



# Public Participation Plan



Adopted December 13, 2024



Scan the QR code with your  
smartphone to visit our website.

The MPO's Public Involvement Coordinator  
may be reached by phone at 239-252-5814, or  
by email at: [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov)

Collier MPO  
2885 South Horseshoe Drive  
Naples, FL 34104  
(239) 252-5814  
[colliermpo.org](http://colliermpo.org)

## COLLIER COUNTY METROPOLITAN PLANNING ORGANIZATION

**2885 South Horseshoe Drive**

**Naples, Florida 34104**

[www.colliermpo.org](http://www.colliermpo.org)

**E-mail: [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov)**

**phone: 239-252-5814**

### **ACKNOWLEDGEMENT**

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### **TITLE VI AND RELATED LAWS**

The MPO does not discriminate against anyone on the basis of race, color, religion, sex, age, national origin, disability or family status. For more information on the MPO's commitment to equity and nondiscrimination, or to express concerns visit <https://www.colliermpo.org/get-involved/civil-rights/> Anyone requiring special accommodation under the Americans with Disabilities Act or language interpretation services (free of charge) should contact the MPO at least ten (days) prior to the service date: [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov) - (239) 252-5814 - Telerelay 711.

### **LEARNING FROM OUR COLLEAGUES**

The format of this PPP borrows a great deal of material from the Polk Transportation Planning Organization's 2016 PPP. Interested readers may wish to view the entire Polk TPO PPP at [www.polktpo.com](http://www.polktpo.com).

Collier MPO places a high value on public involvement. For questions regarding public involvement and to learn more about how you can get involved, contact the MPO office at (239) 252-5814.



## You Can Make a Difference

There are several ways for you to help shape the future of transportation:

Become a member of Collier MPO's Adviser Network	Page 11
How to submit your comments to the Collier Metropolitan Planning Organization	Page 15
How to leave comments about a specific plan or study	Page 17
Submit an application to serve on an MPO Advisory Committee	Page 17

**TABLE OF CONTENTS**

Introduction.....4  
Guiding Principles.....4  
About Us.....5  
What is the Collier MPO Responsible For?.....9  
Our Planning Partners.....9  
Planning Factors.....12  
Goals, Objectives and Performance Measures.....13  
Whom We Seek to Consult With.....14  
Use Your Voice.....14  
Getting Involved.....15  
Public Meeting Schedules.....18  
Access for All.....18  
Outreach Strategies.....19  
Evaluation.....22  
Required Notification.....22  
Exceptions to Notification Commitments.....27  
Additional Emergency Provisions for Public Involvement.....27  
Federal Compliance.....30  
FDOT MPO Handbook Compliance.....35  
Acronyms.....40

**APPENDICES**

A. Government to Government Public Involvement Policy.....42  
B. Lee County MPO/Collier MPO Interlocal Agreement.....46  
C. Limited English Proficiency Plan.....53  
D. Nondiscrimination Plan & Complaint Process.....61  
E. Traditionally Underserved Communities.....67  
F. Standard Operating Procedures.....72  
G. Groups, Businesses and Agencies Consulted with in Developing This Plan.....84  
H. Public Comments.....86



## INTRODUCTION

The goal of the Collier Metropolitan Planning Organization's (MPO) Public Participation Plan (PPP) is to ensure that all those that live, work, and play in our beautiful community regardless of race, color, religion, national origin, sex, age, disability, or familial status, have an equal opportunity to participate in the MPO's decision-making process. A 1994 Presidential Executive Order directed every Federal agency to make Environmental Justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on "minority populations and low-income populations." The MPO strives to accomplish this by involving the potentially affected public in MPO outreach programs. MPO staff activities are designed to develop partnerships and enhance the participation in the transportation planning process, with groups and individuals of "traditionally underserved" communities. These communities include minorities, low income, the elderly, and persons with disabilities. Staff activities include, but are not limited to, participation in groups serving these communities, targeted communications with local media outlets, conducting meetings at convenient times and in locations that are accessible to transit, when possible, and the publication of MPO documents in non-technical, accessible formats when needed.

## GUIDING PRINCIPLES

The PPP serves as a framework for the public involvement process regarding MPO planning related activities. The plan identifies federal, state and MPO requirements, PPP goals and objectives, PPP policies, planning activities which require public involvement, and the process involved when providing the public with full access and notice to planning activities. The PPP incorporates the following guiding principles into the development of any required transportation plans and programs:

- Early and continuous public involvement opportunities throughout the planning and programming process;
- Timely information to members of the public, affected public agencies, representatives of transportation agencies, private sector transportation entities and other interested parties, including segments of the community affected by transportation plans, programs, and projects;
- Adequate public notice of public involvement activities and ample time for public review and comment at key decision points;
- Consideration of the needs of the traditionally underserved, including low-income and minority residents;
- Periodic review of public involvement efforts by the MPO to ensure full and open access to all;
- Review of public involvement procedures by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) when necessary;
- Coordination of MPO public involvement processes with statewide efforts whenever possible;
- Reasonable public access to information; and
- Consideration and reasonable response to public comments received.

## ABOUT US

Established in 1982, the Collier MPO is a federally mandated transportation policy-making organization composed of locally elected officials from Collier County, City of Naples, City of Marco Island, and the City of Everglades City. The MPO is tasked to provide both the urban and rural areas of the County with a **Continuing, Cooperative, and Comprehensive (3-C) planning process** to ensure that highways, transit, bicycle, pedestrian and other facilities are properly considered within the context of the overall transportation needs of the community.

The MPO staff reports directly to the MPO Board and provides information and technical assistance to the advisory committees. On a regular basis the committees, along with the MPO staff, provide recommendations to the MPO Board regarding short and long-range planning, implementation of projects, and related issues. The MPO Board and each of its advisory committees operate under bylaws approved by the MPO Board. The advisory committees include the Technical Advisory Committee (TAC), Citizens Advisory Committee (CAC), Bicycle and Pedestrian Advisory Committee (BPAC), Local Coordinating Board for the Transportation Disadvantaged (LCB) and the Congestion Management Committee (CMC). Members of these committees, various interested parties and members of the public make up the MPO Master Database of Contacts. The committees review plans, documents and programs and provide comments and recommendations during the development of plans and major studies. Documents presented to the MPO Board for approval, endorsement or ratification have typically been reviewed by the TAC and CAC.



The Collier MPO Board adopted its current Vision and Mission statements in 2017. The MPO's goal is to work together with the public residents of the Collier MPO planning area to fulfill the MPO's Mission and Vision.

### Vision Statement

The MPO strives to provide a fully integrated and multi-modal transportation system that safely and efficiently moves people and goods while promoting economic development and protecting natural and man-made regional assets.

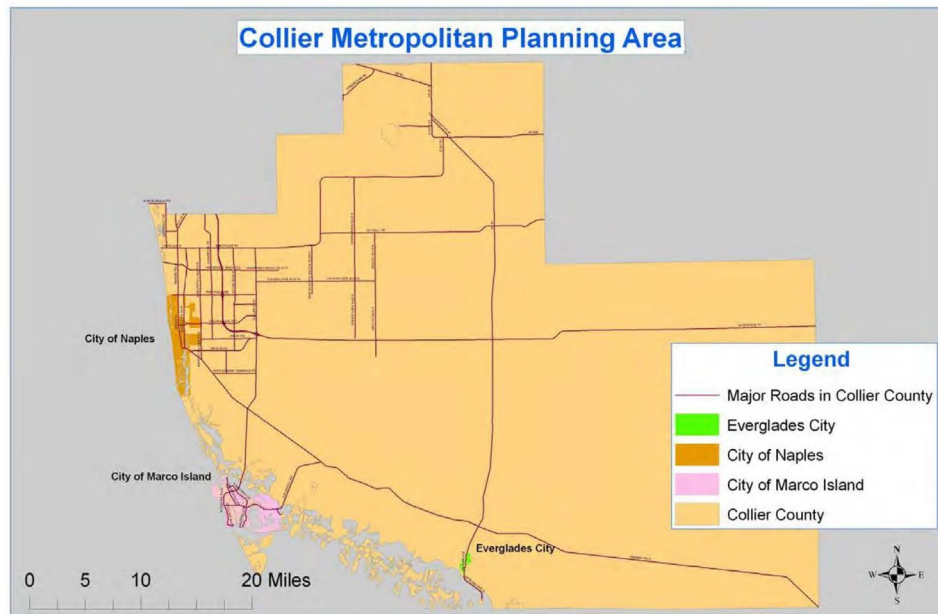
### Mission Statement

Provide transportation planning leadership through a collaborative effort to maintain a safe, efficient, integrated, and multi-modal transportation system.

## ABOUT THE REGION

The Collier MPO’s jurisdiction includes Collier County and the cities of Naples, Marco Island and Everglades City.

### Collier Metropolitan Planning Area Map



Collier MPO FY2014/15 - 2018/19 TIP

Page 7 of 299

Collier County had a population of 375,752 in 2020 according to the US decennial Census. The American Community Survey 1-year estimates for 2022 show the Median Household Income in Collier County at \$80,815 compared with \$69,303 for the state of Florida as a whole, and the Percent of Persons living in Poverty at 10.5% in Collier County, compared with 12.7% for Florida.<sup>1</sup>

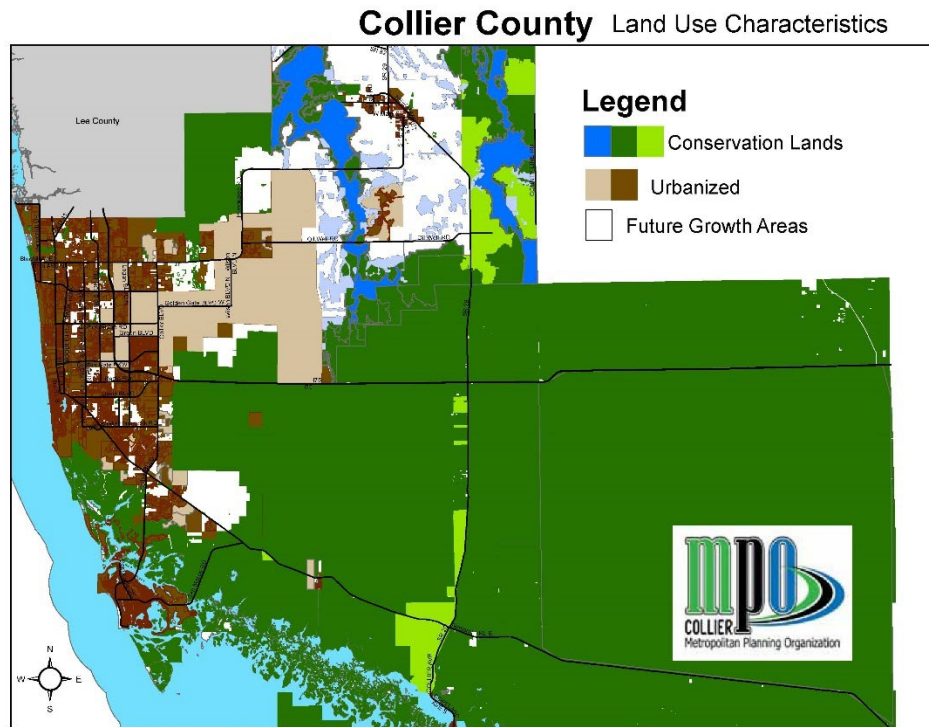
All of Collier County - including the Cities of Naples, Marco Island, and Everglades City – experience a large, seasonal increase in population and traffic between October and April, with the highest traffic volumes occurring in the months of February and March. Collier County is expected to continue growing in

<sup>1</sup> 2022 American Community Survey (ACS) 1-yr Estimates, Tables S1901, S1701

## PUBLIC PARTICIPATION PLAN

population. Approximately 77% of Collier County's land area is preserved under various conservation mechanisms combined with State and Federal conservation lands, shown in green on the map below. The conservation lands provide recreational opportunities and help sustain the natural environment. They also constrain development.

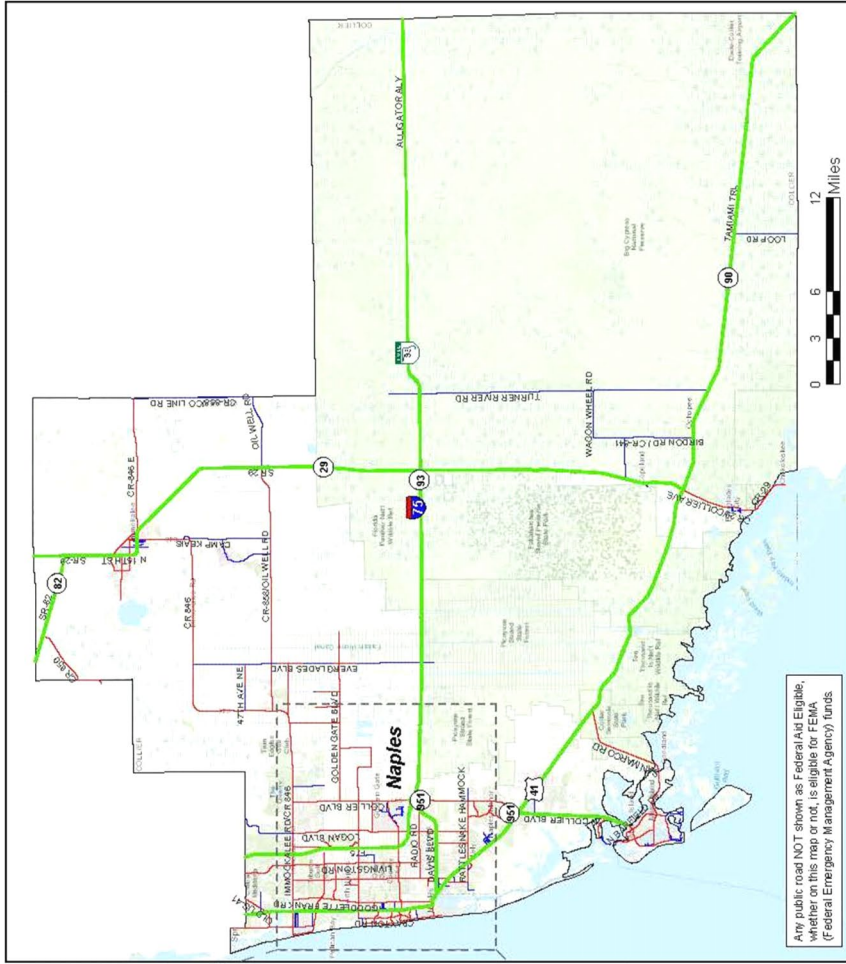
The protected lands to the southeast buffer Collier County somewhat from the intense traffic impacts and pressures that interconnectivity with urban areas to the southeast. As a result, Collier County has a minimal system of Federal Aid Eligible roadways, as shown on the map on the following page, which somewhat constrains the availability of State and Federal funding for the MPO.



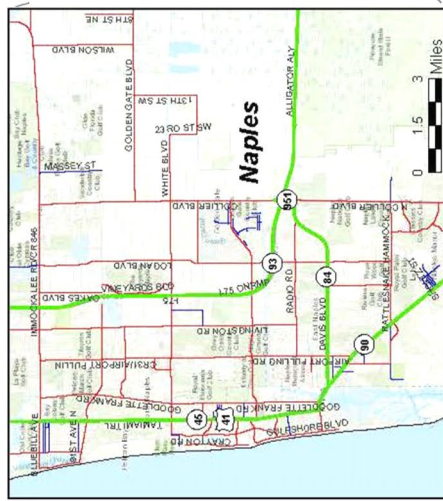
# Federal Aid Eligibility Map

Date: 9/4/2024

COLLIER COUNTY  
- FLORIDA -



Any public road NOT shown as Federal Aid Eligible, either on this map or not, is eligible for FEMA (Federal Emergency Management Agency) funds.

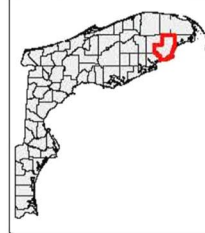


**Federal Aid Eligible**

- State Highway System (Green line)
- Off State Highway System (Red line)

**Not Federal Aid Eligible**

- Eligible for FEMA compensation (Blue line)
- Interstate (Thick blue line)
- US Hwy (Thin blue line)
- State Hwy (Thin red line)
- Turquoise (Thin purple line)
- Toll Road (Thin yellow line)




**FLORIDA DEPARTMENT OF TRANSPORTATION**  
Transportation Data & Analytics

## WHAT IS THE COLLIER MPO RESPONSIBLE FOR?

The Collier MPO is required under State and Federal laws to develop the following documents:

- 1. Long-Range Transportation Plan (LRTP)** – updated every five years, required to address a minimum time horizon of 20 years. The LRTP identifies needed improvements to the transportation network and provides a long-term investment framework that addresses current and future transportation needs. The LRTP must be multimodal and include, at a minimum, roadway, bicycle and pedestrian and transit infrastructure improvements.
- 2. Transportation Improvement Program (TIP)** – identifies transportation projects and priorities that will be pursued over the next five years.
- 3. Congestion Management Process (CMP)** – updated every five years, a detailed process developed to improve traffic flow and safety conditions.
- 4. Unified Planning Work Program (UPWP)** – a two-year plan that identifies funding sources for each MPO planning activity and a schedule of activities.
- 5. Public Participation Plan (PPP)** – provides a framework for public involvement in regard to MPO planning related activities.

