *First, the open house, which occurred prior to this presentation where you were invited to view the project displays and to speak directly with the project team and provide your comments in writing or to the court reporter;*
- *Second, this presentation, which will explain the project purpose and need, study alternatives, potential impacts, both beneficial and adverse, and proposed methods to mitigate adverse project impacts; and*
- *Third, a formal comment period following this presentation, where you will have the opportunity to provide oral statements at the microphone or you may provide your comments directly to the court reporter or in writing.*

*This public hearing was advertised consistent with federal and state requirements (If you are displaying the laws on a slide, then the script could be changed as follows: “This public hearing was advertised consistent with the federal and state requirements shown on the slide.” (A list of the laws is provided within [Section 11.2.5.1](#).) Persons wishing to express their concerns about Title VI may do so by contacting either the Florida Department of Transportation, District \_\_\_\_ office, or the Tallahassee office of the Florida Department of Transportation. This contact information is also provided in the project brochure and on a sign displayed at this hearing.*

### **3. Purpose and need and project’s consistency with local and regional plans**

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

### **4. Discussion of alternatives**

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

### **5. Discussion of social, economic, and environmental impact**

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

### **6. Explanation of FDOT’s right of way acquisition and relocation process**



During a public hearing, the following information must be provided to explain the ROW acquisition process and describe the compensation requirements to be followed by the Department.

If both ROW acquisition and relocation will take place, the following script will be used:

*One of the unavoidable consequences on a project such as this is the necessary relocation of families or businesses. On this project, we anticipate the relocation of \_\_\_ families and \_\_\_ businesses. All right-of-way acquisition will be conducted in accordance with Florida Statute 339.09 and the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, commonly known as the Uniform Act.*

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

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

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

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

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

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

If the project requires only right of way, the following script will be used:

*This project will not cause any relocation of families or businesses. All right of way acquisition will be conducted in accordance with Florida Statute 339.09 and the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, commonly known as the Uniform Act. The right of way specialist who are supervising this program are here tonight and will be happy to answer your questions.*

## **7. Explanation of how the public can provide their comments**

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

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

## **8. Next steps and concluding statement**

*The next step is to incorporate your input on this public hearing into our decision-making process. After the comment period closes and your input has been considered, a decision will be made and the Final PD&E document will be sent to the FDOT Office of Environmental Management which based on the MOU signed with FHWA on December 14, 2016 has approval authority on this project granting location and design concept acceptance.*

*This project has and will continue to comply with all applicable state and federal rules and regulations.*

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

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

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

*Written statements may be presented in lieu of or in addition to oral statements. All written material received at this public hearing and at the Florida Department of Transportation District office located at \_\_\_\_\_ (street address) \_\_\_\_\_, postmarked no later than \_\_\_\_\_ (10 days following the date of this public hearing) will become a part of the public record for this hearing. All written comments should be*

addressed to \_\_\_\_\_ (contact person's name) \_\_\_\_\_. Comments may also be  
emailed to \_\_\_\_\_ (e-mail address) \_\_\_\_\_.

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

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

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

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

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

### **11.2.5.7 Public Hearing Documentation**

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

Whenever a public hearing is held, the public record remains open for **a minimum of 10 calendar days after the date of the hearing** to allow for additional written input from attendees or others who were not able to attend the hearing. All written comments received during that period become part of the public record and are included in the hearing transcript package. After the comment period, the public hearing is officially closed. The **Public Hearing Certification Form, Form No. 650-050-56** is completed in SWEPT by the FDOT representative, as shown in [Figure 11-19](#). The official transcript is then uploaded to SWEPT, linked to the **Public Hearing Certification Form No. 650-050-56**, and attached to the Environmental Document.

## 11.2.5.8 Specific Public Hearing Concerns

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

### 11.2.5.8.1 Noise Abatement and Outdoor Advertising

The identification and design of noise abatement measures during the project design phase may require additional public involvement efforts and will be especially important in the establishment of noise barrier design features. Public coordination is often necessary to finalize barrier locations, heights, and aesthetic features, especially if there are substantial changes to prior commitments. These changes may be the result of the considerations noted in [Part 2, Chapter 18, Highway Traffic Noise](#). Coordination with the District Noise Specialist in obtaining input during the final design of the noise barrier is suggested.

**Section 479.25, F.S.**, allows permitted, conforming, lawfully erected outdoor advertising signs to be increased in height if visibility is blocked due to construction of “noise attenuation” barriers. In addition, the statute requires FDOT to notify a local government or local jurisdiction before erecting a noise barrier that will block a lawfully permitted sign.

The amended statute also requires that FDOT hold a public hearing within the boundaries of the affected local government or local jurisdiction to receive input on proposed noise barriers that may conflict with local ordinances or land development regulations. The public hearing allows suggestions, consideration of alternatives, and modification to the proposed noise barriers to be heard in order to alleviate or minimize conflict with local ordinances and minimize any costs associated with relocating, reconstructing, or paying for the affected outdoor advertising sign (see [FDOT Design Manual, Topic No. 625-000-002, Part 2, Section 264.4](#)).

### 11.2.5.8.2 Access Management

Access Management is the process used to plan the location, design, and operation of driveways, median openings, interchanges, and street connections. Median decisions can be particularly controversial. Sound public involvement strategies can facilitate open communication with affected parties. In 1995, FDOT adopted ***Deviations from Median Opening Standards: A Procedure for Engineering Decisions***, which calls for initiating public involvement on median design during PD&E and carrying this through production. In 2010, **Section 335.199, F.S.**, was passed requiring FDOT to notify all affected property owners, municipalities, and counties of a proposed project that will divide a state highway, erect median barriers, or close/modify an existing access to an abutting property owner at least 180 days before the design is finalized. The law requires that FDOT hold at least one public hearing in the jurisdiction where the project is located and receive public input to determine how the project will affect access to businesses and the potential economic

impact of the project on the local business community. Proposed access management changes that are included in the PD&E public hearing do not require a separate hearing during the design phase. Additional information is available in [Median Openings and Access Management, Topic No. 625-010-021](#).

### 11.2.5.8.3 Toll-Rate Workshops and Hearings

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

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

### 11.2.5.9 Public Comment Opportunities after the Public Hearing for Environmental Impact Statements

For a minimum period of 10 days following the public hearing, comments can be made on the project. Such comments are appended to, and become part of, the official hearing transcript record. All comments and issues raised at the hearing; the transcript record; and design, cost, environmental, and other changes occurring since the approval of the DEIS must be considered and documented by the District in the FEIS. A detailed discussion of these procedures is provided in [Part 1, Chapter 9, Final Environmental Impact Statement](#).

### 11.2.5.10 Notice of Opportunity to Request a Public Hearing

A public hearing will typically be required for either a Type 2 CE or an EA pursuant to **Section 339.155(5), F.S.** Under limited circumstances, when a Type 2 CE or an EA does not constitute a Major Transportation Improvement pursuant to **Section 339.155(5)**, the District must obtain OEM approval in order to offer the public an opportunity to request a public hearing in lieu of holding it without a public request.

A notice to request a public hearing is published in a local newspaper having general circulation in the project area. **An ad should be published at least 15 calendar days prior to the deadline** established by the District for receipt of requests. After the notice period has lapsed, the District requests an **Affidavit of Certification** from the newspaper that the publication was made and uploads the affidavit to SWEPT. This affidavit must accompany the Type 2 CE or EA, when applicable.

