

CTDOT Virtual Public Involvement Plan

January 2022

Introduction

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

As of March 14, 2020, per Governor Lamont's Executive Order no.7B, *PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – FURTHER SUSPENSION OR MODIFICATION OF STATUTES*, ("Governor's E.O. 7B") the requirement to make project documents available at public view locations/physical locations and the state requirement to hold in-person open meetings have been suspended. Executive Order no. 7B has since been repealed and section 149 of the budget bill, Public Act 21-2 of the June Special Session has replaced the provisions of Executive Order 7B:

Sec. 149. (Effective July 1, 2021) (a) As used in this section, "public agency", "meeting", "executive session", "electronic equipment" and "electronic transmission" have the same meanings as provided in section 1-200 of the general statutes. On and after the effective date of this section until April 30, 2022, a public agency may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting, in accordance with the provisions of this section. Not less than forty-eight hours before any public agency, except for the General Assembly, conducts a regular meeting by means of electronic equipment, such agency shall provide direct notification in writing or by electronic transmission to each member of the public agency and post a notice that such agency intends to conduct the meeting solely or in part by means of electronic equipment (1) in the agency's regular office or place of business, (2) in the office and on the Internet web site of the Secretary of the State for any such public agency of the state or quasi-public agency, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state that is not a quasi-public agency, or in the office of the clerk of each municipal member of any multitown district or agency, and (3) if the agency has an Internet web site, on such Internet web site. Not less than twenty-four hours prior to any such meeting, such agency shall post the agenda for any such meeting in the same manner as the notice of the meeting in accordance with subdivisions (1) to (3), inclusive, of this subsection. Such notice and agenda shall include instructions for the public, to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law. Any such notice and agenda shall be posted in accordance with the provisions of section 1-225 of the general statutes.

(b) Any public agency that conducts a meeting, other than an executive session or special meeting, as described in this section, solely by means of electronic equipment, shall (1) provide any member of the public (A) upon a written request submitted not less than twenty-four hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time, and (B) the same opportunities to provide comment or testimony and otherwise participate in such meeting that such member of the public would be accorded if such meeting were held in person, except that a public agency is not required to adjourn or postpone a meeting if a member of the public loses the ability to participate because of an interruption, failure or degradation of such person's connection to the meeting by electronic equipment; (2) ensure that such meeting is recorded or transcribed, excluding any portion of the meeting that is an executive session, and such transcription or recording is posted on the agency's Internet web site and made available to the public to view, listen to and copy in the agency's office or regular place of business not later than seven days after the meeting and for not less than forty-five days thereafter; and (3) if a quorum of the members of a public agency attend a meeting by means of electronic equipment from the same physical location, permit members of the public to attend such meeting in such physical location. Any public agency that conducts a meeting shall provide members of the public agency the opportunity to participate by means of electronic equipment, except that a public agency is not required to adjourn or postpone a meeting if a member loses the ability to participate because of an interruption, failure or degradation of that member's connection by electronic equipment, unless the member's participation is necessary to form a quorum.

(c) Any public agency other than the General Assembly that conducts a special meeting shall include in the notice of such meeting whether the meeting will be conducted solely or in part by means of electronic equipment and, not less than twenty-four hours prior to such meeting, shall post such notice and an agenda of the meeting in accordance with the provisions of subsection (d) of section 1-225 of the general statutes. If such special meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.

(d) Any vote taken at a meeting during which any member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous. The minutes of the meeting shall record a list of members that attended such meeting in person and a list of members that attended such meeting by means of electronic equipment.

(e) Any member of a public agency or the public who participates orally in a meeting of a public agency conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset of each occasion that such member participates orally during an uninterrupted dialogue or series of questions and answers.

(f) Whenever a meeting being conducted by means of electronic equipment is interrupted by the failure, disconnection or, in the chairperson's determination, unacceptable degradation of the electronic means of conducting a meeting, or if a member necessary to form a quorum loses the ability to

participate because of the interruption, failure or degradation of such member's connection by electronic equipment, the public agency may, not less than thirty minutes and not more than two hours from the time of the interruption or the chairperson's determination, resume the meeting (1) in person, if a quorum is present in person, or (2) if a quorum is restored by means of electronic equipment, solely or in part by such electronic equipment. In each case of resumption of such meeting, electronic access shall be restored to the public if such capability has been restored. The public agency shall, if practicable, post a notification on its Internet web site and inform attendees by electronic transmission of the expected time of resumption or of the adjournment or postponement of the meeting, as applicable, and may announce at the beginning of any meeting what preplanned procedures are in place for resumption of a meeting in the event of an interruption as described in this subsection.