## OUR PLANNING PARTNERS

### **MPO BOARD (BOARD)**

The MPO Board establishes transportation policies and evaluates transportation needs for the area. The Board is comprised of 9 elected officials, including all 5 County Commissioners, 2 City Council members representing the City of Naples, 1 City Council member representing the City of Marco Island and 1 City Council member representing Everglades City. The Florida Department of Transportation (FDOT) attends and participates in all MPO Board meetings.

### **FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)**

FDOT and the MPO work closely together and have a long-standing partnership. The majority of the MPO's funding comes through FDOT. The Department also provides guidance and assistance as needed and informs the MPO of new or different requirements and practices.

### **STATE AND FEDERAL LAND MANAGEMENT AGENCIES**

When developing the Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP), the MPO consults with agencies and officials responsible for other planning activities within the MPO's jurisdiction that are affected by transportation, government agencies and non-profit organizations that receive Federal assistance from a source other than that the US Department of Transportation to provide non-emergency transportation services, Indian Tribal governments(s), State and Federal land



## PUBLIC PARTICIPATION PLAN

Management Agencies. For consultation with Tribal Governments, see section on Intergovernmental Coordination Below. (See Appendix A for applicable code citations.) The MPO includes contacts for the following Federal and State agencies in its email distribution list(s) to ensure their opportunity to participate in the development of the TIP and LRTP:

### **Federal Lands Management Agencies**

- National Park Service (Everglades National Park and Big Cypress National Preserve)
- US Fish and Wildlife Service (Florida Panther National Wildlife Refuge, Ten Thousand Islands National Wildlife Refuge)

### **State Land Management Agencies**

- National Estuarine Research Reserve – Rookery Bay and Cape Romano – Ten Thousand Islands Aquatic Preserve
- Collier-Seminole State Park
- Picayune Strand State Forest
- Fakahatchee Strand Preserve State Park
- Delnor-Wiggins Pass State Park
- Okaloacoochee Slough State Forest
- South Florida Water Management District
- Florida Fish and Wildlife Conservation Commission

### **Land Management Nonprofit Agencies**

- National Audubon Society – Corkscrew Swamp Sanctuary

## **TECHNICAL ADVISORY COMMITTEE (TAC)**

The TAC is composed of professional staff of local agencies. The TAC advises the MPO on technical matters, promotes coordination among member agencies regarding transportation planning and programming, reviews MPO documents for technical sufficiency, accuracy and completeness, recommends prioritizing projects for the LRTP, TIP, UPWP and provides technical analyses on various transportation planning issues.

## **CITIZENS ADVISORY COMMITTEE (CAC)**

The CAC advises the MPO by reviewing, reacting to, and providing comment on transportation planning issues and needs from residents' perspectives. The CAC consists of voting members appointed by the MPO Board to represent various regions and jurisdictions, persons with disabilities, minorities and organizations having civic, community and economic interests.

### **BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)**

The BPAC provides citizen input on bicycle and pedestrian related issues within the community, advises on developing a Bicycle and Pedestrian Master Plan that is responsive to the needs of the community, recommends policies that will improve the walking and bicycling environment, and recommend priorities for bicycle and pedestrian projects and program implementation. Members are appointed by the MPO Board to represent a broad cross-section of Collier County residents, neighborhoods and to include bike/ped safety professions, transit riders, local advocacy groups, organizations that encourage active transportation from a community health perspective and advocates for persons with disabilities and other transportation disadvantaged populations.

### **CONGESTION MANAGEMENT COMMITTEE (CMC)**

The CMC advises on technical matters related to updating the MPO's Congestion Management Process (CMP) and coordinating the CMP with regional Congestion Management System and Intelligent Transportation System architecture. Members are professional staff appointed by the division, department or agency they represent and one representative each from the TAC and CAC.

### **LOCAL COORDINATING BOARD (LCB) FOR TRANSPORTATION DISADVANTAGED**

The LCB assists the MPO in identifying local service needs, providing information and direction to the Community Transportation Coordinator (Board of County Commissioners) on the coordination of services to be provided to the transportation disadvantaged in Collier County. Members on the LCB are appointed by designated planning agencies. The designated official planning agency for Collier County is the MPO.

### **ADVISER NETWORK**

Collier MPO established the Adviser Network in 2018 to serve as an additional mechanism for citizen involvement with the objective of increasing participation by local residents who may not have the time to participate on a standing committee. The MPO gathers contact information from participants at MPO-sponsored public meetings and special events who express an interest in remaining informed of MPO activities and wish to comment on MPO actions of specific interest to them. Members of the Adviser Network have several options for participating in the MPO planning process, varying from interaction through social media, responding to surveys, submitting comments, viewing of videos and attendance at community forums. Members are encouraged to participate on an as-desired basis as time allows and their interest dictates. Anyone interested in joining the Adviser Network can email a request to [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov) or by calling 239-252-5814.

### **INTERGOVERNMENTAL COORDINATION**

The MPO adopted a **Government to Government Public Involvement Policy** effecting tribal entities in June 2016. The policy is incorporated in the PPP as **Appendix A**.



The MPO has an **Interlocal Agreement** with Lee County MPO to coordinate regional transportation planning. The Interlocal Agreement is incorporated in the PPP as **Appendix B**.

### PLANNING FACTORS

The Fixing America's Surface Transportation (FAST) Act, signed into law in December 2015, continued the performance-based planning and public involvement requirements of prior transportation acts. It is likely that future transportation appropriation acts will do likewise. However, to the extent that Planning Factors change in the future, this section of the PPP will be periodically updated to reflect them.

The FAST Act identifies ten planning factors the MPO must consider when developing its LRTP.

1. Support the **economic vitality** of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the **safety** of the transportation system for motorized and non-motorized users.
3. Increase the **security** of the transportation system for motorized and non-motorized users.
4. Increase the **accessibility\*** and **mobility\*** of people and for freight.
5. Protect and enhance the **environment**, promote **energy conservation**, improve the **quality of life** and promote consistency between transportation improvements and state and local **planned growth** and **economic development** patterns.
6. Enhance the **integration and connectivity\*** of the transportation system, across and between modes, for **people and freight**.
7. Promote **efficient** system management and **operation**.
8. Improve the **resiliency and reliability** of the transportation system and reduce or mitigate **stormwater impacts** of the transportation system.
9. Emphasize the **preservation** of the existing transportation system.
10. Enhance travel and **tourism**.

\*the following definitions help explain the use of these words in transportation planning:

**Accessibility** – *the ability to reach a desired destination*

**Mobility** – *physical movement from one place to another, relates to the availability of different modes or options for travel*

**Connectivity** – *the integration of transportation modes throughout the system*

## **GOALS, OBJECTIVES AND PERFORMANCE MEASURES**

### **PRIMARY GOAL: TO ACTIVELY ENGAGE A BROAD CROSS-SECTION OF THE PUBLIC IN TRANSPORTATION PLANNING AND SERVE AS A SOURCE OF INFORMATION ON MPO TRANSPORTATION PLANNING ACTIVITIES**

#### **OBJECTIVES**

1. Maintain an up-to-date master database of contacts
2. Develop and maintain an Adviser Network
3. Broaden public awareness of, and active engagement with, the MPO
4. Develop a presence on the County's social media platforms
5. Develop an interactive website, conduct on-line surveys and invite on-line commentary
6. Receive input from a diverse cross-section of the community
7. Demonstrate effectiveness of public input

#### **PERFORMANCE MEASURES**

1. Contact Database - updated quarterly at a minimum
2. Adviser Network – track numbers of Advisers listed and attendance at community forums on an annual basis
3. Public Awareness/Engagement – conduct annual on-line surveys
4. Social Media –establish a program and report on activities
5. Interactive Website – track opportunities and participation numbers annually
6. Diversity – track and report on participation by demographics, businesses, NGO, civic groups
7. Effectiveness – track and report on changes that can be directly linked to public comments

### **SECONDARY GOAL: TO COMPLY WITH STATE AND FEDERAL REGULATIONS**

#### **OBJECTIVES**

1. Identify regulatory requirements in PPP
2. Develop PPP to meet requirements.

#### **PERFORMANCE MEASURES**

1. FDOT review and concurrence
2. FDOT review and concurrence

## WHOM WE SEEK TO CONSULT WITH

Tribal entities	Regional planning partners
Public Agencies	Minority communities
Business groups	Public health organizations
Civic organizations	Neighborhood/Homeowner Associations
Freight industry representatives	Private transportation providers
Low-income communities	Environmental groups
Tourism industry representatives	Bicyclists and pedestrians
Representatives of the disabled	Higher education institutions
Social service organizations	Transit dependent persons
Organizations focused on aging	Organizations focused on youth
Community Organizations	Workforce development organizations/agencies
Affordable and Work Force Housing Providers	Chambers of Commerce

## USE YOUR VOICE

The Collier MPO encourages public comments and provides the public with a variety of ways to voice their opinions and share their ideas.

## EARLY COORDINATION

The Adviser Network will have an opportunity to submit early comments and provide direction on the development of major work products such as the LRTP, PPP, UPWP and TIP. The Adviser Network will also have an opportunity to provide public input on transportation planning issues and subject areas prior to the MPO actually beginning work on developing a specific plan. Comments and suggestions will be used to guide the development of work products that will eventually go before the advisory committees and MPO Board.

## PUBLIC COMMENT PERIODS & NOTIFICATIONS

The primary opportunity for the public to share their thoughts and ideas occurs during public review and comment periods as major plans are developed through the MPO’s planning process and reviewed at regularly scheduled advisory committee and Board meetings. **The public will typically have three weeks (21 days) days to review and comment as major plans make their way through the advisory committee process and ultimately, go to the MPO Board for formal action such as approval or adoption.** State statutes and Federal law require the provision of **adequate public notice** of public participation activities, providing **timely notice** and **reasonable access** to information about transportation issues, using **visualization techniques** to describe the **LRTP** and **TIP** and making information and meeting notices available in **electronic format** on the **Internet**. Rarely are public comment periods of specific duration specified by law except for the following with regards to the PPP and LRTP:

## PUBLIC PARTICIPATION PLAN

- **PPP** - Adopting or revising the MPO's Public Participation Plan – **45 calendar days**
- **L RTP** - Posting the final adopted LRTP on the internet and having hard copies available at the MPO office– **no later than 90 days after adoption**

### HOW TO SUBMIT COMMENTS TO THE COLLIER MPO

- The MPO provides self-addressed stamped comment cards which may be mailed to the MPO office. Call 239-252-5814 for more information.
- Comments may be submitted via email to [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov)
- Comments may be submitted on the MPO website. Go to [www.colliermpo.org](http://www.colliermpo.org).
- The public may comment at any MPO advisory committee or MPO Board meeting. The [meeting schedule](#) is available on the MPO website or by calling 239-252-5814.

### HOW YOUR COMMENTS WILL BE USED

The Collier MPO values public input. All comments received will be considered as part of the transportation decision-making process. Staff will document all comments and forward them to the MPO advisory committees and Boards. All organizations and individuals who submit a comment in writing or via email and include their contact information will receive a written response to their comment. Staff will make every effort to respond to comments before a final vote by the MPO Board on an action item. Comments received using the methods described above are documented as part of the public record.

Appendix F Standard Operating Procedures identifies how public comments will be documented.

### GETTING INVOLVED

The current calendar of MPO and advisory committee meetings may be found online at <https://www.colliermpo.org/mpo-calendar/> or you may request a hard copy be mailed to you by calling 239-252-5814.

### **MPO BOARD MEETINGS**

The MPO Board meets on the second Friday of the month (with the exception of July, August and January, when there are no regularly scheduled meetings.) Board meetings are typically held in the Board of County Commissioners Chambers, 3299 E. Tamiami Trail, Naples, Florida, 34112, Administration Building (F), third floor. *See Site map for Collier County Government Center on the following page.* The Collier MPO traditionally holds one Board meeting annually in a different location, rotating between facilities provided by member entities.

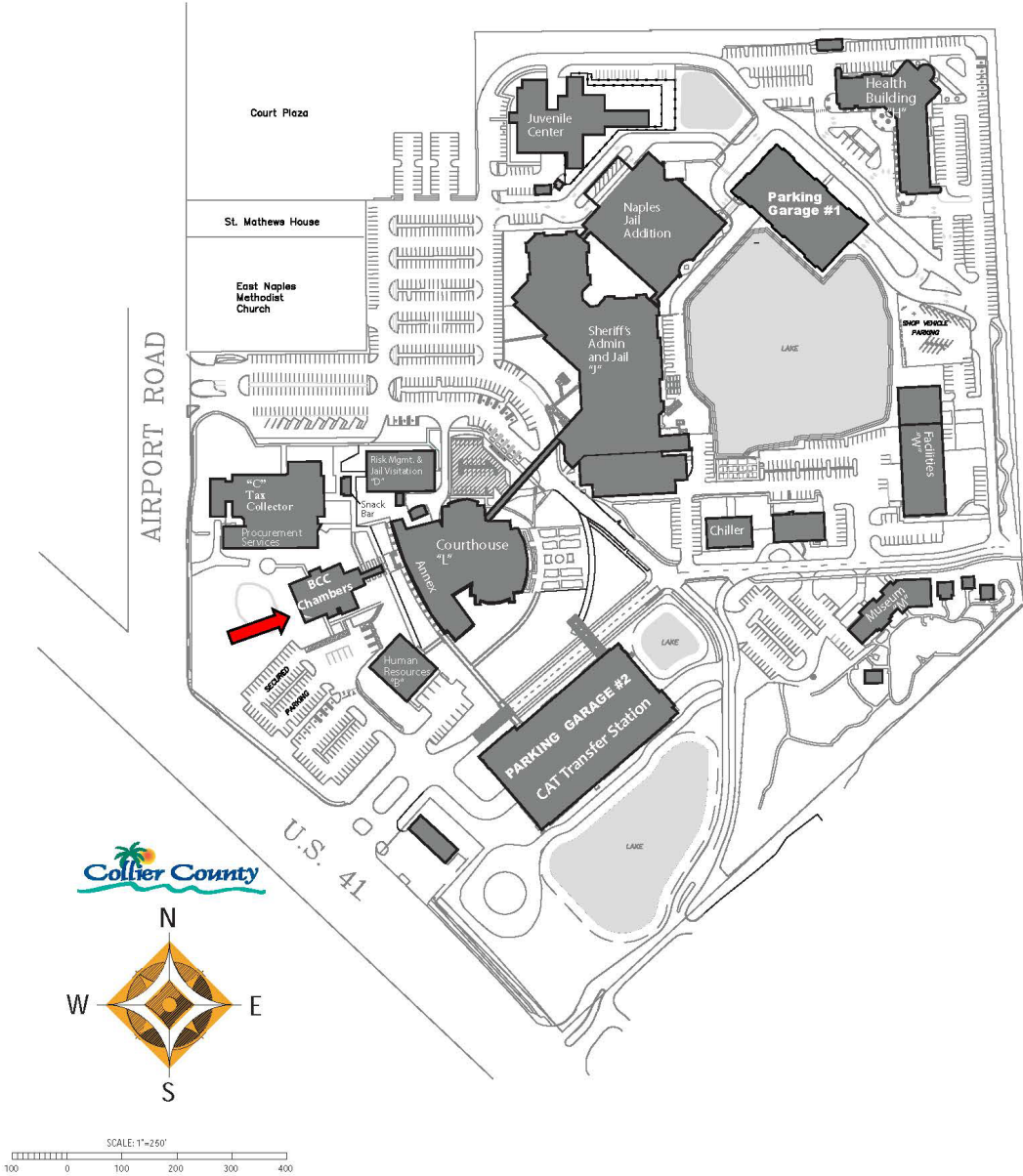
Joint Lee County MPO/Collier MPO advisory committee and Board meetings rotate locations between Lee County and Collier County. Additionally, special meetings are sometimes called on dates, times and locations that vary from the regular schedule. Staff advises checking the MPO website prior to a Board

# PUBLIC PARTICIPATION PLAN

meeting to confirm the location, date and time of a meeting you wish to attend. Please check the MPO calendar for advisory committee meeting dates, times and locations as well.