A notice of opportunity to request a public hearing must also be placed in the **FAR** (see [Section 11.2.4.5.4](#)) and [FDOT's Public Meeting Notices Website](#). A sample notice of opportunity is shown in [Figure 11-20](#).

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

1. An explanation of the opportunity notice
2. A project description
3. A statement on the type of studies accomplished and a list of places where study documents are available for public inspection
4. A statement that the request for a public meeting must be submitted in writing, and the date by which the request must be received
5. The name of the District contact person
6. The address where the request for a public hearing is to be sent

If a request to hold a public hearing is received prior to the established deadline, then all notification and hearing procedures described in [Sections 11.2.5.1](#) through [11.2.5.8](#) must be followed. If only one or two persons request a hearing, a meeting should be held with them to discuss their concerns.

### **11.2.5.11 Joint Public Hearings**

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

### **11.2.6 Notice of Location and Design Concept Acceptance**

The District publishes an announcement in the same local newspaper in which the public hearing notification was published to let the public know that LDCA has been received from OEM. For an example of an LDCA notice, see [Figure 11-22](#).

## 11.2.7 Public Involvement Documentation

The final documents for EAs, EISs, and Type 2 CEs require a summary of the public involvement activities held. Within the Type 2 CE document, if a public hearing was held, substantive comments are addressed within the supporting information for each issue/resource. Within EAs or EISs, a Comments and Coordination section is included in accordance with [Part 1, Chapter 6, Environmental Assessment](#) and [Part 1, Chapter 8, Draft Environmental Impact Statement](#).

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

1. The **PIP**.
2. The notification process, including the master contact list(s) for officials, agencies, property owners, and interested persons, as well as details of all methods of notification used to invite the public to activities (letters, newsletters, ads, press releases, news media).
3. A summary of all public involvement outreach activities, including the date, time, and location of public involvement activities. Activity summaries should include photographs, mailing lists, sign-in sheets, maps, graphs, display boards and/or exhibits, comment forms, comment summaries, meeting notifications, evaluation forms, requests, surveys, slide presentations, and meeting minutes, as applicable. The number of people invited and the number of attendees should be documented, as well as specific issues and/or concerns that were expressed as part of each activity.

A verbatim transcript of the public hearing, along with written comments received at the public hearing and written comments received within the established comment period following the hearing (a minimum of 10 days), is electronically submitted through SWEPT to OEM with the Environmental Document at the end of the PD&E phase.

Additional information is provided in FDOT's [Public Involvement Handbook](#).

## 11.2.8 Public Involvement Evaluation

Periodic evaluation of the **PIP** is needed to determine the effectiveness of public involvement activities. The following (or similar) questions should be asked during in-house debriefings and/or presented to the community in a survey format. The answers will provide information on whether new outreach strategies should be developed to improve public involvement for the project.

**1. Is the entire project community represented in the public involvement activities?**

If there are representatives or segments of the affected community who are missing from the project activities, it may indicate that the timing and/or location of these activities are inconvenient. Or, it may indicate that the project notices are not reaching the intended audience.

**2. Is there continuity among participants' attendance?**

If people drop out of the process after one or two activities, it may indicate frustration with the process.

**3. Are the appropriate communication techniques being employed?**

If input is limited, it may indicate that the audience does not understand the project information. Or, it may indicate that they do not believe their comments are important.

**4. Are the comments received from the community relevant to the project? Are they realistic and appropriate to the project phase?**

If the comments are not relevant to the project, it may indicate that people do not understand the project scope or the kind of information/input that is being sought. If people have unrealistic expectations about how they can influence the project, it may indicate that they do not understand the decision-making process or the type of decisions that will be made during the current phase of project development.

**5. Are there significant unresolved issues concerning the project?**

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

FDOT's [Public Involvement Handbook](#) provides detailed information on how to evaluate public involvement activities.

## **11.2.9 Subsequent Public Hearings**

Public hearings held in the design phase should follow the same procedures and requirements as provided within [Section 11.2.5](#).

## **11.2.10 Public Involvement During Re-evaluations**

OEM and the District will determine in consultation whether changes in the project or new information warrant additional public involvement consistent with **23 CFR § 771.111(h)(3)** and **23 CFR § 7771.129**. For information on preparing a Re-evaluation see [Part 1, Chapter 13, Re-evaluations](#).



## 11.2.11 Community Awareness Plans

Typically, when a project reaches the design phase, many of the project commitments and community issues have been identified. However, this is not always the case. Design alternatives still need to be re-evaluated to determine implications for community impacts. Commitments made in previous project phases (see [Part 2, Chapter 22, Commitments](#)) are communicated to designers who are then responsible for their incorporation. A **Project Commitments Record, Form No. 650-000-001** is used to track commitments throughout the project life-cycle according to [Project Commitment Tracking, Procedure No. 650-000-003](#). If constraints arise that require design changes that may affect FDOT's ability to meet commitments, the process requires follow-up with the affected community. In such cases, additional public involvement and community impact assessment may be necessary to address public concerns.

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

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

Each District within FDOT has developed **CAP** guidelines for continued efforts in public involvement to be implemented on all design projects, depending on the level of impact to the community. For additional information, see the [FDOT Design Manual, Part 1, Section 104, Topic No. 625-000-002](#).

## 11.3 REFERENCES

Americans with Disabilities Act (ADA) of 1990

AASHTO/ACEC and FHWA, Improving the Quality of Environmental Documents, May 2006: [http://environment.transportation.org/pdf/IQED-1\\_for\\_CEE.pdf](http://environment.transportation.org/pdf/IQED-1_for_CEE.pdf)

Chapter 120, F.S., Administrative Procedures Act

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

Endangered Species Act of 1973

EO 07-01, State of Florida, Governor's Plain Language Initiative

EO 11988, Floodplain Management as amended by Executive Order 13690,  
Establishing a Federal Flood Risk Management Standard and a Process for  
Further Soliciting and Considering Stakeholder Input, 80 FR 6425 (Jan. 30, 2015)

EO 11990, Protection of Wetlands

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

EO 13166, Improving access to services for persons with limited English proficiency

FDOT, FDOT Design Manual, Topic No. 625-000-002

FDOT, Efficient Transportation Decision Making Manual, Topic No. 650-000-002

FDOT, Environmental Policy, Topic No. 000-625-001

FDOT, ETDM Public Access Site: <http://etdmpub.fla-etat.org/est/>

FDOT, Median Openings and Access Management, Procedure No. 625-010-021

FDOT's OEM Website: <http://www.fdot.gov/environment/>

FDOT, Project Commitment Tracking, Procedure No. 650-000-003

FDOT, Public Involvement Handbook, July 2015.  
<https://www.fdot.gov/environment/pubinvolvement.shtm>

FDOT, Public Involvement Policy, Topic No. 000-525-050

FDOT's Public Notices Website:  
<http://www2.dot.state.fl.us/publicsyndication/PublicMeetings.aspx>

FDOT Website: <http://www.fdot.gov/>

FHWA's Public Involvement Website:  
[http://www.fhwa.dot.gov/planning/public\\_involvement/index.cfm](http://www.fhwa.dot.gov/planning/public_involvement/index.cfm)

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

FHWA Visualization in Planning Website:  
[http://www.fhwa.dot.gov/planning/scenario\\_and\\_visualization/visualization\\_in\\_planning/index.cfm](http://www.fhwa.dot.gov/planning/scenario_and_visualization/visualization_in_planning/index.cfm)

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

Florida Administrative Register website: [www.flrules.org](http://www.flrules.org)

Florida Department of State's e-rulemaking website: [www.flrules.org](http://www.flrules.org)

Memorandum of Understanding Between FHWA and FDOT Concerning the State of Florida's Participation in the Surface Transportation Project Delivery Program Pursuant to 23 U.S.C. 327, December 14, 2016.