(g) Nothing in this section shall be construed to require a public agency to offer members of the public who attend a meeting by means of electronic equipment the opportunity for public comment, testimony or other participation if the provision of such opportunity is not required by law for members of the public who attend such a meeting in person.

Below are the following procedures the Department will follow to ensure they meet section 149 of the budget bill, Public Act 21-2 as well as Department and FHWA/FTA requirements for Public Informational Meetings and Public Hearings required for projects receiving federal-aid. Projects requiring Scoping and Scoping meetings under the Connecticut Environmental Policy Act (CEPA) should be coordinated on an individual basis with the Department's Office of Environmental Planning until set procedures for such meetings can be established with the Office of Policy and Management (OPM). This document should be used in conjunction with the Department's Public Involvement Procedures (PIP) document dated December 2020. It does not replace the PIP.

The Public Involvement Procedures (PIP) is a public document used by the CTDOT to help plan active and inclusive public involvement activities. The PIP describes the process and techniques that will be used to ensure that affected communities have the opportunity to effectively influence transportation decision-making. The PIP document supports the Mission, Vision and Values of the Department which include involving the public, stakeholders as well as federal, state and local agencies in transportation decision-making to ensure that transportation decisions and investments reflect community interests and values.

Public Informational Meetings

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

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

Pre advertising

- Contact the Department's Information Systems office to establish a webpage and dedicated project email address to receive comments. Example of email address: DOT.PROJECTxxxx-xxxx@ct.gov. The webpage should be established prior to noticing the project and should be removed after the comment period has concluded.
 - Presentation materials pertinent to the meeting objectives shall be posted ONLINE via a project webpage on the Department website. The project webpage should include a project-specific email address people can use for commenting during the comment period (14 day minimum), the start date of the comment period (the date of the Public Information Meeting), and the methods in which comments can be submitted.
- Coordinate with Communications office to schedule the MS Teams Live Event
 - If the use of BL engineering is needed to provide technical assistance for the public information meeting, Communication will coordinate with Consultant Design (Andy Fesenmyer) and project manager concerning scheduled date.
 - A six week advance notice is needed.
 - Project manager will determine what roles they will need the consultant to handle
 - Consultant design will look up project in CORE to determine if funds are available to use the consultant
- Coordinate with IT to reserve the conference call in phone and Q&A phone line.
- Coordinate with the Municipality if a town sponsored project
- Under Title VI the Department is required to monitor the effectiveness of its public outreach to ensure that we are reaching historically underrepresented populations. CTDOT uses voluntary feedback surveys to meet this requirement. To allow for better data aggregation, the Department now uses a single generic survey link for all virtual public informational meetings and hearings. Please email Adam Cohen at Adam.Cohen@ct.gov to receive the survey link. The survey link should be posted on the project webpage, in the project presentation, and should be encouraged during the live event. A link should also be posted to the YouTube channel. Any questions related to the survey, including results, should be directed to the Office of Contract Compliance by emailing Adam Cohen at Adam.Cohen@ct.gov.
- Ensure project documents are available online (do not list any physical viewing location in your notice) on both the DOT's and the municipality's websites, if applicable.

Advertise the Public Informational Meeting

- Identify Limited English Proficiency and Environmental Justice Populations

- Publish two legal notices or advertisements in at least one newspaper of general circulation (https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/newspaperspdf.pdf?la=en) to advertise the project informational meeting. The first posting should occur two weeks prior to the public informational meeting and the second posting should occur one week before the public informational meeting. If Limited English Proficient (LEP) populations have been identified within the project/service area, the meeting notice should be translated and published in non-English media (print, TV, radio, website, etc.).
- If the project is municipally administered, the notice must be on the municipality's website
- Mail/email notices, including translated versions, to key stakeholders, adjacent property owners, and community and faith-based organizations (CBOs/FBOs). Email addresses for CBOs/FBOs can be found on the Department's website, and the Directory can be filtered by project location. (<https://portal.ct.gov/-/media/DOT/documents/ddbe/CommunityBasedOrganizationsListing09092015docx.docx?la=en>)
- The required notice for each meeting or proceeding must be posted on the Department's calendar/websites and shall include information about how the meeting will be conducted and how the public can access the meeting and the pertinent project documents. Having the meeting on the Department's calendar automatically includes the meeting on the Secretary of the State's calendar. The meeting notice should state clearly that the meeting will be recorded.
- For certain municipally administered projects, the required notice and agenda for each meeting should be posted on the municipality's website and shall include information about how the meeting will be conducted and how the public can access the meeting and the pertinent project documents. Again, the meeting notice should clearly state that the meeting will be recorded.
- The required notice MUST include a statement that offers the public the opportunity to request project information be mailed to them as we cannot assume everyone has reliable internet service and/or access. The statement in the legal notice/advertisement should read "Persons with limited internet access or similar needs may request project information be mailed to them by contacting XXXXXX, Phone Number and Email address" (allow one week for processing and delivery).
- The required notice MUST include a statement that offers the public free language assistance. The notice should include contact information and procedures for requesting the services, including the deadline for requests. The following paragraph must be included in all public notices.