## Collier County Government Center

MPO Board Meetings - Arrow Shows Location



### **ADVISER NETWORK PUBLIC FORUMS**

In addition to providing notice via the MPO's listserv(s), the MPO will send email notice to the Adviser Network when hosting community meetings on plans and studies in process, to solicit public input on issues of current interest. As part of the process, MPO staff or the MPO's consultant will prepare a recap of the meeting to document public comments and to share the comments and recommendations with the advisory committees and MPO Board. See Appendix F – Standard Operating Procedures for more detail.

### **APPOINTMENTS TO ADVISORY COMMITTEES**

The Collier MPO Board appoints local residents to serve on two Advisory Committees – the Citizens Advisory Committee (CAC) and the Bicycle and Pedestrian Advisory Committee (BPAC) – and non-agency appointments to the Local Coordinating Board for the Transportation Disadvantaged (LCB). The MPO Bylaws specify the makeup of each committee. The MPO Bylaws may be viewed on the MPO website at the following link: [MPO Board Bylaws](#)

The Bylaws of the CAC may be viewed at the following link(s): [CAC Bylaws](#)

BPAC Bylaws: [BPAC Bylaws](#)

If you are interested in serving on one of these two advisory committees or on LCB, staff recommends first reviewing the bylaws to determine your eligibility, then contacting the MPO Director at 239-252-5884 if you have questions concerning eligibility or the time commitment entailed.

You may download an application to serve on an Advisory Committee on Collier MPO's website at <https://www.colliermopo.org/get-involved/>.

As an alternative, you may call the MPO office at 239-252-5814 and ask that an application form be mailed to your home address or emailed to you. Completed application forms must include your signature and may be scanned and sent electronically to [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov). If you prefer, you may mail in or hand deliver applications to the MPO office at 2885 South Horseshoe Drive, Naples, FL 34104.

### **HOW TO LEAVE COMMENTS ABOUT A SPECIFIC PLAN OR STUDY**

The MPO website features the Long Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), the Unified Public Work Program (UPWP) and other plans currently underway. Opportunities for the public to comment accompany each posted plan. Call the office if you have any questions (239) 252-5814 or cannot find what you are looking for on the website: [www.colliermopo.org](http://www.colliermopo.org).

## PUBLIC MEETING SCHEDULES

The meeting schedule is standardized but it is subject to change. Check the location by viewing the current agenda on the MPO website or call the MPO office at 239-252-5814 to have one sent to you. Link to agendas: [MPO Meeting Agendas](#).

## ACCESS FOR ALL

### LIMITED ENGLISH PROFICIENCY PLAN

The purpose of the Collier MPO's Limited English Proficiency Plan is to provide meaningful access to the MPO for people with limited or no ability to speak, read, write or understand English. The LEP Plan is incorporated in the PPP as **Appendix C**.

### NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURE

Collier MPO places a high value on providing equal access to the transportation planning process. The MPO's Nondiscrimination Plan and Complaint Procedures are incorporated in the PPP as **Appendix D**.

### IDENTIFYING UNDERSERVED POPULATIONS

**Un traductor del idioma español está disponible en la oficina de MPO. Teléfono: 239-252-5884**

**Gen yon tradiktè Kreyòl Ayisyen ki disponib nan biwo MPO la. Telefòn: 239-252-5884**

Collier MPO maintains a GIS database and map that identifies traditionally underserved populations in the region. MPO staff updates the database and map periodically, based on conducting annual reviews of Census Bureau statistics. See **Appendix E** for the current version of the map and related statistics.

The following Outreach Strategies are intended to reach a broad cross-section of the region's demographics, including traditionally underserved populations.

## OUTREACH STRATEGIES

The MPO is using the following outreach strategies to engage the public in the transportation planning process: (Appendix F – Standard Operating Procedures summarizes in graphic format how these strategies will be deployed on specific plans and studies along with public notification requirements for committee and Board meetings.)

### **ENHANCED INTERACTIVE WEBSITE:** [www.colliermpo.org](http://www.colliermpo.org)

The MPO’s website includes interactive features that enhance its ability to serve as a resource to the public. The site provides a calendar of events, links to agendas, minutes, and draft MPO documents currently under review. The public has the opportunity to send comments to staff emails and phone numbers listed on the website. Interactive surveys and maps are frequently posted on the website while major plans and studies are in process.

### **VISUALIZATION TECHNIQUES**

The MPO is investing in enhanced visualization techniques such as videos, simulation models, animated graphics and 3D imaging in the course of developing updates to the Long-Range Transportation Plan and other major plans and studies that may be underway in any given year. For example, in 2018, staff posted a video created for the Golden Gate Walkability Study. The video was produced by a drone, fly-over camera view of people walking and crossing streets in the community. Information was added to generate interest in participating in public meetings to develop the plan. The video was also shown on local public access TV. In 2024, the MPO created an informational video featuring its advisory committee members and the MPO Board Chair.

In addition, the MPO is continuing the use of a broad range of traditional visualization techniques such as maps, pictures or graphics in order to assist with the communication of complex concepts and to promote understanding of transportation plans and programs. A logo representing the MPO is used to identify products and publications of the MPO. The logo helps the public to become familiar with the MPO and recognize MPO products. The logo is used on all MPO publications:





## PUBLIC PARTICIPATION PLAN

### **E-NOTIFICATIONS AND SOCIAL MEDIA**

The MPO frequently posts information and surveys on Collier County's Facebook page. Current MPO postings may be viewed at the following link: <https://www.facebook.com/CollierGov/>.

E-blasts are sent to members of the Adviser Network and other interested parties to provide helpful information on transportation planning, public meetings, events and opportunities for involvement. The MPO Master Database lists all contacts including businesses, residential associations, agencies, Native American Tribes, the Adviser Network, MPO Board and Committee members, and the public.

### **SURVEYS & POLLS**

The MPO conducts surveys and polls on specific topics and plans as needed to engage a broad cross section of the public. The information will be shared on the MPO's website.

### **PARTNERING**

The MPO coordinates with government agencies to conduct outreach at health care centers, food banks and food stamp offices, schools, offices on aging, and other social service organizations, and develops alliances with faith-based institutions, cultural centers, community-based organizations; partnering with local interest groups to conduct outreach at special events. Partners in outreach are encouraged to take a leadership role in public participation efforts in the area. The purpose is to build relationships and identify strategies to bring former nonparticipants into the planning process.

### **PUBLIC TELEVISION**

Regular MPO Board meetings – those that take place at the Board of County Commissioners Chambers - are shown on Collier TV, and can be watched live online at the following link:

<http://tv.colliergov.net/CablecastPublicSite/>.

The Collier TV website also allows users to view past MPO Board meetings.

### **EARNED MEDIA**

The MPO issues press releases and provide briefings in advance of special events and public meetings and workshops oriented to plan development or gathering public comments on major issues. The intention is to build relationships with local television, radio and print journalists and reporters to facilitate public information campaigns. For example, during the development of the Bicycle and Pedestrian Master Plan in 2018, the Project Manager with the MPO was interviewed on Univision, with translation services provided by the station for its Spanish speaking audience.

### **PROJECT SPECIFIC PUBLIC INVOLVEMENT PLANS (PIP)**

The MPO typically develops project specific PIPs targeting stakeholders who are most likely to be interested in the outcome of the plan or project in question. The public involvement strategies are geared to the target audience and may vary by topic or subarea of the MPO.

A PIP developed for a specific project must meet or exceed the notification commitments in the Board-adopted PPP.

### **MONTHLY eNEWSLETTER**

MPO staff produces a monthly digital newsletter distributed via email to the Adviser Network and posted on the MPO's website. MPO staff routinely brings hard copies for distribution at public meetings and community outreach events held throughout the year. The newsletter promotes regular and special meetings, planning studies, publications and work products. The newsletter can be translated into Spanish or Haitian-Creole upon request.

### **PUBLIC WORKSHOPS/OPEN-HOUSES**

Public workshops are generally open and informal with project team members interacting with the public on a one-on-one basis. Short presentations may be given at these meetings. Project-specific workshops and meetings provide detailed project information to the public and solicit public involvement. They are conducted for project-specific activities and the MPO's federal certification review. (See PIP above and Appendix F – Standard Operating Procedures for more detail.)

### **PUBLIC MEETINGS**

All MPO Board and advisory committee meetings are open to the public at ADA accessible facilities in convenient locations and used to solicit public comment. Members of the public are given an opportunity to address the MPO board or committee on any agenda item or transportation related topic not on the agenda. These meetings provide formal settings for residents or interested parties to make comments to the MPO and advisory committees. They are recorded, and minutes are taken for the record. The MPO may also hold stand-alone public meetings related to specific projects or plans. These meetings can be held at any time during a project. Notice of the meetings is given to the public through the MPO website, e-mail, and if requested, by regular mail. The MPO issues press releases to notify the media of public meetings, as recommended by the Government in the Sunshine Manual (2017).

### **COMMUNITY OUTREACH EVENTS**

MPO staff participation in community outreach events at public venues, fairs and festivals provides another method to inform the public about the Collier MPO and how individuals or groups can become involved in the metropolitan transportation planning process. MPO surveys, newsletters, maps or comment forms are often distributed to heighten the awareness of the public on functions of the MPO.

## PUBLIC PARTICIPATION PLAN

MPO staff will participate in activities hosted by other agencies and organizations and provide printed materials at outreach events.

### **COMMENT FORMS**

Comment forms are used to solicit public comment on specific issues being presented at workshops or public meetings and community outreach events. Comment forms may be very general in nature, or very specific for soliciting feedback. Comment forms are sometimes included in publications and on the MPO website to solicit input.

### **QR CODES**

The MPO inserts Quick Response (QR) Codes, when appropriate, on the covers of adopted plans such as the Long Range Transportation Plan, Public Participation Plan, Transportation Improvement Program, Unified Planning Work Program and the Bicycle and Pedestrian Master Plan, and on flyers and public comment cards. QR codes allow the public immediate access to view MPO documents using cell phone applications.

### **ORIENTATIONS**

MPO staff conduct individual orientations to inform new members of the MPO Board and committees of their roles and the MPO transportation planning process.

## **EVALUATION**

### **ANNUAL REPORTING ON PERFORMANCE MEASURES**

Reporting on the PPP performance measures is included in the MPO Director's Annual Report to the MPO Board at the end of each fiscal year. If the analysis indicates a need for modifications to the PPP, the Director will discuss options with the Board and follow-up with bringing the changes through the Advisory Committee review process during the coming year.

## **REQUIRED NOTIFICATION**

The MPO will review the PPP on an annual basis to ensure it remains consistent with the requirements in the Florida Department of Transportation's MPO Handbook. The MPO Handbook may be viewed in its entirety at the following link: [FDOT MPO Handbook](#).

Current requirements are summarized by planning product as follows:

### LONG RANGE TRANSPORTATION PLAN

Florida Statutes 339.175 – requires the MPO to provide the following interested parties, at a minimum, a **reasonable opportunity** to comment on the LRTP:

- Public
  - Affected Public Agencies
  - Representatives of Transportation Agencies
  - Freight Transportation Service Providers and Shippers
  - Private providers of Transportation
  - Public Transit Representatives and Users
  - 23 CFR 450.322 – All interested parties are to be given a reasonable opportunity to comment on the LRTP.
- **Administrative Modifications** are minor revisions to the LRTP and do not require public review and comment or re-demonstrating fiscal constraint. 23 CFR 450.104
  - **Amendments** are major revisions to the LRTP and do require public involvement and re-demonstrating fiscal constraint.
  - **Major Updates** are adopted every 5 years. The TAC and CAC are provided the opportunity to review and comment on Amendments and Major Updates prior to the MPO Board taking action. If the TAC and CAC achieve a quorum, the committees may vote to endorse the amendment or update as presented, or vote to endorse subject to revision, or may vote not to endorse. Whatever action an advisory committee takes is reported to the Board in the MPO staff Executive Summary. See Appendix F – Standard Operating Procedures for public notification and public comment period requirements.

### PUBLIC PARTICIPATION PLAN

**Maintaining Concurrency with MPO Handbook** - FDOT continually updates the MPO Handbook and notifies the MPOs of any changes. These FDOT-generated updates may on occasion trigger the need to update the PPP as well. When that occurs, the MPO will post notice containing the new PPP language on its website and distribute copies to the MPO Advisory Committees and Board. Other routine updates, such as identifying new MPO Board members and/or officers, new MPO contact information, new State and Federal code citations, correcting typographical or grammatical errors or clarifications, will be handled in the same manner

**Amendments and Adopting a New PPP** - Amendments and Major Updates will be previewed by the MPO TAC and CAC before being acted upon by the Board.

- **Federal law requires a minimum 45-day public comment period prior to amending or adopting a PPP. The public comment period begins with posting notification on the MPO website and**

emailing the Adviser Network. The CAC and TAC may review and endorse the amended document during the public comment period. Final Board action must be scheduled to occur after the 45-day public comment period has ended.

### TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP)

**Purpose** – A TDSP addresses the services provided to meet the public transportation and mobility needs of transportation disadvantaged persons and persons with disabilities. The plan discusses the types of paratransit services available to residents of the county. Examples include: ADA paratransit service and Transportation Disadvantaged Program (TD) services, which are part of a coordinated human services requirement of all three core FTA grant programs as reauthorized under the FAST Act for the Urbanized Area Formula Funding program, 49 U.S.C. 5307, 5310 and 5311.

**Statutory Requirements** – Florida Statutes (F.S.) 427. Each county or each MPO is required to develop a TDSP with updates every five years. The Florida Commission for the Transportation Disadvantaged (FCTD) oversees the implementation of the TDSP. The Community Transportation Coordinator (CTC) and the Local Coordinating Board (LCB) will use the TDSP as a guide for maintaining and improving transportation services. It is the requirement of the MPO to provide an annual performance evaluation of the CTC. The MPO is also required to provide annual minor updates to the TDSP and a major update every five years.

#### Florida Commission for the Transportation Disadvantaged

The Florida Commission for the Transportation Disadvantaged has issued two regulatory documents – “Local Coordinating Board and Planning Agency Operating Guidelines (2014)” and an “Instruction Manual for the Memorandum of Agreement and the TDSP – 2007/2008” that remain in effect today. The documents may be viewed on the Commission’s website at: <https://www.fdot.gov/ctd/ctd-home>.

The Commission stipulates that Major Updates to the TDSP be announced by way of an “advertisement” published in the local newspaper with the greatest circulation. This requirement is carried out by the MPO.

#### Major Update - adopted every 5 years

##### Public Comment Period

- **30-day public comment period required**
- **Legal ad required – place in Naples Daily News**
  - Additional public notice of public comment period provided by posting on the MPO website, emailing the Adviser Network and any other stakeholders the MPO and LCB have identified.
  - Distribute flyers on transit vehicles to notify riders of comment period and adoption meeting.
  - Distribute copies of the Major TDSP Update and/or QRC on flyers to local government agency offices and libraries.
  - Post Major TDSP Update and notice of the opportunity to comment on the MPO website.

## PUBLIC PARTICIPATION PLAN

- Distribute copies of the Major TDSP Update to the LCB members.

### Response to Comments

- MPO staff will respond in writing to public input received during the comment period.
- When significant written and oral comments are received, a summary, analysis or report will be included in the plan. The term, “significant” is used in State statutes and Federal law governing public involvement but remains undefined. The MPO’s working definition of “significant” is any comment that could potentially result in a change to the scope of a document, existing conditions analysis, issue definition, recommended projects, policies.

### Adoption

- The LCB will meet at the end of the public comment period and allow time for public comment at the meeting prior to adoption of the TDSP.
- The LCB will consider the comments received during the public comment period before adopting the TDSP by Roll Call Vote.
- The MPO Board will ratify the Major TDSP Update after adoption by the LCB. Ratification may be placed on the MPO Board Consent Agenda.

### **Minor Update – adopted annually except in Major Update adoption years**

- **The difference between the public involvement requirements of a Major and Minor Update is the required public comment period is shortened to 14 days and no distribution of flyers on transit vehicles and CAT Transfer Stations is required. The public involvement process for an amendment to the TDSP Major is the same as for the TDSP Minor Update.**

## **TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

**Administrative Modifications** are minor revisions to the TIP and do not require public review and comment, or re-demonstrations of fiscal constraint. Administration Modifications will be distributed as informational items in MPO Board and TAC/CAC meeting packets, in addition to being posted on the MPO website’s TIP page.

**Amendments** are major revisions to the TIP and do require public review and comment along with re-demonstration of financial constraint. The TAC and CAC are provided the opportunity to review and comment on amendments and the annual adoption of a new 5-year TIP based on the FDOT Work Program prior to the Board taking action. If they achieve a quorum, the TAC and CAC may vote to endorse the amendment as presented or vote to endorse subject to revision or may vote not to endorse. Whatever action an advisory committee takes is reported to the Board in the MPO staff Executive Summary. The MPO will follow the notification procedures outlined herein for MPO Board and Advisory Committee meetings. See Appendix F – Standard Operating Procedures for public notification and public comment period requirements.