<http://www.fdot.gov/environment/pubs/Executed-FDOT-NEPA-Assignment-MOU-2016-1214.pdf>

NEPA of 1969

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

Section 110.117, F.S., Paid Holidays

Section 120.525, F.S., Meetings, Hearings, and Workshops

Section 163.3181(2), F.S., Public Participation in the Comprehensive Planning Process; Intent, Alternative Dispute Resolution

Section 286.26, F.S., Government-in-the-Sunshine Law

Section 335.02, F.S., State Highway System

Section 335.199, F.S., Transportation projects modifying access to adjacent property

Section 339, F.S., Transportation Finance and Planning

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

Section 339.155, F.S., Transportation Planning

Section 339.175, F.S., Metropolitan Planning Organization

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

Title 23 CFR Part 771, Environmental Impact and Related Procedures

Title 40 CFR §§ 1500-1508

Title 40 CFR § 1501.7 (CEQ Regulations)

Title 40 CFR Part 93.105

Title 23 U.S.C. § 109(h) Highways – Economic, Social, and Environmental Effects

Title 23 U.S.C. § 128, Public Hearings

Title 23 U.S.C. § 135(f)(3), Participation by Interested Parties

Title 23 U.S.C. § Part 135, Statewide and nonmetropolitan transportation planning

Title 42, Chapter 126, Section 12101: Equal Opportunity for Individuals with Disabilities

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

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

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

## **11.4 FORMS**

Project Commitments Record, Form No. 700-011-35\*\*

Public Hearing Certification Form, Form No. 650-050-56\*

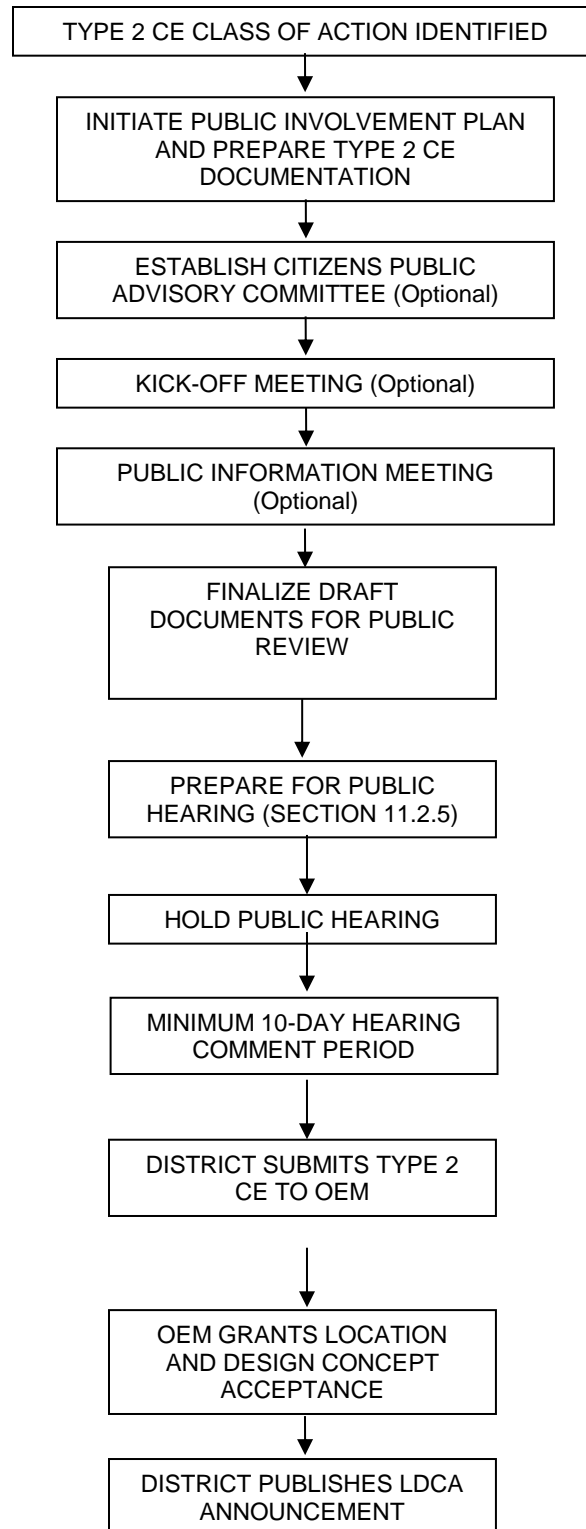
Type 2 Categorical Exclusion Determination Form, Form No. 650-050-11\*

\*To be completed in [SWEPT](#)

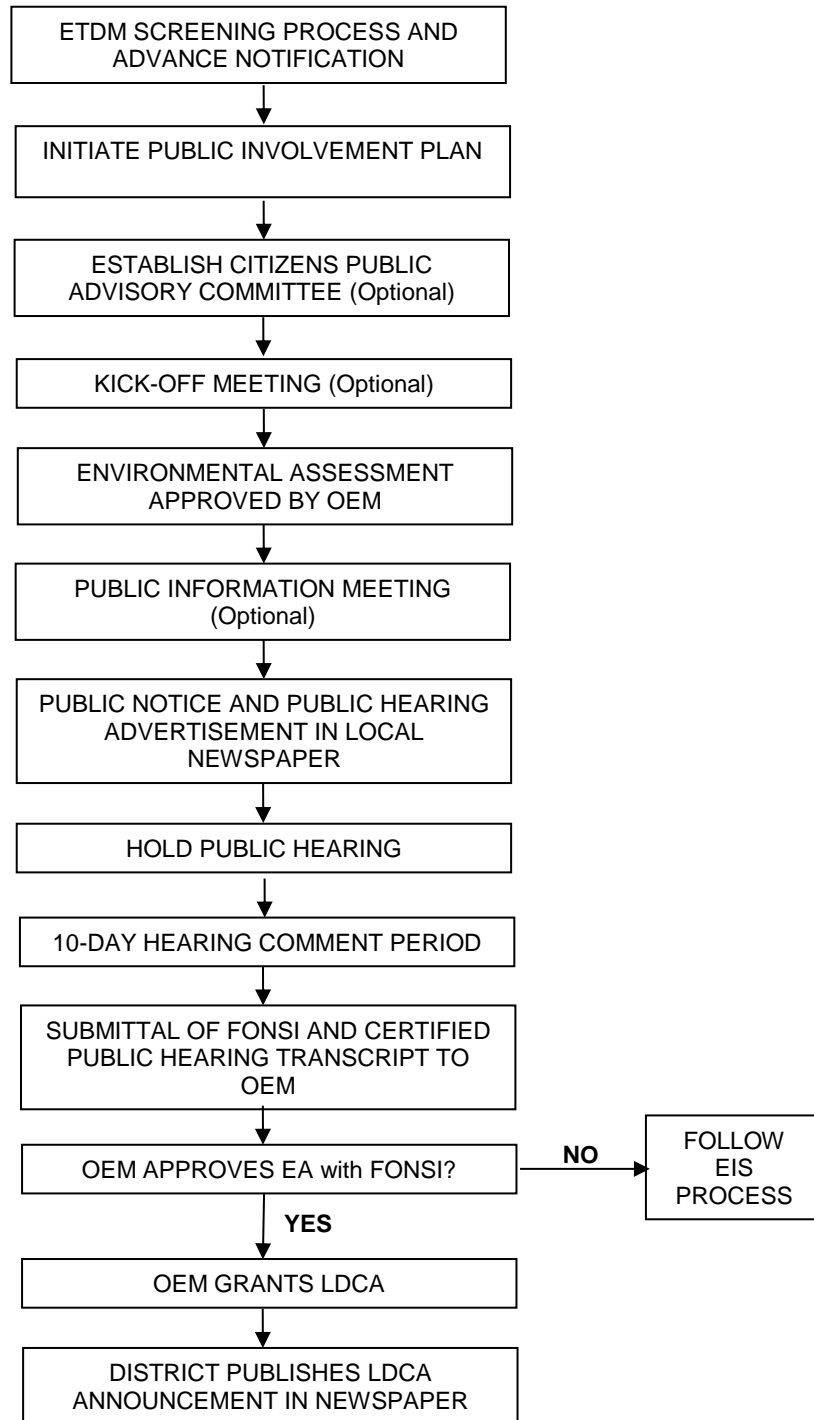
\*\* To be completed in Project Suite Enterprise Edition Commitments Module