"Language assistance can be provided at no cost to the public and efforts will be made to respond to timely requests for assistance. Persons needing language assistance may request assistance by contacting the Department's Language Assistance Line at (860) 594-2109. Requests should be made at least five (5) business days prior to the meeting. Individuals with limited internet access can listen to the meeting by calling [*Conference Call-in Phone*] and entering the Participant Code when prompted: xxxxxx. Persons with hearing and/or speech disabilities may dial 711 for Telecommunications Relay Services (TRS). The MS Teams Live Event offers closed-captioning for the hearing impaired and non-English translation options. **The simultaneous YouTube broadcast will have**

English captions displayed. A recording of the presentation will be posted to YouTube following the event and closed captioning (including non-English translation options) will be available at that time.

Visit the project webpage for options for Apple users. During the Q&A session and the 14 day comment period that follows the meeting, individuals may leave a question or comment via email (preferred) at DOTProjectProjectNumber@ct.gov. Individuals may also leave a voicemail question or comment by calling (860) 944-1111. Please reference the project in your voicemail.”

- The required notice MUST include instructions on how to access the project webpage. Also include information on the duration that the webpage will be available: Example:
“A project webpage is available which contains pertinent information about the project and contains a link to the upcoming Virtual Public Information Meeting (V-PIM) live streaming event. The webpage will remain available throughout the [14] day comment period following the meeting.”
- The required notice MUST include language on how individuals can access a recording of the VPIM. Example:
“When the recording of the virtual public meeting is uploaded, you can find it in the list of DOT virtual public meetings here: <https://portal.ct.gov/dot/general/CTDOT-VPIM-Library>” On Municipally administered projects the town must also provide a similar location on their website.
- Project information to be mailed (upon request) should include project description, location plan, details on the comment period (length, start date), potential impacts to environmental resources and ROW, contact information, etc.

Holding a Public Information Meeting

Process

- CTDOT will be using TEAMS Live event
 - Includes closed caption, translation function
 - Will Livestream on YouTube and possibly CT-N
- Presentations can be prerecorded or live. It is Suggested pre-recording the presentation by the design or project team, which is always in advance of the open Q&A. This will minimize possible technical issues. A town official may generally want to kick-off the meeting. Coordinate with the town official on how to be included in the meeting.
- Address how public comments or questions will be handled live – prepare splash screen with this information
- Every Public Information Meeting (or other open meeting conducted under the Governor’s E.O. 7B) should begin with a statement advising everyone that the meeting is being recorded. When there is open Q&A following the presentation, the statement should be made again before the public comments begin.

- Establish Team roles and responsibilities
 - Host
 - Moderator
 - Presenters
 - Email, voicemail and chat line moderators
 - Back up staff for all roles

Post Meeting Requirements & Documentation

- As detailed in the online presentation materials, the public should be offered a minimum of 14 calendar days (with additional days provided for more complex projects) to submit comments and the public comment period should begin on the date of the Public Informational Meeting.
- The Department shall consider all public comments in the decision-making process. The Department should review public comments to determine if a response is required.
- Project Manager or Lead Designer shall document the public outreach process on the attached checklist. Submit a copy of the completed checklist to the Office of Contract Compliance and keep a copy as part of the project record.
- All virtual public meetings must be recorded and posted on the CTDOT website within 7 days of the meeting date at <https://portal.ct.gov/dot/general/CTDOT-VPIM-Library>.
- Upon conclusion of the comment period, contact should be made to IT to shut down comment email and remove project webpage.