## UNIFIED PLANNING WORK PROGRAM (UPWP)

The two-year UPWP is adopted every other year. As with Amendments, the MPO adoption process requires that the two-year UPWP be previewed and commented upon by the MPO TAC and CAC, at a minimum, before being acted upon by the Board.

**Modifications**, as defined by the FDOT MPO Handbook, do not require MPO Board or FDOT approval and do not require public involvement. Modifications will be posted on the MPO website on the UPWP page and distributed to FDOT, the MPO Board and TAC/CAC as informational items in agenda packets.

**Amendments**, as defined by the FDOT MPO Handbook, do require MPO Board approval. The TAC and CAC are provided the opportunity to review and comment on amendments prior to the Board taking action. If the committees achieve a quorum, they may vote to endorse the amendment as presented, or vote to endorse subject to revision, or vote not to endorse. Whatever action an advisory committee takes is reported to the Board in the MPO staff Executive Summary. The MPO will follow the notification procedures outlined herein for MPO Board and Advisory Committee meetings. See Appendix F – Standard Operating Procedures for public notification and public comment period requirements.

## MPO BOARD MEETINGS AND WORKSHOPS

The MPO commits to maintaining the following longstanding notification standards:

- Posting agenda and meeting packet **seven days in advance** on the MPO website.
- Email distribution of agenda packet to MPO Board members seven days in advance of the meeting. Hard copies are made available to Board members who have requested them.
- Email distribution of agenda packet to Adviser Network and to other interested parties on the MPO's email contact list.
- Providing a press release to local media contacts a minimum of 48 hours prior to the meeting (but typically seven days in advance).

## MPO ADVISORY COMMITTEE MEETINGS

The MPO commits to maintaining the following longstanding notification standards:

- Posting agenda and meeting packet **seven days in advance** on the MPO website.
- Email distribution of agenda packet to committee members seven days in advance of the meeting. Hard copies are delivered to committee members who have requested them.
- Email distribution of agenda packet to Adviser Network and to other interested parties on the MPO's email contact list.
- Providing a press release to local media contacts a minimum of 48 hours prior to the meeting (but typically seven days in advance).

### **OTHER PUBLIC MEETINGS AND WORKSHOPS**

The MPO may wish to schedule other public meetings and workshops in the course of developing a wide variety of planning documents, researching specific issues, conducting surveys and public education campaigns. The MPO commits to maintaining the longstanding notification standards of:

- Posting notices of public meetings a **minimum seven days in advance** on the MPO website.
- Posting agenda and meeting packet, to the extent materials are available, on the MPO website.
- Email distribution of agenda and packet to Adviser Network and to other interested parties on the MPO's contact list.
- Issuing press release to major local media contacts.
- Emailing MPO Advisory Committee members notice of meetings on topics of interest to the Committee members as appropriate.

### **EXCEPTIONS TO NOTIFICATION COMMITMENTS**

There are occasions when the MPO is required to act quickly in order to meet a grant deadline, preserve spending authority or respond to an unforeseen opportunity or emergency. Unforeseen opportunities are most likely to occur in response to a request by FDOT due to the severe time constraints the agency operates under. Emergency situations include manmade and natural disasters such as hurricanes, floods, epidemics and pandemics, chemical spills, acts of terrorism, cyber-attacks, etc.

In a nonemergency situation when an unforeseen opportunity demands immediate Board action, staff may bring proposed actions forward to the MPO Board that the TAC and CAC have not had the opportunity to preview and comment on. This allows the Board to be fully informed of the situation and to take action if it wishes to do so, or to decline to take immediate action and remand the item to one or more Advisory Committees for further consideration.

### **ADDITIONAL EMERGENCY PROVISIONS FOR PUBLIC INVOLVEMENT**

Public engagement is very important to the MPO, FDOT, FHWA and FTA. In an effort to protect public health and to comply with instructions, recommendations and Executive Orders issued during a pandemic or other threat to community health, the MPO will be proactive but flexible in meeting public participation plan requirements. MPOs are expected to continue to provide opportunities for public involvement throughout their planning activities. However, some public participation plan activities may be delayed or deferred and be replaced with other engagement strategies to ensure that all sectors of the population have an opportunity to participate. The MPO will document any outreach activities that were originally documented in the PPP or in a PIP for a specific project that require modifications and provide strategies, if needed, to ensure sufficient and appropriate outreach is maintained.



### **Immediate/Short Term Response**

In the event of a manmade or natural emergency that precludes holding regular public meetings, the MPO Board may provide staff direction on how to proceed by way of passing a motion. The motion may include authorizing the MPO Chair to act on behalf of the Board and empower the MPO Director to bring issues requiring immediate attention forward to the MPO Chair to act upon. The MPO Board will have the opportunity to ratify all emergency actions taken at a later date.

### **Intermediate Response**

Once the scope of an emergency becomes better defined, the US President, Congress, Governor of the State of Florida or Local Governing Boards and Councils may issue declarations of emergency and Executive Orders that MPOs must follow. In the event of a declaration of manmade or natural emergency that precludes holding regular public meetings for a known or unknown period of time, the MPO Board will adopt a resolution to:

1. Recognize the emergency situation calling for alternative public involvement strategies.
2. Stipulate that the emergency procedures for public involvement are temporary.
3. Specify the alternative public involvement strategies to be used, including time periods for public comment and MPO responses to the comments.
4. Ensure that public involvement strategies are inclusive as possible to the extent that they comply with emergency executive orders to protect public health, etc.
5. if public involvement strategies are not sufficiently inclusive due to public health concern or other limitations, the MPO may consider holding additional public involvement activities on the plans after adoption, and after the emergency is over, to ensure that the public is informed and has the ability to request reconsiderations/amendments to the MPO Board.
6. Acknowledge that the resolution is provided as an interim measure and may be modified as new local, state or national technical assistance and/or guidance is issued.

Public involvement strategies include but are not limited to virtual meetings, on-line surveys, telephone conferencing, social media and interactive components of the MPO website. It is desirable, and may be feasible, to maintain the public participation plan's standard methodologies and timeframes for reporting and responding to public comments. However, if the time frame must be shortened or the methodologies are curtailed due to the nature of the emergency, the MPO may take whatever steps are necessary to meet deadlines. In the event of a public health emergency coinciding with a cyber-attack, public involvement activities may have to be suspended for a period of time.

### **Long Term Response**

In the event that an emergency situation persists for several months or more and in the absence of action taken by the federal government to extend the deadlines for delivery of core MPO planning products such as the LRTP, UPWP, TIP and PPP; the MPO may take whatever action is necessary to meet the federal deadlines.

After the emergency is over, the MPO will resume its regular meeting schedule and public involvement activities with the highest priority given to meeting immediate deadlines and the next level of priority given to providing opportunities for the public to review, comment on and request amendments to any plans that were adopted during the emergency.

### **Continuity of Operations Plans**

The MPO is required to maintain a Continuity of Operations Plan (COOP) that outlines the course of action to be taken during an emergency. MPO staff participate in Collier County's annual updates to its COOP to facilitate concurrent implementation of both plans during an emergency.

### **FEDERAL COMPLIANCE**

#### **AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act (ADA), signed into law in 1990, is a landmark civil rights legislation ensuring equal opportunity for people with disabilities to access employment, public facilities, transportation, state and local government services and communications. The ADA requires coordinating with disabled community representatives in the development and improvement of transportation services. Persons with disabilities must also be able to access the sites where public involvement activities occur as well as the information presented. See [www.ada.gov](http://www.ada.gov) for more information.

#### **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color or national origin. Specifically, 42 USC § 2000d states, “No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” See [Title VI Civil Rights Act US Dept of Justice](#) for more information.

#### **EXECUTIVE ORDER 12898 – ENVIRONMENTAL JUSTICE**

[Executive Order \(EO\) 12898](#); Federal Actions to Address Environmental justice in Minority and Low-Income Populations. The EO reinforced the requirements of Title VI of the Civil Rights Act of 1964 and focused federal attention on the environmental and human health conditions in minority and low-income communities. Furthermore, recent guidance issued by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) emphasizes the importance of considering and addressing Environmental Justice (EJ) in all phases of the transportation planning process. EJ calls for the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income, and that the benefits, as well as the impacts, of transportation investments are fairly distributed.

#### **EXECUTIVE ORDER 13166 – LIMITED ENGLISH PROFICIENCY**

People with Limited English Proficiency (LEP) are those with a primary or home language other than English. EO 13166 requires any agency that receives federal funds to make their activities accessible to non-English speaking individuals. See [Limited English Proficiency Executive Order](#) for more information.

### **REQUIREMENT FOR PUBLIC PARTICIPATION PLAN**

The following material is excerpted from the electronic Code of Federal Regulations (CFR) Chapter 23 HIGHWAYS.

#### **“eCFR Ch 23 HIGHWAYS**

**§450.316 Interested parties, participation, and consultation.**

## PUBLIC PARTICIPATION PLAN

(a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;

(v) Holding any public meetings at convenient and accessible locations and times;

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and

(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

## PUBLIC PARTICIPATION PLAN

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 201-204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

[81 FR 34135, May 27, 2016, as amended at 81 FR 93473, Dec. 20, 2016; 82 FR 56544, Nov. 29, 2017]"

### **PUBLIC PARTICIPATION PLAN AND STATE STATUTES**

The following is excerpted from Florida State Statutes, available at the following link:

[www.flsenate.gov/Laws/Statutes/2012/339.175](http://www.flsenate.gov/Laws/Statutes/2012/339.175)

#### **“339.175 METROPOLITAN PLANNING ORGANIZATIONS**

(7) 2.(e) LONG-RANGE TRANSPORTATION PLAN In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

## PUBLIC PARTICIPATION PLAN

6/(e)1. Each M.P.O. shall appoint a citizens' advisory committee, the members of which serve at the pleasure of the M.P.O. The membership on the citizens' advisory committee must reflect a broad cross-section of local residents with an interest in the development of an efficient, safe, and cost-effective transportation system. Minorities, the elderly, and the handicapped must be adequately represented.

(8) TRANSPORTATION IMPROVEMENT PROGRAM. Each M.P.O. shall, in cooperation with the state and affected public transportation operators, develop a transportation improvement program for the area within the jurisdiction of the M.P.O. In the development of the transportation improvement program, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed transportation improvement program."

### **SUNSHINE LAW §286.011 F.S.**

Source: "Government in the Sunshine" PPT by Office of the County Attorney, Jeffrey A. Klatzkow

Establishes a basic right of access to most meetings of boards, commissions and other governing bodies of state and local government agencies or authorities

- Meetings of public boards, commissions or committees ("boards") must be open to the public.
- Reasonable notice of such meetings must be given.
- Minutes of the meeting must be taken.

The public must be allowed to attend meetings; however, there is no obligation to allow the public to participate. The location:

- Must be accessible
- Sufficient size for turnout
- Facility cannot discriminate based on age, race, etc.
- Public access not unreasonably restricted
- Be within Collier County with few exceptions

Minutes of the meeting are required. Written minutes must be taken and made available promptly.

- Sound recordings may also be used, but only in addition to written minutes
- Minutes may be a brief summary of meeting's events
- Minutes are public records
- Minutes must record the votes.

Reasonable Notice, according to the "Government In The Sunshine Manual" (2017) Section 4a.

"The Sunshine Law does not define the term "reasonable notice." Therefore, the type of notice is variable and depends upon the facts of the situation and the board involved. In each case, an agency must give notice at such time and in such a manner as to enable the media and the general public to attend the meeting."

## PUBLIC PARTICIPATION PLAN

The Attorney General's office cannot specify the type of notice which must be given in all cases, the following notice guidelines are suggested:

1. Notice should contain time and place of meeting and an agenda if available, or a statement of the general subject matter to be considered.
2. Notice should be prominently displayed in the area in the agency's offices set aside for that purpose and on the agency's website.
3. Notice should be provided at least 7 days prior to meeting, except in the case of emergency or special meetings. Emergency meetings should provide the most effective and appropriate notice feasible under the circumstances.
4. Special meetings should have no less than 24 and preferably at least 72 hours reasonable notice to the public.
5. Use of press releases, faxes, e-mails and/or phone calls to the local news media is highly effective in providing notice of upcoming meetings.

The Sunshine Law does not mandate that an agency use a paid advertisement to provide public notice of a meeting.

## FDOT MPO HANDBOOK - COMPLIANCE

### CHAPTER SIX PUBLIC INVOLVEMENT

Chapter Six of the FDOT MPO Handbook identifies Federal and State public involvement requirements for Metropolitan Planning Organizations (MPO) in Florida. The primary public involvement document that MPOs must develop and maintain is a Public Participation Plan (PPP) that defines a process for providing interested parties reasonable opportunities to review and comment on MPO work products. In addition, MPOs must make Long Range Transportation Plans (LRTP) and Transportation Improvement Plans (TIP) readily available for public review.

The MPO is required to develop the participation plan in consultation with all interested parties and must, at a minimum, describe explicit procedures, strategies, and desired outcomes for: [23 C.F.R. 450.316(a)(1)]

1. Providing **adequate public notice of public participation activities and time for public review and comment at key decision points**, including a **reasonable opportunity to comment** on the proposed **LRTP and the TIP**;
2. Providing **timely notice and reasonable access to information** about transportation issues and processes;
3. Employing **visualization techniques to describe LRTPs and TIPs**;
4. Making public information (technical information and meeting notices) **available in electronically accessible formats and means, such as the Internet**;
5. Holding any **public meetings at convenient and accessible locations and times**;
6. **Demonstrating explicit consideration and response to public input received during the development of the LRTP and the TIP**;
7. **Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services**;
8. **Providing an additional opportunity for public comment, if the final LRTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues** that interested parties could not reasonably have foreseen from the public involvement efforts;
9. **Coordinating with the statewide transportation planning public involvement and consultation processes; and**
10. **Periodically reviewing the effectiveness** of the public involvement procedures and strategies contained in the PPP to ensure a full and open participation process.



## PUBLIC PARTICIPATION PLAN

### PUBLIC PARTICIPATION PLAN

When developing the PPP, it is important to allow enough time to receive and respond to public input to find a balance between addressing appropriate public comments and adopting the LRTP within the required timeframe, including any meetings or hearings that take place during that time.

**A minimum public comment period of 45 calendar days must be provided before the initial or revised participation plan is adopted by the MPO.** Copies of the approved PPP must be provided to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for informational purposes; and must be posted on the Internet to the maximum extent practicable. [23 C.F.R. 450.316(a)(3)]

### LRTP AND TIP

When **“significant” written and oral comments are received on the draft LRTP and TIP** (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the U.S. Environmental Protection Agency (EPA) transportation conformity regulations (40 C.F.R. Part 93, Subpart A), **a summary, analysis, and report on the disposition of comments are required to be included in the final LRTP and TIP.** [23 C.F.R. 450.316(a)(2)]

The term, *“significant”* is used in State statutes and Federal law but remains undefined.

THE COLLIER MPO DEFINES “SIGNIFICANT” AS ANY COMMENT THAT COULD POTENTIALLY RESULT IN A CHANGE TO THE SCOPE OF A PROJECT OR STUDY, TO REPORTING ON EXISTING CONDITIONS THAT LEADS TO DEFINING ISSUES AND RECOMMENDING SOLUTIONS IN TERMS OF PROJECTS OR POLICIES.

When the MPO area includes Indian Tribal lands, the MPO must appropriately involve the Indian Tribal government(s) in the development of the LRTP and the TIP. [23 C.F.R. 450.316(c)]

### BIPARTISAN INFRASTRUCTURE LAW – LRTP COMPLIANCE

The Investment in Infrastructure and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL) enacted in 2021 added the following requirements regarding the development of the LRTP (also referred to as the Metropolitan Transportation Plan.)<sup>2</sup>

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<sup>2</sup> [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/metro\\_planning.cfm#:~:text=The%20BIL%20changes%20an%20existing,a%20designation%20for%20the%20area](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/metro_planning.cfm#:~:text=The%20BIL%20changes%20an%20existing,a%20designation%20for%20the%20area)

## **Public Participation**

- The BIL allows MPOs to use social media and other web-based tools to encourage public participation in the transportation planning process. [§ 11201(a)(3); 23 U.S.C. 134(i)(6)(D)]

## **Housing Coordination**

- The BIL makes several changes to include housing considerations in the metropolitan transportation planning process, including—
  - updating the policy to include, as items in the national interest, encouraging and promoting the safe and efficient management, operation, and development of surface transportation systems that will better connecting housing and employment; [§ 11201(d)(1); 23 U.S.C. 134(a)(1)]
  - adding officials responsible for housing as officials with whom the Secretary shall encourage each MPO to consult; [§ 11201(d)(2); 23 U.S.C. 134(g)(3)(A)]
  - requiring the metropolitan transportation planning process for a metropolitan planning area to provide for consideration of projects and strategies that will promote consistency between transportation improvements and State and local housing patterns (in addition to planned growth and economic development patterns); [§ 11201(d)(3); 23 U.S.C. 134(h)(1)(E)]
  - adding assumed distribution of population and housing to a list of recommended components to be included in optional scenarios developed for consideration as part of development of the metropolitan transportation plan; [§ 11201(d)(4)(A); 23 U.S.C. 134(i)(4)(B)]
  - adding affordable housing organizations to a list of stakeholders MPOs are required to provide a reasonable opportunity to comment on the metropolitan transportation plan; and [§ 11201(d)(4)(B); 23 U.S.C. 134(i)(6)(A)]
  - within a metropolitan planning area that serves a transportation management area, permitting the transportation planning process to address the integration of housing, transportation, and economic development strategies through a process that provides for effective integration, including by developing a housing coordination plan. [§ 11201(d)(5); 23 U.S.C. 134(k)]

The MPO may develop a PPP specific to the LRTP as part of the scope of that project. If this is done, the PPP for the LRTP must be consistent with the overall PPP of the MPO.