## **11.5 HISTORY**

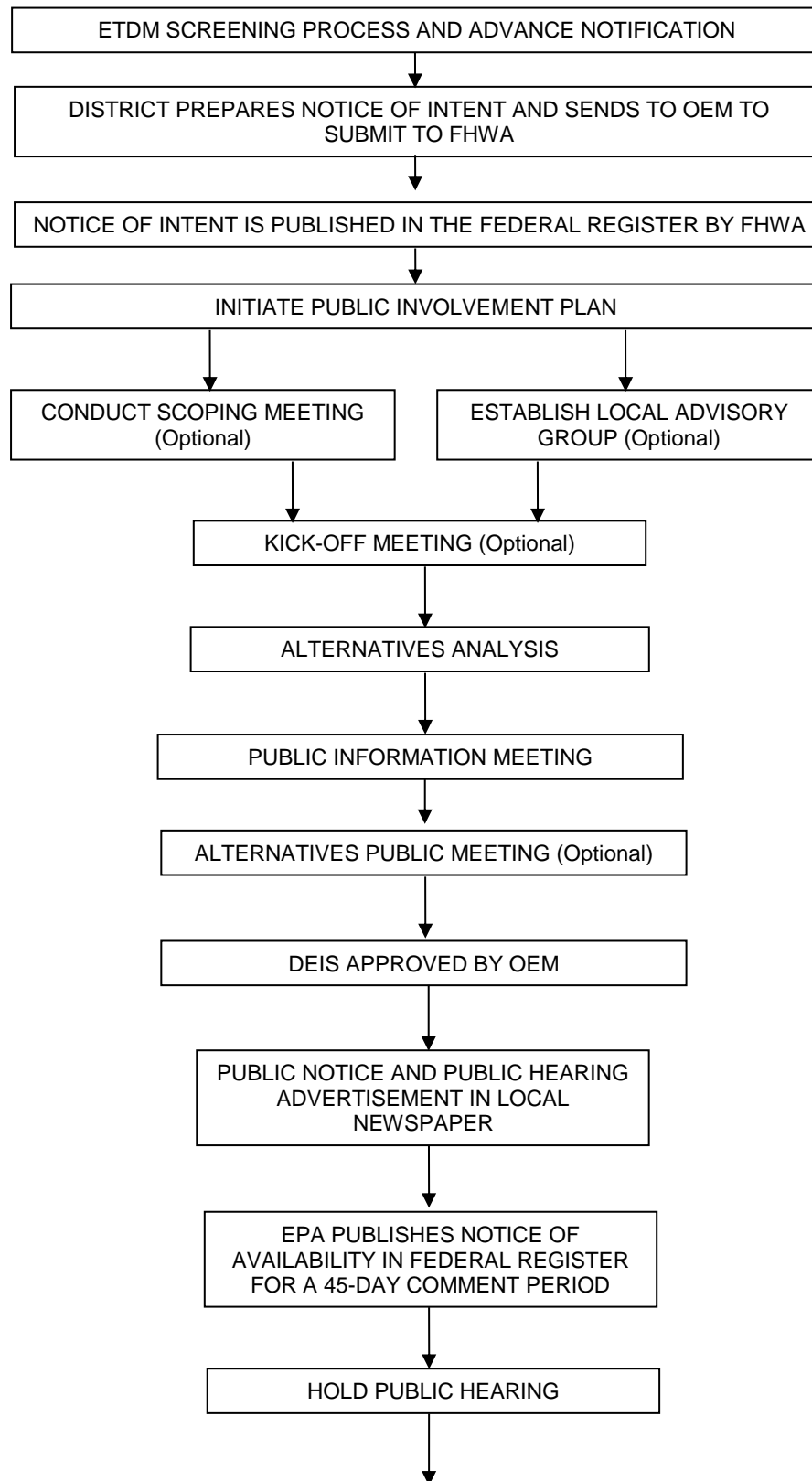
5/27/2003, 5/18/2009, 3/18/2010, 6/24/2010, 6/15/2012, 12/29/2015, 6/14/2017: NEPA Assignment



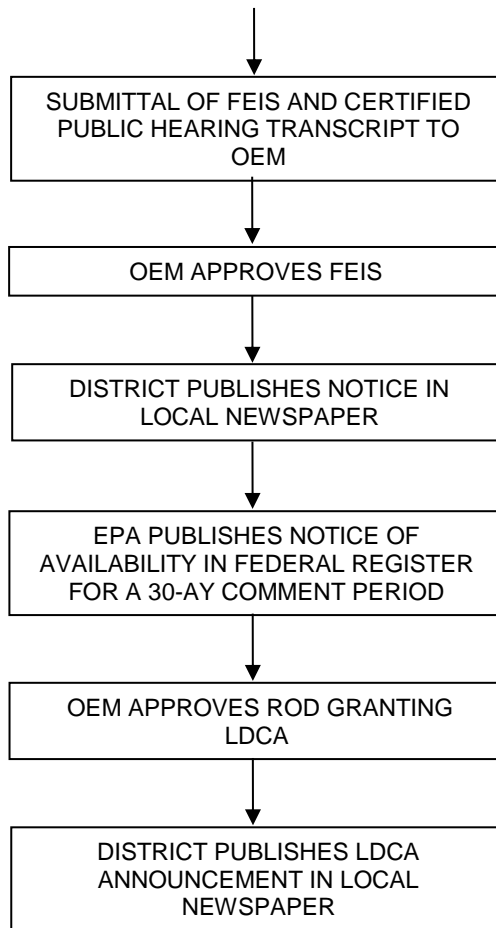
**Figure 11-1 Public Involvement Process for Type 2 Categorical Exclusions**



**Figure 11-2 Public Involvement Process for Environmental Assessments**



**Figure 11-3 Public Involvement Process for Environmental Impact Statements**



**Figure 11-3 Public Involvement Process for Environmental Impact Statements  
(Page 2 of 2)**



## SAMPLE PUBLIC INVOLVEMENT PLAN

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

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

Submitted by: \_\_\_\_\_ (Name)  
Project Manager  
\_\_\_\_\_  
(Name of Consulting Firm)

Date: \_\_\_\_\_

*The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.*

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

Date: \_\_\_\_\_

**Figure 11-4 Sample Public Involvement Plan**

**PUBLIC INVOLVEMENT PLAN**

**Project Development and Environment (PD&E) Study**

**(Project Name)**

from \_\_\_\_\_ to \_\_\_\_\_

**(County), Florida**

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

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

**I. DESCRIPTION OF PROPOSED IMPROVEMENT**

Financial Management Number: \_\_\_\_\_

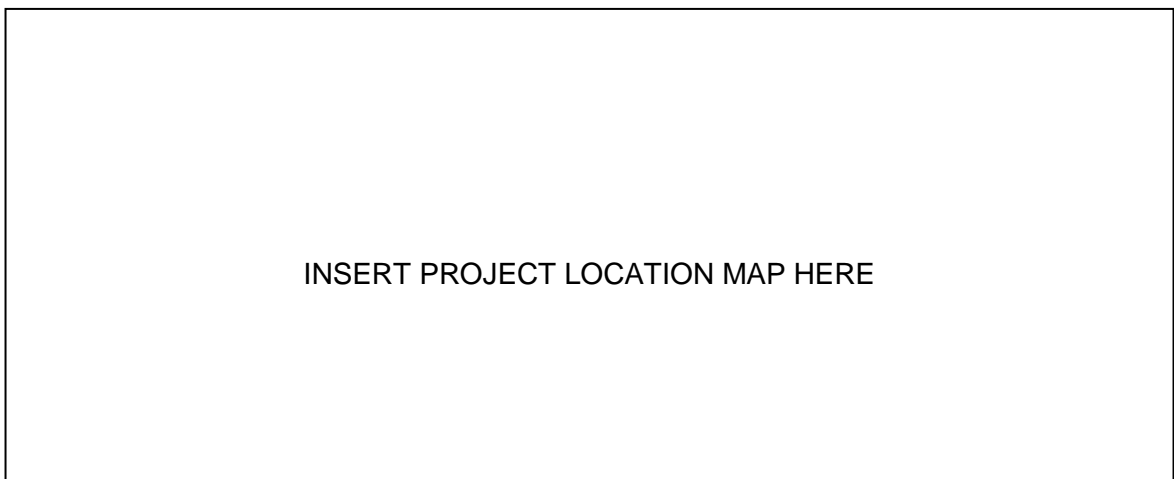
Federal Aid Project Number: \_\_\_\_\_

Project Limits: \_\_\_\_\_

Proposed Activity: \_\_\_\_\_

Class of Action: \_\_\_\_\_

Project Location Map:



**Figure 11-4 Sample Public Involvement Plan (Page 2 of 11)**

## Project Contact Information

For additional information regarding this project contact:

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

## II. PROJECT BACKGROUND

*(Note: Give a brief project background description)*

## III. PROJECT GOALS

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

*(Note: List and define project goals)*

## IV. IDENTIFICATION OF ELECTED OFFICIALS AND AGENCIES

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

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

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

*(Note: Add others that pertain to the project)*

**Figure 11-4 Sample Public Involvement Plan (Page 3 of 11)**

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

**(Note: Add others that pertain to the project)**

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

**Native American Tribes:**

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

**Local Elected and Appointed Officials:**

**(NOTE: ELECTED OFFICIALS SHOULD BE REVIEWED AND UPDATED PRIOR TO MAIL OUTS FOR PUBLIC MEETINGS/HEARINGS)**

Florida State Senators for Local Districts:

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

Florida State Representatives for Local Districts:

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

Federal Delegation:

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

**Figure 11-4 Sample Public Involvement Plan (Page 4 of 11)**

_____ County:	
Name	County Administrator
Name	Commissioner, District 1
Name	Commissioner, District 2
Name	Commissioner, District 3
Name	Commissioner, District 4
Name	Commissioner, District 5
Name	Clerk of the Circuit Court
Name	Public Works Director
Name	County Engineer
Name	County Sheriff
Name	County Superintendent of Schools
_____ (City)	
Name	Mayor
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilman/Commissioner
Name	Councilwoman/Commissioner
Name	City Manager
Name	City Clerk
Name	Fire Chief
Name	Chief of Police
Name	Recreation and Parks Director
Name	Public Works Director
Name	City Engineer
Name	Airport Director (if applicable)

**V. IDENTIFICATION OF AFFECTED COMMUNITIES AND STAKEHOLDERS**

*This section describes the demographics of the study area and approaches for accommodating any special populations. An example discussion is provided below as a guide but it should be tailored to your specific project. If no special demographic concerns exist, make a statement to that effect and attach a copy of the SDR to the PIP.*

This project traverses through the City of \_\_\_\_\_ and several unincorporated communities including \_\_\_\_\_ and \_\_\_\_\_. A map of the communities in relation to the project limits is provided within Figure \_\_\_\_\_. The demographics of the study area was obtained through a Sociocultural Data Report (SDR) analysis. A copy of the SDR is attached to this PIP. Based on the demographics of the study area, there is a large number of \_\_\_\_\_ residents (e.g. transit dependent, elderly, limited English proficiency, etc.). Therefore, the project team will \_\_\_\_\_ (e.g. hold all public meetings at a location accessible by transit, translate all notification materials in another language, ensure that team members fluent in that language are present at the meetings, etc.).

**Figure 11-4 Sample Public Involvement Plan (Page 5 of 11)**

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

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## VI. OUTREACH ACTIVITIES

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

### Newspaper(s):

◆ *Name of Publication*  
Address

Phone Number

◆ *Name of Publication*  
Address

Phone Number

### Television:

◆ *Name of Television Station*  
Address

Phone Number

◆ *Name of Television Station*  
Address

Phone Number

### Radio:

◆ *Name of Radio Station*  
Address

Phone Number

◆ *Name of Radio Station*  
Address

Phone Number

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

### Letters/Newsletters:

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

## Figure 11-4 Sample Public Involvement Plan (Page 6 of 11)

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

**Public Notices/  
Ads:**

Public advertisement will be published in the area newspaper with the largest circulation twice prior to the public meeting/hearing, and once to announce Location and Design Concept Acceptance (LDCA) at the end of the study.

**Public  
Announcements:**

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

**Direct Mail List  
For Public Hearings:**

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

- ◆ Those whose property lies, in whole or part, within at least 300 feet on either side of the centerline of each project alternative (Section 339.155, F.S.), as well as other local citizens who may be impacted by the construction of this project. This portion of the mailing list will be based on the County Property Appraiser's tax rolls.
- ◆ Local elected and appointed public officials or individuals who request to be placed on the mailing list for this project.
- ◆ Public and private groups, organizations, agencies, or businesses that request to be placed on the mailing list for this project.