Federal Strategies for Implementing Requirements for LRTP Update for the Florida MPOs, U. S. Department of Transportation, November 2012, also provides guidance. This document provides that for LRTPs, MPO Boards, their advisory committees, and the public should have the opportunity to periodically review the LRTP products, interim tasks, and reports that result in the final LRTP documentation.

## PUBLIC PARTICIPATION PLAN

Furthermore, this guidance also states **that final adopted LRTP documentation should be posted to the Internet, and available at the MPO offices, no later than 90 days after adoption.**

Specific to the TIP, Federal requirements are that the MPO must provide all interested parties with a **reasonable opportunity to comment** on the proposed TIP, as required by the PPP. In addition, the MPO must **publish or otherwise make readily available the TIP for public review, including** (to the maximum extent practicable) **in electronically accessible formats** and means, such as the **Internet**, as described in the PPP. [23 C.F.R. 450.326(b)], [23 U.S.C. 134 (i)(6) and (7)]

In the event an MPO revises its TIP, the MPO must always use public participation procedures consistent with the MPO's PPP. However, public participation is not required for administrative modifications unless specifically addressed in the PPP. [23 C.F.R. 450.328(a)]

### ANNUAL LIST OF PRIORITIZED PROJECTS

Each MPO annually must prepare a list of project priorities and submit the list to the appropriate FDOT District by October 1 of each year. The list must have been **reviewed by the technical and citizens'**

**advisory committees and approved by the MPO before submission to the District.** The annual list of project priorities **must be based upon project selection criteria that consider, among other items, the MPO's public involvement procedures.**  
[s.339.175(8)(b)(5), F.S.]

MOST METROPOLITAN PLANNING ORGANIZATIONS CONSIDER THEIR STANDING COMMITTEES TO BE A FUNDAMENTAL PART OF THEIR PUBLIC INVOLVEMENT ACTIVITIES.

### PUBLIC INVOLVEMENT AND MPO COMMITTEES

Most MPOs consider their standing committees to be a fundamental part of their public involvement activities. **The formation of a technical advisory committee (TAC) and citizens' advisory committee (CAC) are required pursuant to s.339.175(6)(d), F.S. and s.339.175(6)(e), F.S.;** and formation guidance is provided in Chapter 2 of the MPO Handbook.

**As an alternative to the use of a CAC, Florida Statute provides provisions for MPOs to adopt an alternate program or mechanism that ensures adequate citizen involvement in the transportation planning process following approval by FHWA, FTA, and FDOT.** MPOs may also consider additional standing committees as a public involvement activity to address specific needs, such as bicyclists, pedestrians, and multiuse trails, safety, goods/freight movement, etc. MPOs must address and include their committee activities in the PPP; and are encouraged to detail how the schedule for meetings, agenda packages, and actions of the committees will be communicated with the public and how the public can participate in those meetings.

### SUNSHINE LAW

MPOs must provide reasonable notice of meetings and make adequate accommodations to hold open meetings and provide an opportunity for public input. Minutes of meetings must be available for public

## PUBLIC PARTICIPATION PLAN

inspections. **MPOs are prohibited from holding public meetings at a facility or location that discriminates on the basis of sex, age, race, creed, color, origin, or economic status; or that otherwise restrict public access.** The statute establishes penalties for violations of these provisions and exceptions for specific situations. MPOs should consult legal counsel for any questions regarding Florida's Government-in-the-Sunshine Law. The notification commitments identified herein comply with the State Attorney General's Office publication, "Government In The Sunshine Manual" (2017) Section 4a.

## ACRONYMS

<b>AASHTO</b>	American Association of State Highway and Transportation Officials
<b>ACS</b>	US Census Bureau American Community Survey
<b>ADA</b>	Americans with Disabilities Act
<b>BIL</b>	Bipartisan Infrastructure Law, also referred to as the IJA
<b>BPAC</b>	Bicycle and Pedestrian Advisory Committee
<b>CDC</b>	Centers for Disease Control and Prevention
<b>CFR</b>	Code of Federal Regulations
<b>CTPP</b>	Census Transportation Planning Products
<b>EJ</b>	Environmental Justice
<b>EO</b>	Executive Order
<b>EPA</b>	US Environmental Protection Agency
<b>FAST Act</b>	Fixing America’s Surface Transportation Act
<b>FDOT</b>	Florida Department of Transportation
<b>FEMA</b>	Federal Emergency Management Agency
<b>FHWA</b>	Federal Highway Administration
<b>FTA</b>	Federal Transit Administration
<b>HUD</b>	U.S. Department of Housing and Urban Development
<b>IJA</b>	Investment in Infrastructure and Jobs Act, also referred to as the BIL
<b>LCB</b>	Local Coordinating Board
<b>LEP</b>	Limited English Proficiency
<b>L RTP</b>	Long Range Transportation Plan
<b>MPO</b>	Metropolitan Planning Organization (interchangeable with TPO)
<b>OMB</b>	Executive Office of the US Office of Management and Budget
<b>PIP</b>	Public Involvement Plan (for individual projects)
<b>PPP</b>	Public Participation Plan (adopted by the MPO)
<b>TDP</b>	Transit Development Plan
<b>TDSP</b>	Transportation Disadvantaged Service Plan
<b>TIP</b>	Transportation Improvement Program
<b>TMA</b>	Transportation Management Area
<b>TPO</b>	Transportation Planning Organization (interchangeable with MPO)
<b>UPWP</b>	Unified Planning Work Program
<b>USC</b>	United States Code

**APPENDICES**

- A. GOVERNMENT TO GOVERNMENT PUBLIC INVOLVEMENT POLICY**
- B. LEE COUNTY MPO/COLLIER MPO INTERLOCAL AGREEMENT**
- C. LIMITED ENGLISH PROFICIENCY PLAN**
- D. NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURE**
- E. TRADITIONALLY UNDERSERVED COMMUNITIES**
- F. STANDARD OPERATING PROCEDURES**

**APPENDIX A: COLLIER MPO'S GOVERNMENT TO GOVERNMENT  
PUBLIC INVOLVEMENT POLICY AFFECTING TRIBAL ENTITIES**

## GOVERNMENT TO GOVERNMENT PUBLIC INVOLVEMENT POLICY Adopted June 9, 2017

- I. **Purpose:** To promote Tribal involvement in the MPO planning process; initiate and maintain a positive working relationship between the MPO and Tribal governments; promote effective collaboration and communication between the MPO and Tribes;
- II. **Goals of Tribal Consultation:**
  - To create durable relationships between the Tribes and the MPO based on a mutual respect that promotes coordinated transportation partnerships in service to all of our residents and planning partners.
  - For the MPO to take a proactive approach to consultation by ensuring Tribal participation in MPO planning processes that may affect Tribal governments, Tribal programs and Tribal members.

- III. **Consultation Requirements**

### Federal Transportation Planning Requirements

23 USC § 135(f)(2)c applies to FDOT, as follows: “With respect to each area of the State under the jurisdiction of an Indian Tribal government, the statewide transportation plan shall be developed in consultation with the Tribal government.”

23 CFR § 450.316(c), Interested parties, participation and consultation, applies to MPOs where an MPO *includes* Indian Tribal lands and provides:

- “When the MPO includes Indian Tribal lands, the MPO(s) shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.”

23 CFR § 450.316(e), Interested parties, participation and consultation, provides:

- “MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.”

In addition to the above-referenced consultation requirements, if a Tribe wishes to access federal transportation funds available to MPOs, the Tribe must do so through the MPO processes as provided by law.

- IV. **Definitions**

**Collaboration:** – Indicates a process in which two or more parties work together to achieve a common set of goals. Collaboration is the timely communication and joint effort that lays the groundwork for mutually beneficial relationships, including identifying issues and problems, identifying solutions and providing follow-up as needed.

**Communication:** - Refers to verbal, electronic or written exchange of information between the MPO and the Tribe. Generally, posting information on a website or in the newspaper does not constitute consultation. Written correspondence, whether electronic or letter/postal format, should generally



## PUBLIC PARTICIPATION PLAN

be sent to the Tribe Chair with a copy to staff, requesting review and comment on specific plans or projects that will affect a Tribe. While Tribal review may occur concurrently with public review, Tribes are not considered the “public” for purposes of such communication.

Consultation – Means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken.” (See 23 CFR Part 450 Planning Assistance and Standards, subpart A §450.104).

Government-to-Government Relations: Refers to an intergovernmental relationship between a federally-recognized Tribe and the MPO Board during which consultation, meetings, and communications occur between top-level officials of the MPO and the Tribe.

Tribal Sovereignty: Refers to a unique, political relationship between American Indians and the United States government that recognizes that Tribes are sovereign nations with recognized powers of self-government.

### V. Tribal Entities

The two Federally-recognized Tribes with land holdings within or abutting Collier County are:

- The Miccosukee Tribe of Indians of Florida, represented by the Business Council, consisting of Chairman, Assistant Chairman, Treasurer, Secretary, and Lawmaker

Mailing address:

PO Box 440021

Tamiami Station

Miami, FL 33144

(o) 305-223-8380

- The Seminole Tribe of Florida, represented by the Tribal Council comprised of Chairman, Vice Chairman, Big Cypress Councilman, Brighton Councilman, and Hollywood Councilman

Mailing address:

Attn: Chairman and General Counsel

6300 Stirling Rd

Hollywood, FL 33024

(o) 239-354-5220 x 11402

### VI. Core Principles

1. The MPO wishes to establish a Government-to-Government relationship and communication protocol in recognition of the principle of Tribal sovereignty.
2. The MPO recognizes that good faith, mutual respect, and trust are fundamental to meaningful collaboration and communication between governmental entities.

## PUBLIC PARTICIPATION PLAN

3. Formal communication and consultation will take place between the MPO Chair or Vice Chair and the Tribal Chair or Assistant/Vice Chair. Written notification in the form of an email or letter requesting consultation may be initiated by either the Tribal government or the MPO and should include the following information:
  - Identify the proposed action, program or project requiring consultation; and
  - Identify the personnel authorized to consult on behalf of the MPO and the Tribe.
4. Informal Communications may occur between MPO and designated Tribal staff members on an as-needed basis. The MPO will include designated Tribal staff members or representatives on email distribution lists to receive notifications of all upcoming MPO advisory committee and Board meetings. MPO staff will provide convenient access to meeting agendas and packets for review and be available to answer questions.

### VII. **Application of Tribal Consultation Policy**

1. The MPO will make a good-faith effort to review all proposed plans, policies, rulemakings, actions or other aspects of the transportation planning process that may affect or impact Tribal resources and determine whether Tribal consultation or collaboration may assist in the process. The MPO will notify Tribal governments and inquire whether Tribal consultation should occur. Tribal Officials have the discretion whether to engage in the consultation process. Consultation will be initiated by formal, written request.
2. If the MPO does not receive a response from a Tribe requesting a response to a proposed plan, project or other matter that may affect or impact a Tribal government, the MPO is encouraged to follow up further with the Tribal government to ascertain its level of interest. If no response is provided, the MPO believes that it is only appropriate to move forward after the following: (a) directly contacting a Tribal government authorized representative to solicit its participation, review and comment after providing sufficient time for the Tribe's review and response; (b) that the direct communication/request for information or comment include a date when the MPO would like the response; and (c) that a minimum of thirty (30) days be provided for the Tribal government to provide for requests for information, or review and comment on draft documents.
3. The MPO recognizes that formal consultation may not be required in all situations or interactions. Tribal staff members and MPO staff may communicate on an as-needed basis. These communications do not negate the authority of the MPO and the Tribes to pursue formal consultation.
4. This policy will not diminish any administrative or legal remedies otherwise available by law to the MPO or the Tribe. This policy shall not be construed to waive the sovereign immunity of any party or create a cause of action for either party for failing to comply with this policy.
5. This policy is a working document and may be revised as needed. The MPO will consult periodically with the Tribes to evaluate its effectiveness and determine the need for revision.
6. The policy shall become effective upon the date signed by the MPO Chair following approval by the MPO Board.

**APPENDIX B: LEE COUNTY MPO/COLLIER MPO INTERLOCAL  
AGREEMENT**

**INTERLOCAL AGREEMENT FOR JOINT REGIONAL  
TRANSPORTATION PLANNING AND COORDINATION BETWEEN  
THE COLLIER AND LEE COUNTY MPOS**

**AMENDED March 20, 2009**

This INTERLOCAL AGREEMENT (hereinafter the Agreement) is made and entered into as of March 20, 2009 by and between the Collier Metropolitan Planning Organization (hereinafter the Collier MPO) and the Lee County Metropolitan Planning Organization (hereinafter the Lee County MPO).

**Whereas**, the Lee County and Collier Metropolitan Planning Organizations (MPOs) are the duly designated and constituted agencies responsible for carrying out the metropolitan transportation planning and programming processes for the Cape Coral and Bonita Springs-Naples Urbanized Areas; and

**Whereas**, the 2000 Census, while identifying distinct and separate Bonita Springs-Naples and Cape Coral Urbanized Areas, also determined that the Naples Urbanized Area had expanded into the metropolitan planning area of the Lee County MPO to become the Bonita Springs-Naples Urbanized Area; and

**Whereas**, the elected and appointed officials comprising the policy boards of the Collier MPO and the Lee County MPO recognize the benefits of regional cooperation; and

**Whereas**, on October 17, 2002, at a joint meeting, the members of the Collier MPO and Lee County MPO voted unanimously for staff not to pursue consolidation of the MPOs or alter their common metropolitan planning area boundary; and

**Whereas**, on October 17, 2002, at a joint meeting, the members of the Collier MPO and Lee County MPO voted unanimously for staff to coordinate transportation planning and policy activities in this bi-county region to promote regional transportation solutions and enhance overall regional transportation system efficiency using a straightforward, resourceful method; and

**Whereas**, by Joint Resolution 2003-1 adopted on February 14, 2003 by the Collier MPO and on March 21, 2003 by the Lee County MPO the parties agreed that the MPOs would continue coordination efforts by having a member of each MPO's staff serve as a voting member of the other's technical advisory committee and by holding joint MPO policy board meetings at least annually, and when necessary to resolve otherwise irresolvable differences; and

**Whereas**, staff and policy board members from both the Collier and Lee County MPOs also already coordinate regional transportation issues through participation in the Metropolitan Planning Organization Advisory Council (MPOAC), the District One Coordinated Urban Transportation Studies (CUTS) Committee, and the Southwest Florida Regional Planning Council (SWFRPC); and

# PUBLIC PARTICIPATION PLAN

**Whereas**, the Collier and Lee County MPOs are currently cooperating with each other in the development of a single bi-county travel demand model for use in the 2035 updates of both their long range transportation plans; and

**Whereas**, the Collier MPO and Lee County MPO both received letters from the District One Secretary in October 2003 asking them to enter into a more formal interlocal agreement to develop a joint long range transportation plan, joint regional priorities, a joint regional public involvement process, and a joint regional model, and specifying time frames for their completion; and

**Whereas**, at their October 17, 2003 joint meeting, the Collier and Lee County MPOs directed their staffs to develop such an agreement; and

**Whereas**, the Collier and Lee County MPOs executed such an agreement on January 27, 2004 and amended it in January 2006; and

**Whereas**, certain provisions of the amended agreement now need updating;

**NOW, THEREFORE**, in consideration of the covenants made by each party to the other and of the mutual benefits to be realized by the parties hereto, the Collier MPO and Lee County MPO hereby agree as follows:

**Section 1. Authority.** This Interlocal Agreement is entered into pursuant to the general authority of Sections 339.175, Florida Statutes, relating to metropolitan planning organization, and 163.01, Florida Statutes, relating to interlocal agreements.

**Section 2. Purpose.** The purpose of this Agreement is to promote and establish a forum for communication and coordination between the Collier and Lee County MPOs and to foster joint regional cooperation and conduct regarding transportation planning in accordance with Section 339.175, Florida Statutes, 23 C.F.R. 450.312, and the goals and requirements of the Transportation Equity Act for the 21<sup>st</sup> Century and its successor legislation. More specifically, this Agreement establishes the commitment by the parties to develop joint regional transportation planning products and processes for the bi-county region of Collier and Lee Counties and provides targeted timeframes for the accomplishment of these products and processes. This Agreement incorporates the provisions of and supersedes Joint Resolution 2003-1 of the Collier and Lee County MPOs.