**Techniques:**

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

**Figure 11-4 Sample Public Involvement Plan (Page 7 of 11)**

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

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

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

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

**Public Outreach Activity Schedule:**

	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Advance Notification	★		<b>Note: This is a sample project schedule. Adjust the months and tasks to pertain to a specific project.</b>							
Newsletter #1	★									
Public Kick-off Meeting		★								
Corridor / Other Public Meeting				★						
Small Group Meetings										
Newsletter #2					★					
Alternatives Public Meeting						★				
Public Hearing								★		
LDCA Announcement										★

**Figure 11-4 Sample Public Involvement Plan (Page 8 of 11)**



**VII. COORDINATION WITH \_\_\_\_\_ COUNTY**

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

**VIII. PUBLIC HEARING**

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

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

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

*Name of Publication*  
Address

Phone Number

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

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

**Figure 11-4 Sample Public Involvement Plan (Page 9 of 11)**

<b>Letters of Invitation:</b>	Letters will be mailed to all property owners as required by Section 339.155, F.S., and to local elected and appointed government officials notifying them of the upcoming public hearing. Notices may be hand-delivered to residences and businesses located directly along the project corridor as deemed necessary by the FDOT.
<b>Hearing Preparation:</b>	Slide presentations and/or video presentations, project corridor aerial maps, graphics, and handouts will be prepared to supplement the oral public hearing presentation.
<b>Transcript:</b>	A verbatim transcript of the public hearing will be compiled to include written comments received at the hearing and written comments received within the established comment period after the hearing. All public hearing documentation (handouts, presentation, graphics, etc.) will be included with the transcript. The transcript will include a script of the recorded presentation, if applicable.
<b>Documents for Public Review:</b>	All draft documents to support PD&E studies evaluation will be available for public review at least 21 calendar days prior to the public hearing date.
<b>Locations of Documents for Public Review:</b>	<p>Public notice will be provided in the public hearing advertisement and by mailed invitational letters as to where the study documents are located for public review.</p> <p>Suggested public review sites are:</p> <ul style="list-style-type: none"><li>◆ County Libraries</li><li>◆ District Offices</li><li>◆ County Offices</li><li>◆ City Offices</li></ul>
<b>Title VI and Related Statutes:</b>	Information about the Title VI Program will be provided in the presentation, by handout, signage, and through availability of personnel, on the Title VI Program and the Relocation Assistance Program.
<b>Americans with Disabilities Act Compliance:</b>	Notification of the Department's intent to comply with the Americans with Disabilities Act will be provided in the public advertisements for the public hearing, in invitational letters to property owners/tenants and local officials, in handouts, and by selection of a public hearing site that meets ADA requirements.

**Figure 11-4 Sample Public Involvement Plan (Page 10 of 11)**

## IX. PUBLIC HEARING FOLLOW-UP

The following procedures will occur after the public hearing.

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

**Recommendation**

**Notice:** A legal notice announcing the Office of Environmental Management's (OEM's) approval of the final document and recommendations will be published in the (Name of Local Publication) newspaper. In addition, press releases detailing the Department's recommendations will be provided to local media.

**Public Hearing**

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

**Public Involvement**

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

## X. PUBLIC INVOLVEMENT DURING DESIGN

To the extent public involvement activities are necessary in the Design phase, the Design Project Manager will be responsible for coordinating any such activities.

**Figure 11-4 Sample Public Involvement Plan (Page 11 of 11)**



## Florida Department of Transportation

GOVERNOR

District Address  
District City, State and Zip Code

SECRETARY

### PRESS RELEASE

FOR IMMEDIATE RELEASE: \_\_\_\_\_ Date \_\_\_\_\_  
PROJECT CONTACT: \_\_\_\_\_ (Name) \_\_\_\_\_  
\_\_\_\_\_ (Phone Number) \_\_\_\_\_

### PUBLIC MEETING/PUBLIC HEARING NOTICE

The Florida Department of Transportation (FDOT) District \_\_\_ Office has scheduled a public hearing regarding proposed improvements to \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ in \_\_\_\_\_ County, Florida. The hearing is scheduled for (day of week), (month) (date), (year), at (meeting location) from to \_\_\_\_\_. The hearing will begin as an informal open house, with a formal presentation at \_\_\_ followed by a comment period.

This hearing is being held to allow interested persons an opportunity to be informed and provide comments concerning the location; conceptual design; and social, economic, and environmental effects of the proposed project to (name of project). The proposed project consists of improving [the roadway capacity to meet future travel demand, improving existing drainage and bridge deficiencies, constructing a sidewalk, and improving safety (select or add items pertaining to a specific project)].

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

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

### Figure 11-5 Sample Press Release



## PUBLIC MEETING ANNOUNCEMENT

**Project Name**

**Project Limits**

\_\_\_\_\_ County, Florida

Financial Management Number #

Federal Aid Project ID #

Efficient Transportation Decision Making (ETDM) #

The Florida Department of Transportation (FDOT), District (District number), will conduct an Public Meeting for (name of facility) from \_\_\_\_\_ to \_\_\_\_\_ in \_\_\_\_\_ County, Florida. The meeting will be held on (day of week), (date), from (time) to (time), at (location and street address). The meeting will be an open house with representatives from the FDOT available to answer questions. There will be **[no formal presentation OR a brief informational presentation at (time)]**. Maps, drawings and other information will be available.

The project's primary objective is to provide continuous dedicated bike lanes on both sides of NW 19th Street between SR 7 and Powerline Road. From SR 7 to NW 29th Avenue and from NW 24th Avenue to NW 15th Avenue, 4-foot-wide bike lanes will be provided by reducing the width of the traffic lanes; existing 12-foot-wide lanes will be reduced to 10-foot-wide via pavement milling, resurfacing, restriping, and isolated widening. From 29th Avenue to NW 24th Avenue and from NW 15th Avenue to Powerline Road, 5-foot-wide bike lanes with 3-foot-wide buffers will be provided by converting the outside traffic lane to a buffered bike lane through pavement milling, resurfacing, and restriping. In addition, this project will also retrofit a number of existing curb ramps to meet current Americans with Disabilities Act (ADA) requirements, upgrade bicycle signing and pavement markings, and install new pedestrian countdown signals at all signalized intersections.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

For more information, please visit our website at [www.\\_\\_\\_\\_\\_.com](http://www._____.com)





### Figure 11-6 Sample Public Meeting Notice

**PUBLIC MEETING FACILITY CHECKLIST**

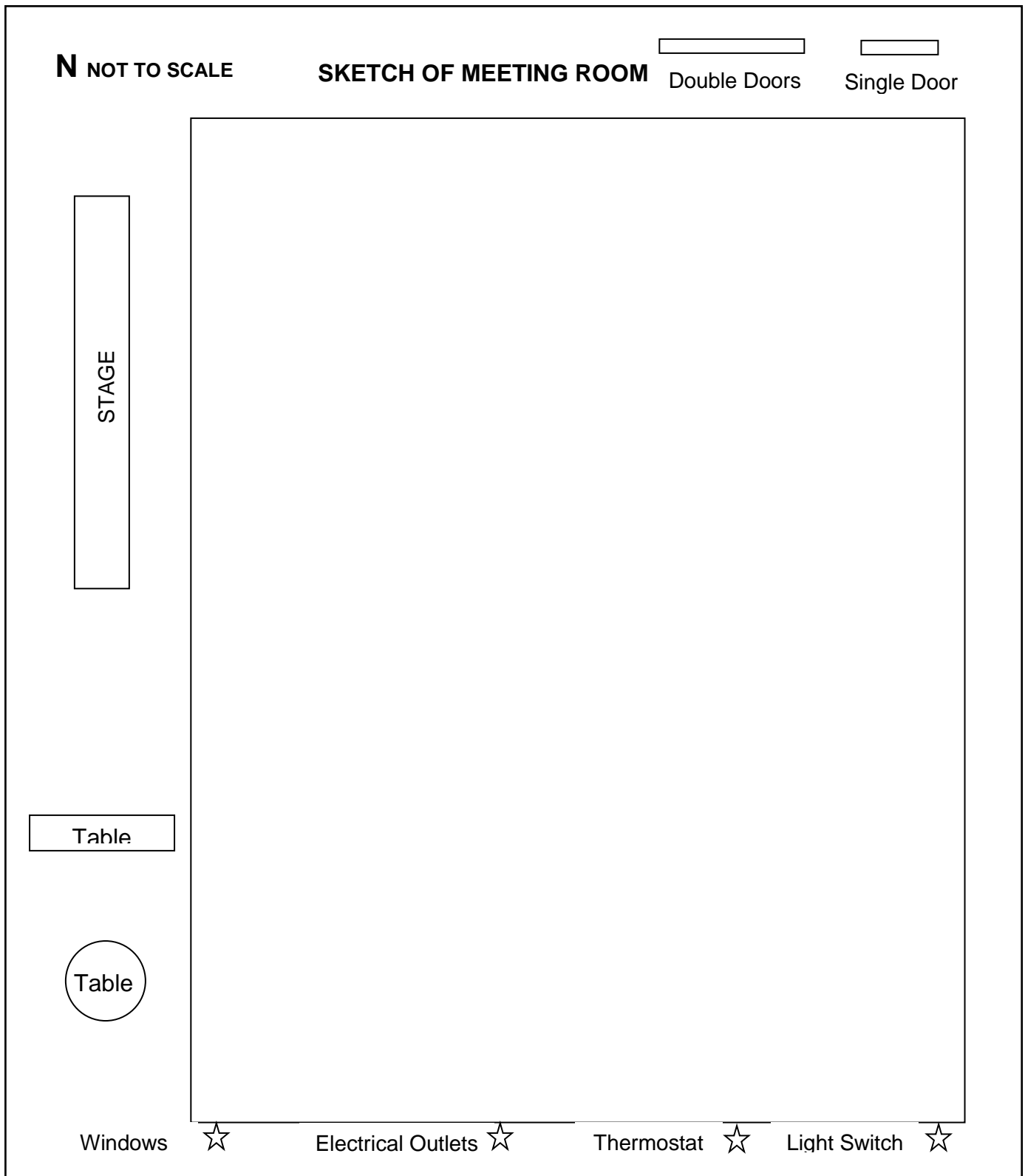
Project Name: \_\_\_\_\_ Project Number: \_\_\_\_\_  
 Facility Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Facility Address: \_\_\_\_\_ Contact Name: \_\_\_\_\_  
 \_\_\_\_\_ Date of Visit: \_\_\_\_\_  
 \_\_\_\_\_ Time of Visit: \_\_\_\_\_

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

**Figure 11-7 Sample Public Meeting Facility Checklist**

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

**Figure 11-7 Sample Public Meeting Facility Checklist (Page 2 of 3)**



**Figure 11-7 Sample Public Meeting Facility Checklist (Page 3 of 3)**





## *Florida Department of Transportation*

GOVERNOR

SECRETARY

District Address

District City, State and Zip Code

Date

Name

Position

Agency

Address

City, State Zip Code

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

Dear Mr./Ms. Last Name:

The Florida Department of Transportation (FDOT) District x is preparing an Environmental Impact Statement (EIS) on the above-referenced project. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT. This letter is an invitation for your agency to attend a scoping meeting.

The purpose of this scoping meeting is to:

1. Determine the scope and significance of issues and the degree of analysis required for the EIS. This will also include identification of the range of alternatives and potential impacts to be evaluated.
2. Identify issues that are not significant or have been covered by prior environmental studies, and eliminate them from detailed study. This would narrow discussion in the EIS to a brief description of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere.
3. Allocate assignments for sections of the EIS among FDOT and cooperating agencies, with FDOT retaining responsibility for the EIS preparation.
4. Identify any environmental assessments or impact statements that are being prepared and are related to, but not part of, the scope of the EIS under consideration.

### **Figure 11-8 Sample Scoping Meeting Invitational Letter**

5. Identify other environmental review and consultation requirements so FDOT and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS. Examples of additional requirements include surveys and studies required by the National Historic Preservation Act and the Endangered Species Act.
6. Identify permits, licenses, or entitlements that will be necessary.
7. Determine the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

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

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

The proposed improvements would involve \_\_\_\_\_ (project description) for \_\_\_\_\_ (project name and project limits).

Alternatives currently under consideration include:

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

The study also includes consideration for \_\_\_\_\_.

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

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

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

Sincerely,

\_\_\_\_\_  
District Environmental Management Engineer

xx/xx  
Enclosures

**Figure 11-8 Sample Scoping Meeting Invitational Letter (Page 2 of 3)**

### **Scoping Meeting Suggested Invitation Mailing List**

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

Florida Department of Agriculture - Division of Forestry

Florida Department of Economic Opportunity

Florida Department of Environmental Protection (FDEP) - Branch Office

Florida Department of Environmental Protection (FDEP) - District Office

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

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

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

Florida Department of State - State Historic Preservation Officer

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

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

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

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

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

U.S. Coast Guard - District

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

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

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

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

U.S. Forestry Service

Water Management District (for project location)

**Figure 11-8 Sample Scoping Meeting Invitational Letter (Page 3 of 3)**

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

**Figure 11-9 List of Titles and Salutations**



## *Florida Department of Transportation*

GOVERNOR

District Address  
District City, State and Zip Code

SECRETARY

Date

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

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

Dear (Salutation - see Figure 11.9 for proper salutations):

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

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

This Elected Officials/Agencies Kick-off Meeting is an opportunity to provide you with a short presentation of the proposed project, including potential improvements as well as social, environmental and economic effects, followed by a question and answer session.

**Figure 11-10 Sample Officials/Agencies Kick-off Meeting Invitation**

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

If you would like further information about this project, please contact (name) at (phone) or by email at name@dot.state.fl.us. You may also visit the project website at www.\_\_\_\_\_.com.