**Section 3. Staff-level Coordination.** Each party will continue to maintain a representative of the other party's staff agency as a voting member of its Technical Advisory Committee.

**Section 4. Joint Meetings and Quorum Requirements.** Joint meetings of the governing boards, and advisory committees of the Collier and Lee County MPOs will be held at least annually. Quorum requirements for each MPO's Technical Advisory Committee at the joint



meetings will be ½ its membership after leaving out the FDOT, SWFRPC and MPO staff representatives from the quorum calculations. However, during voting on any items, while the FDOT and SWFRPC representatives will each have a single vote, MPO representatives will abstain from voting as they provide the administrative support at these meetings. Quorum requirements for each MPO's Citizens Advisory Committee at the joint meetings will be seven (7) for the Lee CAC and four (4) for the Collier CAC.

**Section 5. Planning Products and Timeframes.** The parties hereby agree to coordinate and collaborate in good faith and with due diligence to develop the following joint regional planning products by the target dates set out by each product described below:

**(a) Joint Regional Transportation Model**

The parties are working together to develop a coordinated update to the bi-county model to 2035 using the same consultant. The 2035 Long Range Transportation Plans are targeted to be completed by December 2010.. The standing joint Model Coordination Committee, comprising representatives of the Collier MPO, Lee County MPO, Collier County Department of Transportation, Lee County Department of Transportation, a City representative from each MPO, Southwest Florida Regional Planning Council, and FDOT, will oversee and coordinate the development, validation, use, maintenance, and future improvement of this model. The parties agree to continue to support and coordinate all travel demand modeling activities through this committee, which will continue to meet at least twice a year to maintain and update the joint model.

**(b) Joint Regional Long Range Transportation Plan (LRTP)**

The parties will continue to maintain and update as necessary the Joint Regional Multi-Modal Transportation System. The system will continue to remain a component of each MPO's LRTP and will continue to identify a two-tiered network of regionally significant transportation corridors, facilities, and services. The first order network comprises those corridors, facilities, and services that are of importance and concern to both parties. The second order network comprises the remaining corridors, facilities, and services deemed regionally significant. This system may subsequently be reconsidered and revised as necessary, at the request of either MPO.

During the development of each MPO's 2035 LRTP update, the parties agree to identify where improvements to the first order network may be needed, to propose and test appropriate alternative system improvements, and update the current joint regional long range transportation plan addressing those needs. The parties further agree to incorporate this regional plan in the updates of their own LRTPs, and to agree on any

refinements or modifications to the regional plan that either MPO may wish to include in its LRTP prior to or concurrent with the adoption of their LRTPs. The joint regional long range transportation plan shall be published in and adopted as part of each MPO's LRTP. The target date for adoption of the initial LRTPs thus coordinated is December 2010.

The parties agree that subsequent amendments to their LRTPs affecting the joint regional long range transportation plan must be approved by both MPOs' governing boards.

**(c) Joint Regional Project Priorities**

On the basis of the Joint Regional Multi-Modal Transportation System addressed in paragraph 5(b) above, the MPOs agree to continue adopting priorities for funding unprogrammed improvements on the identified first order network that will be competing for statewide discretionary funding within the next six fiscal years, and include said projects in the respective MPO's project priorities adopted in the summer. The MPOs also agree to continue adopting priorities jointly for improvements to transportation facilities and services on the identified first and second order networks that are competing for funding through the state's Transportation Regional Incentive Program (TRIP). Both sets of Joint Regional Project Priorities must be adopted by each MPO's governing board. Either MPO governing board may require that the Joint Regional Project Priorities be reconsidered at any time. This collaboration and the products developed will recur each subsequent year during the duration of this Agreement and will be a continuing obligation and commitment.

**(d) Joint Regional Public Involvement Process Component**

The parties will collaborate to maintain the Joint Regional Public Involvement Component which shall continue to be included in each MPO's existing Public Involvement Plan. This Joint Regional Component prescribes public notice and outreach actions and measures to assure public access and involvement for all joint regional activities including development of the Joint Regional Long Range Transportation Plan component and annual regional priority list within the bi-county area. Any amendments to this Joint Regional Public Involvement Process Component must be approved by both MPO's governing boards'.

**(e) Joint Regional Web Page**

The parties will collaborate to maintain the Collier and Lee County MPO Joint Regional Web Page. The Web Page is hosted in the Lee County MPO Web Site, and maintained and updated as necessary by Lee County MPO staff. A link to this web page will continue to be provided in the Collier MPO Web Site.

**Section 6. Staff Services and Costs.** The directors and staffs of each MPO will be responsible for development and maintenance of the joint regional products identified in this Agreement, subject to review and final approval by each MPO governing board. In this regard, each MPO will cooperate to assign and share equitably the needed staff resources to accomplish these regional efforts as specified in their respective Unified Planning Work Programs (UPWP). The cost of staff or consultant services provided by one party for the mutual benefit of both parties shall be split between the parties in proportion to their annual allocations of FHWA planning funds as shown in their latest adopted Unified Planning Work Programs. Similarly, direct costs for the joint regional efforts and products identified in this Agreement will be split between the parties in proportion to their annual allocations of FHWA planning funds.

Either party may also provide staff services to, or provide for the use of its consultants by, the other party, in which event the benefiting party shall reimburse the party providing the services for its full cost of the services rendered, including any associated direct expenses and any applicable share of personnel benefits and allocated indirect costs. The parties agree to invoice each other at the end of each monthly or quarterly accounting period for all expenses thus incurred on the other's behalf during that period. The parties further agree, as may be necessary in order to carry out the terms and commitments of this Agreement, to cooperate in seeking federal, state and local funding for the joint regional products to be developed.

**Section 7. Conflict Resolution.** The parties to this Agreement concur that if an issue is otherwise irresolvable, their staffs will organize a joint meeting of the MPO governing boards to resolve said matter. If the parties are unable to resolve the issue at the joint meeting, they agree to submit the issue to the Southwest Florida Regional Planning Council for non-binding arbitration. Notwithstanding any such resolution process, the parties to this agreement do not waive their respective rights to seek declaratory judgment as provided in Chapter 86, Florida Statutes.

**Section 8. Duration of Agreement.** This Agreement shall have an initial term of five (5) years, commencing on the date first above written, and shall automatically renew at the end of five (5) years for an additional five (5)-year term and every five years thereafter unless terminated or rescinded as set out in Section 10, herein. Prior to the end of each five (5)-year term, the parties shall reexamine the terms hereof for possible amendment. However, the failure to amend or reaffirm the terms of this Agreement shall not invalidate or otherwise terminate this Agreement.

**Section 9. Modification.** This Agreement may be modified at any time, but only by a new or addendum interlocal agreement duly signed by both parties.

**Section 10. Termination-Rescission.** This Agreement shall continue in force unless terminated with or without cause by either party by providing thirty (30) days written notice to the other party.

**Section 11. Liability.** The parties agree that nothing created or contained in this Agreement shall be construed, interpreted or inferred to establish any joint liability amongst or between one or more of the parties by the actions or omissions of its individual employees or



# PUBLIC PARTICIPATION PLAN

agents acting pursuant to the terms of this Agreement. In this regard, each party agrees that it shall be solely responsible and bear its own cost of defending any claim or litigation arising out of the acts or omissions of its employees or agents for actions or omissions in carrying out the terms and provisions of this Agreement. Finally, pursuant to Section 768.28, Florida Statutes each party agrees to indemnify, hold harmless and defend the other party against any claims or causes of action based upon the individual acts or omissions of its employees or agents.

**Section 12. Notice.** Any notice provided for herein, including the written notice referenced in Section 10 above, shall be provided by Certified Mail, Return Receipt Requested, to the other party's representatives listed below at the following addresses:


Director  
Collier MPO  
2885 South Horseshoe Drive  
Naples, Florida 34104


Director  
Lee County MPO  
1926 Victoria Avenue  
Fort Myers, Florida 33901-3414

Notice shall be deemed received on the first business day following actual receipt of the notice. The parties will promptly notify the other in writing of any change to their respective addresses.

As required by Section 163.01(11), Florida Statutes, this Interlocal Agreement and all future amendments hereto shall be filed with the Clerks of the Circuit Courts of Collier and Lee Counties, Florida.

IN WITNESS WHEREOF, the parties herein have executed this Agreement by their duly authorized officials as of the day and year written below.

  
\_\_\_\_\_  
Commissioner Halas, Chair  
Collier MPO  
March 20, 2009

  
\_\_\_\_\_  
Michael Flanders, Chair  
Lee County MPO  
March 20, 2009

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Scott R. Teach, Asst Collier County Attorney

  
\_\_\_\_\_  
Jed Schneck, Lee County MPO Attorney

**APPENDIX C. Limited English Proficiency Plan**

## LIMITED ENGLISH PROFICIENCY PLAN

The Collier Metropolitan Planning Organization (MPO) is responsible for a continuing, cooperative, and comprehensive transportation planning process in Collier County (as well as a small portion of Lee County included in the MPO's Planning Area). This planning process guides the use of federal and state dollars spent on existing and future transportation projects or programs, and the **Limited English Proficiency (LEP) Plan** plays an integral role in this process. This document will detail the LEP Plan, developed in conjunction with best practice standards for public involvement.

### Introduction

On August 11, 2000, President William J. Clinton signed an executive order, **Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency**, to clarify Title VI of the Civil Rights Act of 1964. Its purpose was to ensure accessibility to programs and services to eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. It reads in part,

*“Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.”*

Not only do all federal agencies have to develop LEP Plans, as a condition of receiving federal financial assistance, but also state and local recipients are required to comply with Title VI and LEP guidelines of the federal agency from which they receive funds.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property and other assistance. Recipients of federal funds range from state and local agencies to nonprofits and other organizations. Title VI covers a recipient's entire program or activity. This means all components of a recipient's operations are covered. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The US Department of Transportation (DOT) published: **“Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Person”** in the December 14, 2005 Federal Register. The guidance explicitly identifies MPOs as organizations that must follow this guidance:

*The guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, **metropolitan planning organizations**, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of*

## PUBLIC PARTICIPATION PLAN

*transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.*

The intent of this **Limited English Proficiency Plan** is to ensure access to the planning process and information published by the MPO where it is determined that a substantial number of residents in the Collier MPO Planning Area do not speak or read English proficiently. The production of multilingual publications and documents and/or interpretation at meetings or events will be provided to the degree that funding permits based on current laws and regulations.

### Laws and Policies Guiding Limited English Proficiency Plans

As part of Metropolitan Planning Organization certification by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), the *LEP Plan* will be assessed and evaluated. The following matrix illustrates these laws, policies and considerations:

<b>Title VI of the Civil Rights Act of 1964</b>	<b>Limited English Proficiency Executive Order 13166</b>
Federal Law	Federal Policy
Enacted in 1964	Enacted in August 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight compliance review requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds
Provides protection on the basis of race, color, and national origin	Provides protection on the basis of national origin
Focuses on eliminating discrimination in federally funded programs	Focuses on providing LEP persons with meaningful access to services using four factor criteria
<i>Annual Accomplishment and Upcoming Goals Report</i> to FHWA	<i>Annual Accomplishment and Upcoming Goals Report</i> to FHWA

### Who is an LEP individual?

As defined in the 2000 United States Census, it is any Individual who speaks a language at home other than English as his/her primary language, **and** who speaks or understands English ‘not well’ or ‘not at all’.

### Determining the need

As a recipient of federal funding, the MPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noticed in the **Federal Register/ Volume 70, Number 239/ Wednesday, December 14, 2005/ Notices**, there are four factors to consider in determining “reasonable steps”.

- Factor 1 - The number and proportion of LEP persons in the eligible service area;
- Factor 2 - The frequency with which LEP persons encounter MPO programs;

## PUBLIC PARTICIPATION PLAN

- Factor 3 - The importance of the service provided by MPO programs;
- Factor 4 - The resources available and overall cost to the MPO.

The DOT Policy Guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in Collier MPO’s Planning Area in relation to the four factors and the transportation planning process.

### LEP Assessment for the Collier MPO

#### Factor 1. The Number and proportion of LEP persons in the eligible service area

The first step towards understanding the profile of individuals who could participate in the transportation planning process is a review of Census data. Tables 1 and 2 on the following pages display the primary language spoken and number of individuals that are LEP. In Collier County, between 2016 and 2022, the County’s total population grew by slightly over 62,700, while the number of people who speak English “less than very well” decreased by 21,000.

For our planning purposes, we are considering people that speak English ‘less than very well’ and only the top four language groups are included in the analysis.

**Table 1**, derived from the 2022 American Community Survey (ACS) 5-year Estimates conducted by the US Census, shows the number and percent of the population, with regard to their English language skills, for the cities and unincorporated portions of Collier County as well as for the County as a whole. In unincorporated Collier County, 7.3% of the population age 5 years or older speak English less than “very well”, compared to 7.0 % for the entire County <sup>3</sup>

<b>Table 1: Limited English Proficient Persons in the MPO Planning area and local jurisdictions</b>				
<small>2022 American Community Survey – US Census - 5-year estimates</small>				
<b>Jurisdiction</b>	<b>Population</b>	<b>Population 5 years and over</b>	<b>Number of LEP Persons (5 years and over)</b>	<b>Percentage of LEP Persons (5 years and over)</b>
Everglades City	352	347	0	0.00%
City of Naples	19,115	18,669	466	2.50%
City of Marco Island	15,760	15,550	466	3.00%
Unincorporated Collier County	375,752	359,879	26,333	7.32%
<b>Collier County</b>	<b>410,979</b>	<b>394,445</b>	<b>27,265</b>	<b>7.0%*</b>

*\*Percentages are unique to each relationship, so 7% does not represent the cumulative addition of the preceding rows*

<sup>3</sup> 2022 American Community Survey (ACS) 5-year Estimates, Tables B01003, S1601.

## PUBLIC PARTICIPATION PLAN

**Table 2, derived from the 2021 ACS,** shows the number and percent of LEP persons by language spoken at the individual’s home. Of the LEP persons within Collier County, 5.25% speak Spanish at home making this the most significant percentage of the area’s population. The second most common language at home is Other Indo-European languages at 1.98%; Asian and Pacific Islander languages represent 0.33% of the “other” languages spoken at home.

Table 2: Language Spoken at Home by LEP Persons - Collier MPO Planning Area					
2021 American Community Survey, 5-year Estimates, US Census					
LEP Persons	Spanish Language	Other Indo-European Languages	Asian & Pacific Islander Languages	Other Languages	Totals
5 years and over - Everglades City	0	0	0	0	0
5 years and over - City of Naples	276	180	10	0	466
5 years and over - Marco Island	276	180	10	0	466
5 years and over – Unincorporated County	20,159	3,905	1,277	60	25,401
<b>5 years and over - Total</b>	<b>20,711</b>	<b>4,265</b>	<b>1,297</b>	<b>60</b>	<b>26,333</b>
<b>Percent of Total Population 5 years and over</b>	<b>5.25%</b>	<b>1.08%</b>	<b>0.33%</b>	<b>0.02%</b>	<b>7.0%*</b>

*\*Rounded up to nearest whole percentage point.*

**Factor 2. The frequency in which LEP Persons encounter MPO programs**

The MPO documents phone inquiries, public meetings and office visits. To date, the MPO has had no requests for interpreters and no requests for translated program documents or publications by either individuals or groups.

**Factor 3. The importance of the service provided by the MPO program**

MPO programs use federal funds to plan for future transportation projects, and therefore do not include any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the MPO does not conduct required activities such as applications, interviews or other activities prior to participation in its programs or events. Involvement by any citizen with the MPO or its committees is voluntary.

However, the MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy. The impact of proposed transportation investments on underserved and under-represented population groups is part of the evaluation process in use of federal funds in three major areas for the MPO:

- the biennial Unified Planning Work Program,

## PUBLIC PARTICIPATION PLAN

- the five-year Transportation Improvement Program,
- the Long-Range Transportation Plan, covering 20+ years.

TRANSLATION OF MPO DOCUMENTS IS NOT CONSIDERED TO BE WARRANTED AT THIS TIME.

THE MPO WILL CONTINUE EFFORTS TO COLLABORATE WITH STATE AND LOCAL AGENCIES TO PROVIDE LANGUAGE TRANSLATION AND INTERPRETATION SERVICES WHEN PRACTICAL AND FUNDING IS AVAILABLE

Inclusive public participation is a priority consideration in other MPO plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an impact on all residents. Understanding and continued involvement are encouraged throughout the process. The MPO is concerned with input from all stakeholders and makes every effort to ensure that the planning process is as inclusive as possible.

As a result of the long range transportation planning process, selected projects receive approval for federal funding and progress towards project planning and construction under the responsibility of local jurisdictions or state transportation agencies. These state and local organizations have their own policies to ensure LEP individuals can participate in the process that shapes where, how and when a specific transportation project is implemented.

#### **Factor 4. The resources available and overall MPO cost**

Given the size of the LEP population in the MPO area, the current financial constraints of the MPO and the expense of full multi-language translations of large transportation plan documents and maps which have frequent changes and are not often used by the public, translation of MPO documents is not considered to be warranted at this time.

The MPO will continue efforts to collaborate with state and local agencies to provide language translation when practical and funding is available. Spanish and other language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible. The MPO will monitor increases in the LEP population and adjust its LEP policy accordingly. If warranted in the future, the MPO will consider new techniques to reach the LEP population, such as (1) the translation of executive summaries for key MPO documents, such as the Long Range Transportation Plan, the Transportation Improvement Program, and the Public Involvement Plan, and (2) the translation of document summaries, brochures or newsletters, which are designed to capture significant points of the full document.

The MPO provides interpretation services upon reasonable notice by using consultant services or assistance from Transportation Management Services Department staff fluent in Spanish and Haitian Creole.

#### **MEETING THE REQUIREMENTS**

Engaging the diverse population within the MPO area is important. The MPO is committed to providing quality services to all members of the public, including those with limited English proficiency. All language access activities detailed below will be coordinated in collaboration with the MPO Board and staff.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four-factor analysis.

### **Providing Notice to LEP Persons**

US DOT guidance indicates that once an agency has decided, based on the four factors, to provide language services, it is important that the recipient notify LEP persons of services available free of charge in a language the LEP persons would understand. Example methods for notification include:

1. Signage that indicates when free language assistance is available with advance notice;
2. Stating in outreach documents that language services are available;
3. Working with community-based organizations and other stakeholders to inform LEP individuals of MPO services and the availability of language assistance;
4. Using automated telephone voice mail or menu to provide information about available language assistance services;
5. Including notices in local publications targeting Spanish-speaking and Haitian-Creole-speaking audiences in languages other than English;
6. Providing notices on non-English-language radio and television about MPO services and the availability of language assistance; and
7. Providing presentations and/or notices at schools and community-based organizations (CBO).

If deemed essential in the future in light of revised census data, the MPO will publicize the availability of interpreter services, free of charge, at least 7 days prior to MPO Board and committee meetings, workshops, forums or events which will be noticed on the MPO website, in meeting notices (packets), and using the following additional tools as appropriate:

- signage
- public outreach materials
- community-based organizations
- local publications as referenced above
- Non-English-language radio and television

The MPO defines an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and transfers the meaning of written text from one language into another. The MPO will request language interpreter services from consultants or Collier County staff, as needed, and will reciprocate by making MPO staff available as needed. As covered under Title VI requirements for nondiscrimination, at each meeting, the MPO will provide Title VI material and include this material in an alternative language when applicable.

### **Language Assistance**

A goal of the PPP is to provide user-friendly materials that will be appealing and easy to understand. The MPO will provide on an “as needed” basis, executive summaries in alternative formats, such as brochures or newsletters, depending on the work product.




### **MPO Staff Training**

This LEP Plan is incorporated in the PIP to maintain meaningful access to information and services for LEP individuals, the MPO will properly train its employees to assist in person, and/or by telephone, LEP individuals who request assistance. MPO Board members will receive a briefing on the PPP & LEP Plan, assuring that they are aware of and understand how the PPP implements the LEP Plan.

**APPENDIX D. NONDISCRIMINATION PLAN AND COMPLAINT  
PROCEDURE**

## Title VI Nondiscrimination Program Policy and Complaint Procedure

### Introduction

The Collier MPO is a recipient of federal funds from the U.S. Department of Transportation modal agencies, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). All recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations and authorities. This Implementation Plan describes how the Department effectuates nondiscrimination in the delivery of its federally assisted programs, services and activities. The Plan includes the structure of the MPO's Title VI/Nondiscrimination program as well as the policies, procedures and practices that the Department uses to comply with nondiscrimination requirements. The Plan is intended to be a living document, regularly policed and updated by the Department to meaningfully reflect the program as it changes and grows. Anyone wishing to provide input into the Department's Title VI/Nondiscrimination Implementation Plan is encouraged to contact the Collier MPO by email at [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov), or by calling 239-252-5814 or by writing at 2885 South Horseshoe Drive, Naples, FL 34104. 

### Policy Statement

It is the policy of the MPO to comply with all federal and state authorities requiring nondiscrimination, including but not limited to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Order 12898 (Environmental Justice) and 13166 (Limited English Proficiency). The MPO does not and will not exclude from participation in; deny the benefits of; or subject anyone to discrimination on the basis of race, color, national origin, sex, age, disability or income. In addition, the MPO complies with the Florida Civil Rights Act, and does not permit discrimination on the basis of religion or family status in its programs, services or activities.

The Collier MPO has adopted the Florida Department of Transportation's (Department) Title VI/Nondiscrimination policy and ADA policy by reference. Topic No.:275-010-010-f–Title VI Program and Related Statutes-Implementation and Review Procedures.

The Department's Title VI/Nondiscrimination policy and ADA policy statement may be found at: [US DOJ Title VI Nondiscrimination Policy](#). Those requiring information in alternative formats or in a language subject to the Department's Limited English Proficiency (LEP) Plan, should contact the Title VI/Nondiscrimination Coordinator.

### MPO DISCRIMINATION COMPLAINT PROCEDURE

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by the Title VI of the Civil Rights Act of 1964, as amended, and related statutes, under the MPO's planning process may file a written complaint.

The MPO encourages the filing of a complaint in writing which includes a name, address, and other information so that you may be contacted in regard to the matter. Please see the Title VI Complaint Form. The MPO will investigate complaints received no more than 180 days after the alleged incident. The MPO will process complaints that are complete.

## PUBLIC PARTICIPATION PLAN

- All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. The MPO's Title VI Specialist will review every complaint to determine if our office has jurisdiction.
- Within ten (10) calendar days, the Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EOO).
- **The MPO is required to immediately forward all non-transit Title VI complaints to FDOT and FHWA for investigation and adjudication.**
- The MPO has sixty (60) calendar days to investigate the complaint. If more information is needed to resolve the complaint, the MPO's Title VI Specialist will contact the complainant. The complainant has 10 business days from the date of the letter to send the requested information to the Title VI Specialist. If the Title VI Specialist is not contacted by the complainant or does not receive the additional information within 15 business days, the MPO may administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.
- At a minimum, the investigation will:
  - Identify and review all relevant documents, practices, and procedures;
  - Identify and interview persons with knowledge of the Title VI violation, including the person making the complaint, witnesses, or anyone identified by the complainant; anyone who may have been subject to similar activity or anyone with relevant information.
- Within ninety (90) calendar days of the complaint, the MPO's Title VI Specialist will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff members or other action will occur.
- If no violation is found and the complainant wishes to appeal the decision, he/she has fourteen (14) days after the date of the letter or the LOF to do so.
- If the issue has not been satisfactorily resolved through the MPO's investigation, or if at any time the person(s) request(s) to file a formal complaint, the recipient's MPO Title VI Specialist shall refer the Complainant to the FDOT's District One Title VI Coordinator for processing in accordance with approved State procedures.
- The MPO's Title VI Specialist will advise the FDOT's District One Title VI Coordinator and FHWA within five (5) calendar days of the completed investigation. The following information will be included in every notification to the FDOT's District One Title VI Coordinator and FHWA:

## PUBLIC PARTICIPATION PLAN

- (a) Name, address, and phone number of the Complainant.
  - (b) Name(s) and address(es) of Respondent.
  - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).
  - (d) Date of alleged discriminatory act(s).
  - (e) Date of complaint received by the recipient.
  - (f) A statement of the complaint.
  - (g) Other agencies (state, local or Federal) where the complaint has been filed.
  - (h) An explanation of the actions the recipient has taken or proposed to resolve the allegation(s) raised in the complaint.
- The MPO's Title VI Specialist will maintain a log of complaints received by the MPO. The log will include the following information:
    - Name of Complainant
    - Name of Respondent
    - Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
    - Date complaint was received by the recipient
    - Date that the MPO Title VI Specialist notified the FDOT's District One Title VI Coordinator of the complaint
    - Explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint

The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and Related Statutes. Any person or beneficiary who believes as part of the MPO planning process they have been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with the Collier MPO Title VI Coordinator by calling (239) 252-5814, by writing the Collier MPO at 2885 South Horseshoe Dr., Naples, FL 34104 or via email at: [collier.mpo@colliercountyfl.gov](mailto:collier.mpo@colliercountyfl.gov)

## Title VI Complaint Form

*Before completing this form, please read the Collier MPO's Title VI Complaint Procedures located on our website or by visiting our office.*

*The following information is necessary and required to assist in processing your complaint. If you require assistance in completing this form, please contact us at the phone number listed. Complaints must be filed within 180 calendar days after the date alleged discrimination occurred.*

Complainant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone

Numbers: Home \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Date of alleged discrimination: \_\_\_\_\_

Which of the following best describes the reason you believe the discrimination took place?

Was it because of your: Race/Color: \_\_\_\_\_ National Origin: \_\_\_\_\_

Person discriminated against (if someone other than complainant). Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Name \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Have you filed this complaint with any other federal, state, or local agency?

Yes  No

If yes, check each box that applies:



**APPENDIX E – TRADITIONALLY UNDERSERVED COMMUNITIES**



### **Environmental Justice Communities / Traditionally Underserved Communities**

The Federal Highway Administration (FHWA) advised the MPO during the quadrennial Transportation Management Area<sup>4</sup> (TMA) review in 2016 to incorporate an analysis of Environmental Justice Communities and issues in all new plans and studies. The FHWA advised MPO staff to include the type of analysis conducted for the MPO's Transportation Disadvantaged Service Plan.

According to guidance published by the Florida Department of Transportation (FDOT), it is important to see Environmental Justice as an opportunity to make better transportation decisions by doing the following:

- Making transportation decisions that meet the needs of all people
- Designing facilities that fit into communities
- Enhancing the public involvement process and strengthening community-based partnerships
- Improving the tools for analyzing the impacts of transportation decisions on minority and low-income communities
- Partnering with other public and private agencies to leverage resources and achieve a common vision for communities

MPO staff began by reviewing the MPO's Transportation Disadvantaged Service Plan (TDSP), Major Update, adopted October 25, 2013 for maps showing *Populations in Poverty*, *Households with No Vehicles* and *Identified Areas of Need* as a starting point in identifying disadvantaged communities potentially underserved by transportation infrastructure and programs within Collier County.

FHWA advised using a variety of resources, and local knowledge to determine the location and needs of disadvantaged communities. MPO staff augmented the TDSP maps using the following sources:

- US Census Bureau *American Community Survey (ACS)*
- American Association of State Highway and Transportation Officials (AASHTO) *Census Transportation Planning Products (CTPP)*
- US Environmental Protection Agency (EPA) *Environmental Justice (EJ) Screening and Mapping Tool*
- MPO Advisory Committee review of findings (for local knowledge)

To address the issue of equity in terms of providing equal access to bicycle and pedestrian facilities County-wide, the MPO's previous identification of Environmental Justice (EJ) communities was updated for the Bicycle and Pedestrian Master Plan (2019) and incorporated in the 2045 Long Range Plan. The EJ criteria used for the BPMP were minority status, poverty, no access to a vehicle, and limited ability to speak English. EJ areas were defined as areas where the criteria were 10% greater than the County average. The MPO re-evaluated the map and reconfirmed its accuracy based on the 2020 Census in 2024.

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<sup>4</sup> A TMA is an urbanized area, as defined by the US Census, with a population over 200,000.

## PUBLIC PARTICIPATION PLAN

The map on the following page shows the results of the EJ analysis. The map may be viewed in larger format on the MPO website.

The Investment in Infrastructure and Jobs Act (IIJA), also referred to as the Bipartisan Infrastructure Law (BIL) of 2021 introduced the Justice40 Initiative with new criteria and a new screening tool.

The Justice40 Initiative refers to the Federal government's goal that 40% of the overall benefits of certain Federal climate, clean energy, affordable and sustainable housing, and other investments flow to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution. (Executive Orders 14008 and 14096) The goal of the Justice40 Initiative is to ensure that disadvantaged communities receive the benefits of new and existing federal investments.

Consistent with OMB's Interim Guidance, DOT has developed a definition for highly disadvantage communities using existing, publicly available data sets and where source data did not exist (Tribal lands, Puerto Rico, Guam and the Northern Mariana Islands) OMB's Common Conditions definition. The disadvantaged Census Tracts, as identified in this tool, exceeded the 50<sup>th</sup> percentile (75<sup>th</sup> for resilience) across at least four of the following six transportation disadvantaged indicators. Each of the six disadvantage indicators are assembled at the Census Tract level using data from the- CDC Social Vulnerability Index, Census America Community Survey, EPA Smart Location Map, HUD Location Affordability Index, EPA EJ Screen, FEMA Resilience Analysis & Planning Tool and FEMA National Risk Index.

1. **Transportation Access disadvantage** identifies communities and places that spend more, and longer, to get where they need to go. (CDC Social Vulnerability Index, Census America Community Survey, EPA Smart Location Map, HUD Location Affordability Index)
2. **Health disadvantage** identifies communities based on variables associated with adverse health outcomes, disability, as well as environmental exposures. (CDC Social Vulnerability Index)
3. **Environmental disadvantage** identifies communities with disproportionate pollution burden and inferior environmental quality. (EPA EJ Screen)
4. **Economic disadvantage** identifies areas and populations with high poverty, low wealth, lack of local jobs, low homeownership, low educational attainment, and high inequality. (CDC Social Vulnerability Index, Census America Community Survey, FEMA Resilience Analysis & Planning Tool)
5. **Resilience disadvantage** identifies communities vulnerable to hazards caused by climate change. (FEMA National Risk Index)
6. **Equity disadvantage** identifies communities with a high percentile of persons (age 5+) who speak English "less than well." (CDC Social Vulnerability Index)

For more information on DOT's Justice40 activities or to download a shapefile of the geospatial data, please visit

<https://www.transportation.gov/equity-Justice40>

The feature layer can be accessed here:

<https://usdot.maps.arcgis.com/home/item.html?id=de9979007ae24a25845e84e21d5a32d4>



The results of the analysis are shown on the map below.