Sincerely,

---

District Environmental  
Manager or Designee

Enclosure

**Figure 11-10 Sample Officials/Agencies Kick-off Meeting Invitation (Page 2 of 2)**

**PUBLIC HEARING PLANNING CHECKLIST** - Project Name: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

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

Draft Newsletter (or Letter)					<p>Newsletter (or Letter) to Property Owners</p> <p>Property Owners to receive notification no less than 20 calendar days prior to Public Hearing</p>
Submit Draft Newsletter to PM for Review					
PM Review of Draft Newsletter					
Make PM Revisions to Draft Newsletter					
Submit Draft Newsletter to FDOT for Review					
FDOT Review of Draft Newsletter					
Make Final FDOT Revisions to Newsletter					
Prepare Newsletter for Distribution - Print, Fold, Address, Stamp					
<b>Locations for Documents to be Available for Public Review</b>					
Facility Name/Address					<p>Documents to be available for public review 21 days prior to the Public Hearing</p>
Facility Name/Address					
Facility Name/Address					
Facility Name/Address					
<b>Presentation/Hearing Materials</b>					
Engage Court Reporter for Public Hearing					<p>Meeting materials should be prepared well in advance of the Public Hearing to allow for reviews and revisions</p>
Prepare PowerPoint or Video Presentation					
Prepare Narration Script and Moderator's Script					
Sign-in Sheets					
Comment Forms					
Project Facts Sheet (for Team Members)					
Handouts and/or Brochures					
Speaker Cards					
List of Project Team Attendees and Name Tags					
Table Signs					
Directional Signs (outdoor/indoor)					
Welcome Sign					
Title VI Display Board and Complaint Forms					
Roadway Profiles and/or Typical Sections					
Comparative Evaluation Matrix					
Aerial Photograph Display Boards					
Submit Draft Hearing Materials to PM for Review					<p>Preparations for Briefing with FDOT</p>
PM Review of Meeting Materials					
PM Revisions to Meeting Materials					
First Briefing Meeting with FDOT - Public Hearing Preparation Review					<p>First Briefing Meeting with FDOT</p>
FDOT Review of Hearing Materials					
FDOT Revisions to Hearing Materials					
Second Briefing Meeting with FDOT					<p>Finalize Materials in Preparation for Public Hearing</p>
<b>Finalize Materials for Public Hearing</b>					
<b>Post Public Hearing Activities and Tasks</b>					
Obtain Hearing Transcript from Court Reporter					
Review Transcript and Prepare Errata if Necessary					
Prepare Public Hearing Certification Form					
Review and Revisions to Errata and Public Hearing Certification Form					
Submit Transcript, Errata, and Public Hearing Certification Form to FDOT for Signature					
<b>Public Involvement Summary</b>					
Prepare Public Involvement Summary containing transcript, errata, and signed certification, as well as documentation for all public involvement activities conducted throughout the project.					<p>Public involvement activities may be summarized in the Environmental Document. Environmental Document. Method used for documentation should be provided within the Public Involvement Plan.</p>
Submit Public Involvement Summary to PM for Review					
Consultant PM Review of Public Involvement Summary					
Consultant PM Revisions to Public Involvement Summary					



Submit Public Involvement Summary to FDOT for Review					
<b>Location and Design Concept Acceptance (LDCA) Newspaper Ad and Press Release</b>					
Prepare LDCA Announcement and Press Release and have PM Review					Publish LDCA Announcement after receiving OEM acceptance
Make LDCA Announcement and Press Release Revisions and Submit to FDOT					
Finalize LDCA Announcement and Submit to Local Newspaper					
Finalize Press Release and Submit to FDOT for Media Notification					
Obtain Affidavit of Publication from Local Newspaper - Forward to FDOT					

**Figure 11-11 Public Hearing Planning Checklist**

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

**Figure 11-12 Public Hearing Notice Requirements**

**Notice of Meeting/Workshop Hearing  
DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation, District XX

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

DATE AND TIME \_\_\_\_\_

PLACE \_\_\_\_\_

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

At the end include the following statement:

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

A copy of the agenda may be obtained by contacting:

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

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

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

For more information, you may contact:

**Figure 11-13 Sample Florida Administrative Register Ad Form**  
[www.flrules.org/agency/login.asp](http://www.flrules.org/agency/login.asp)



**P Name of Project  
Project Limits  
County, Florida**

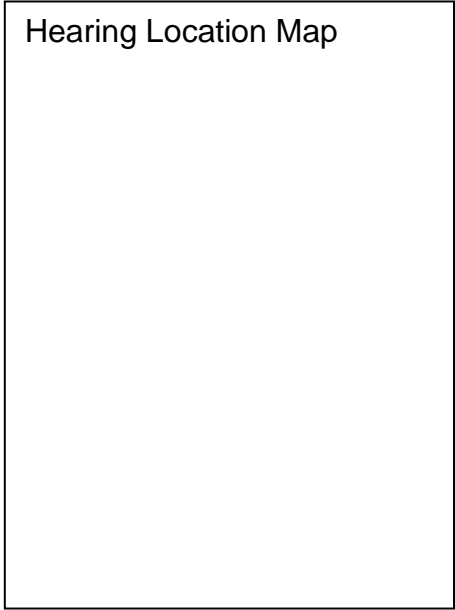
Financial Management #  
Federal Aid Project ID #  
Efficient Transportation Decision Making (ETDM) #

The Florida Department of Transportation (FDOT), District \_\_\_\_, will conduct a public hearing for the proposed improvements to (name of facility) from \_\_\_\_\_ to \_\_\_\_\_ in \_\_\_\_ County, Florida. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT. The public hearing will be held on (date) at (location and street address). The public hearing will begin as an open house at (time), with a formal presentation at (time), followed by a public comment period. The proposed improvements consist of (describe improvements).

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

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

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



**Figure 11-14 Sample Public Hearing Newspaper Display Ad**



## *Florida Department of Transportation*

**GOVERNOR**

District Address  
City, State and Zip Code

**SECRETARY**

Date

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

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

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

The Florida Department of Transportation (FDOT), District \_\_\_\_\_, will hold a public hearing for the above referenced project on (date) at (location and address). The hearing will begin as an open house at (time) with a formal presentation at (time). A copy of the newspaper ad, including a location map for the hearing is enclosed. Notices are being sent to all property owners and tenants located within at least 300 feet on either side of the proposed alignment and to other public officials, regulatory agencies, organizations, and individuals interested in the project. The hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

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

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

Sincerely,

\_\_\_\_\_  
FDOT Contact

Enclosure

### **Figure 11-15 Sample Hearing Invitation Letter for Officials and Agencies**



## *Florida Department of Transportation*

GOVERNOR

District Address  
City, State and Zip Code

SECRETARY

Date

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

Dear Property Owner or Current Resident:

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

This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT. The project consists of (describe project improvements). The draft project documents and other information will be available for public review from (date) to (date) at (location and address) and on the project website ([www.\\_\\_\\_\\_\\_.com](http://www._____.com)).

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

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

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

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

Sincerely,

\_\_\_\_\_  
District Environmental Management Engineer

Enclosure

### **Figure 11-16 Sample Hearing Invitation Letter for Property Owners**



<b>Speaker Request Card</b>		Number <input type="checkbox"/>
<i>To be completed prior to making a recorded statement</i>		
<b>PUBLIC HEARING - (date) ____, 20__</b>		
(project name) _____		
(project limits) _____		
<b>PLEASE PRINT:</b>		
Name:	_____	
	First	Middle      Last
Address:	_____	
	Street	
	_____	
	City	State      Zip code
Telephone:	_____	
Representing:	Self _____ Firm/Agency _____	
	Government Agency _____	
	Civic Organization _____	
	Homeowners Association _____	
	Other _____	

**Figure 11-18 Sample Hearing Speaker Card**





The FLORIDA DEPARTMENT OF TRANSPORTATION announces an opportunity for a public hearing. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

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

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

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

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

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

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

**Figure 11-20 Sample Notice to Request a Public Hearing**



**NOTICE OF  
FINAL ENVIRONMENTAL IMPACT STATEMENT**

**Name of Project  
Project Limits  
County, Florida**

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

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

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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

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

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

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

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

**Figure 11-21 Sample Notice of Final Environmental Impact Statement**



**ANNOUNCEMENT OF  
LOCATION AND DESIGN CONCEPT ACCEPTANCE**

**Name of Project  
Project Limits  
County, Florida**

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

On (month/day), (Year), the Florida Department of Transportation (FDOT), pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT, granted Location and Design Concept Acceptance for the (name of project) from (begin limits) to (end limits). The proposed improvements consist of (describe improvements).

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

FDOT Project Manager  
Address  
City, State Zip  
Contact phone #

**Figure 11-22 Sample Location and Design Concept Acceptance Announcement**