# PUBLIC PARTICIPATION PLAN

## Disadvantaged Census Tracts in Collier County<sup>5</sup>

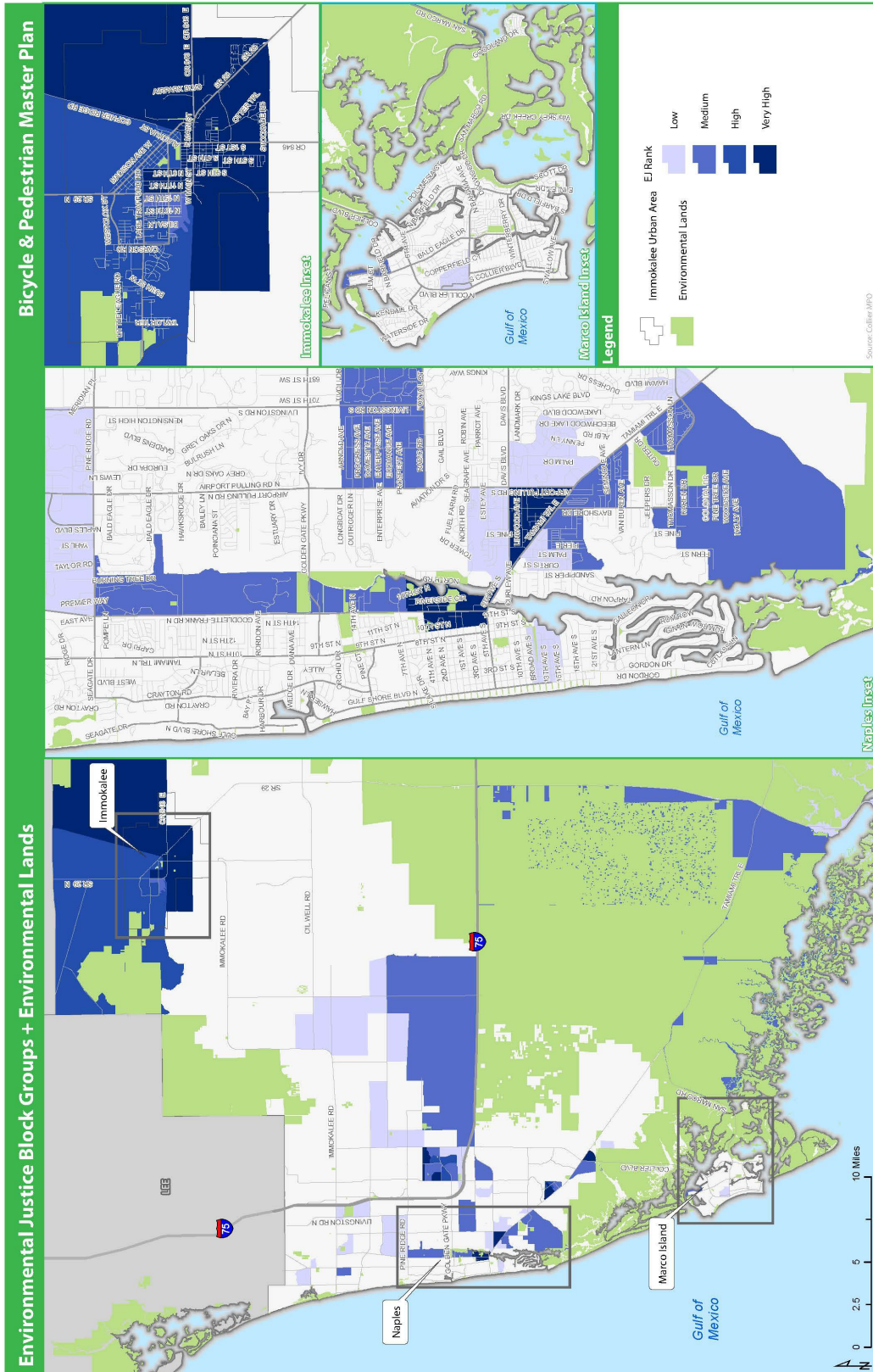


Legend:

-  Transportation Disadvantaged
-  American Indian

<sup>5</sup> Council on Environmental Quality, Climate and Economic Justice Screening Tool (v1.0 released 11/22/22)

# PUBLIC PARTICIPATION PLAN

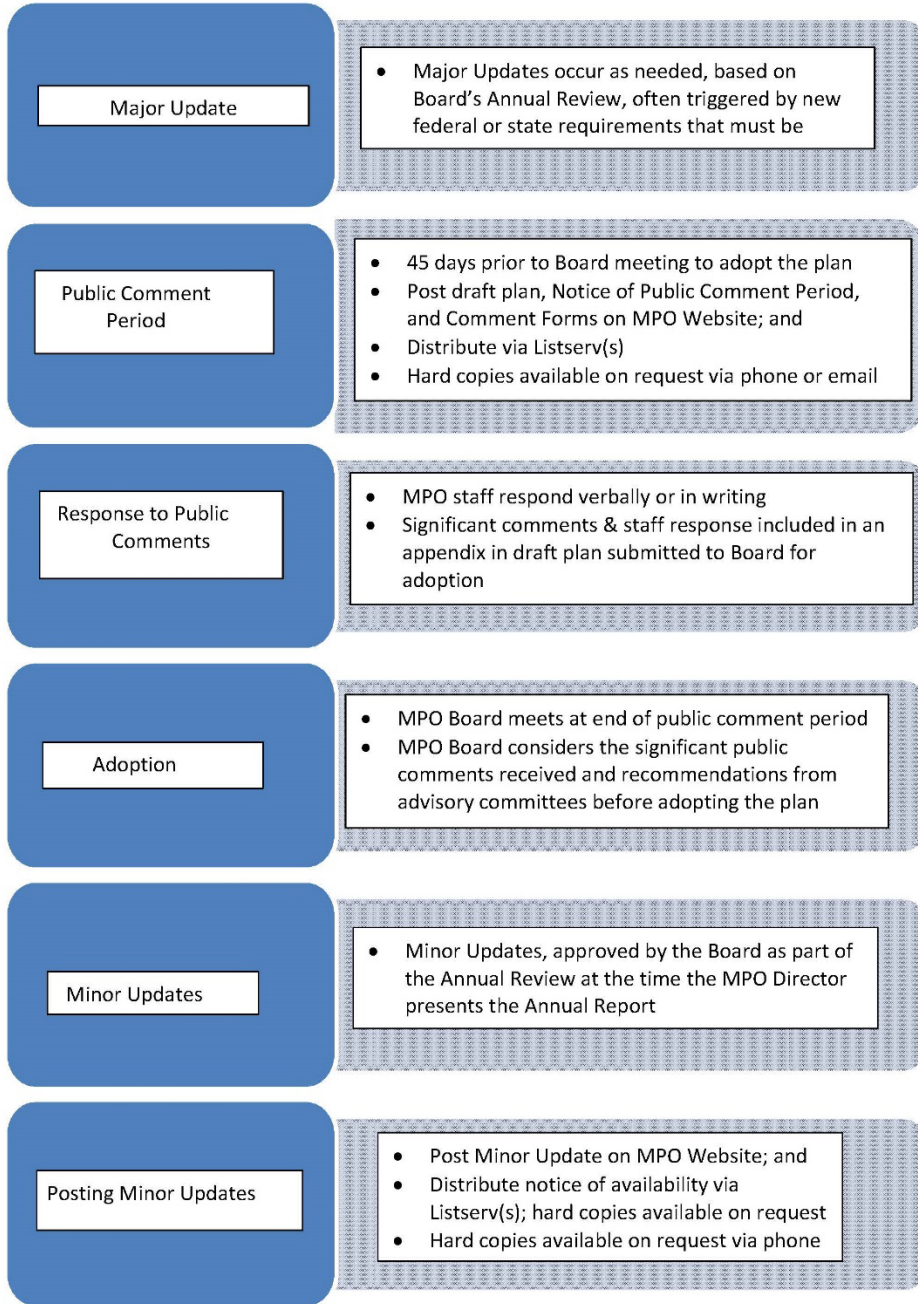


Environmental Justice (EJ) Communities, Collier County, 2024

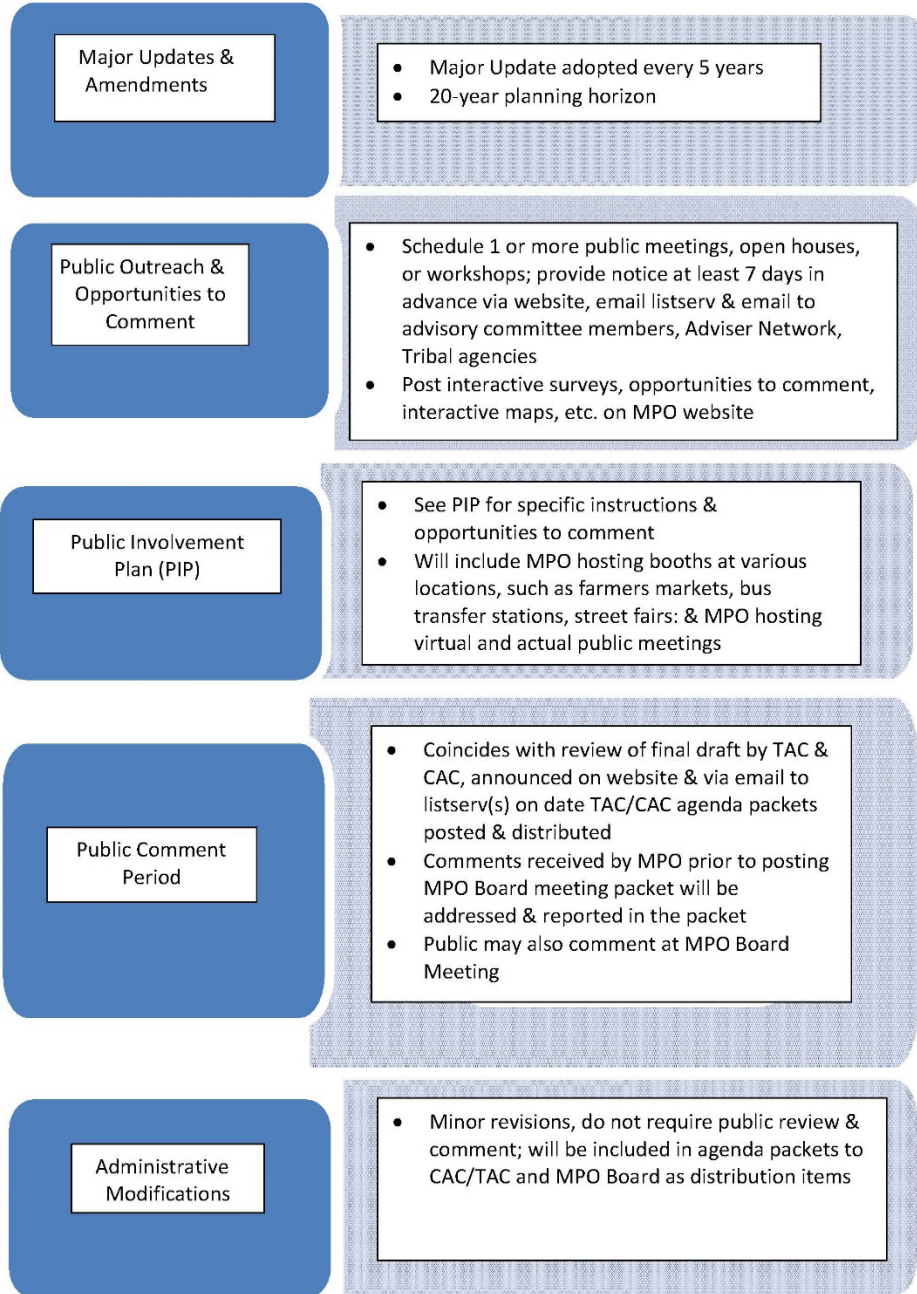
**APPENDIX F – STANDARD OPERATING PROCEDURES**



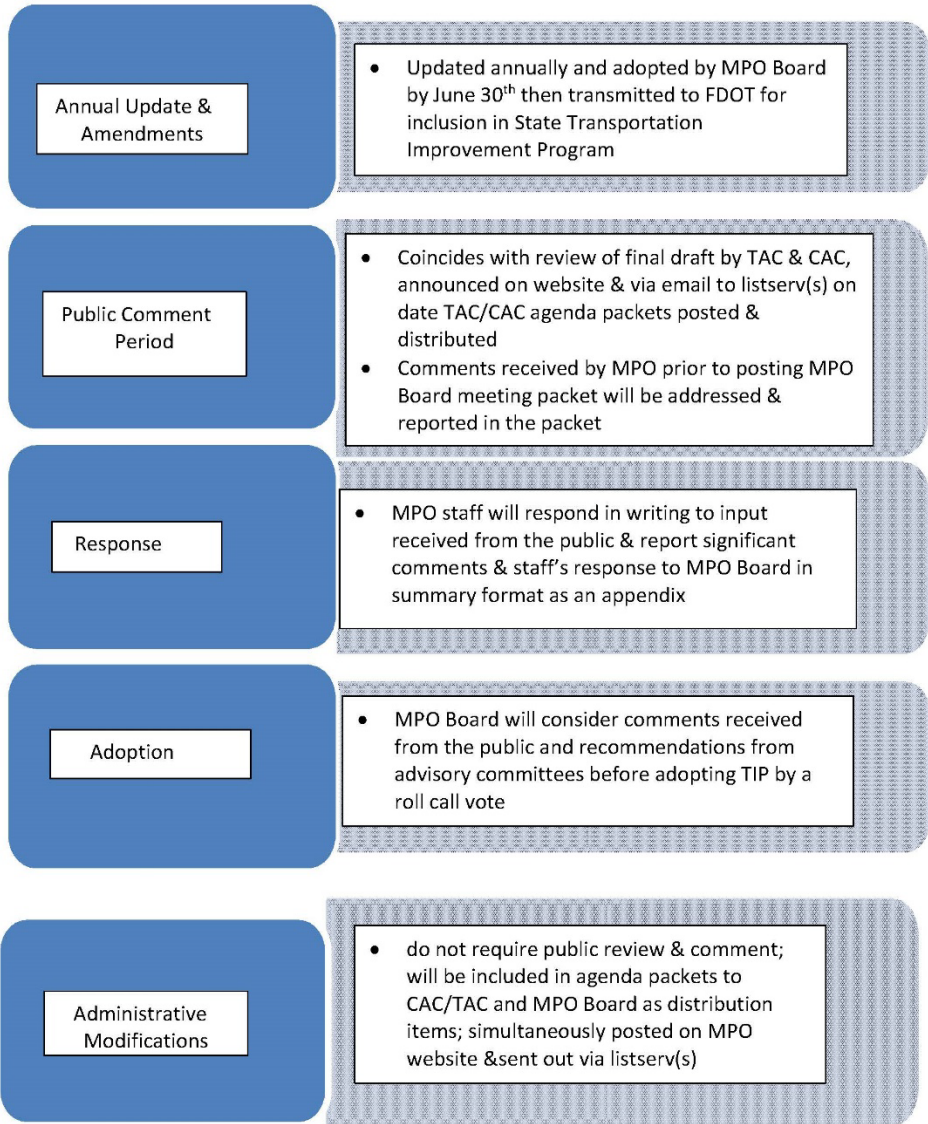
PUBLIC PARTICIPATION PLAN UPDATES – PROCESS



LONG RANGE TRANSPORTATION PLAN - PROCESS

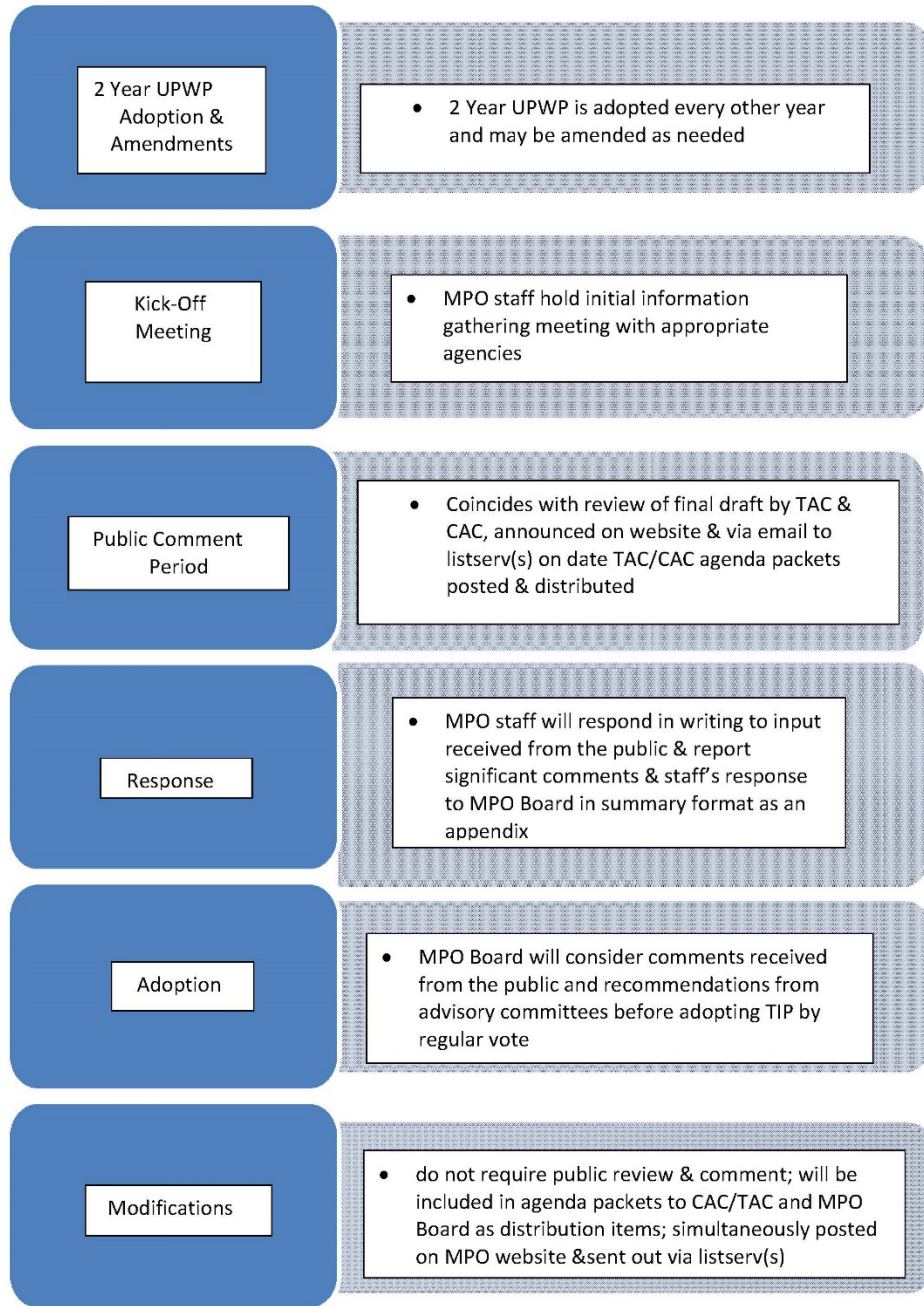


TIP - PROCESS

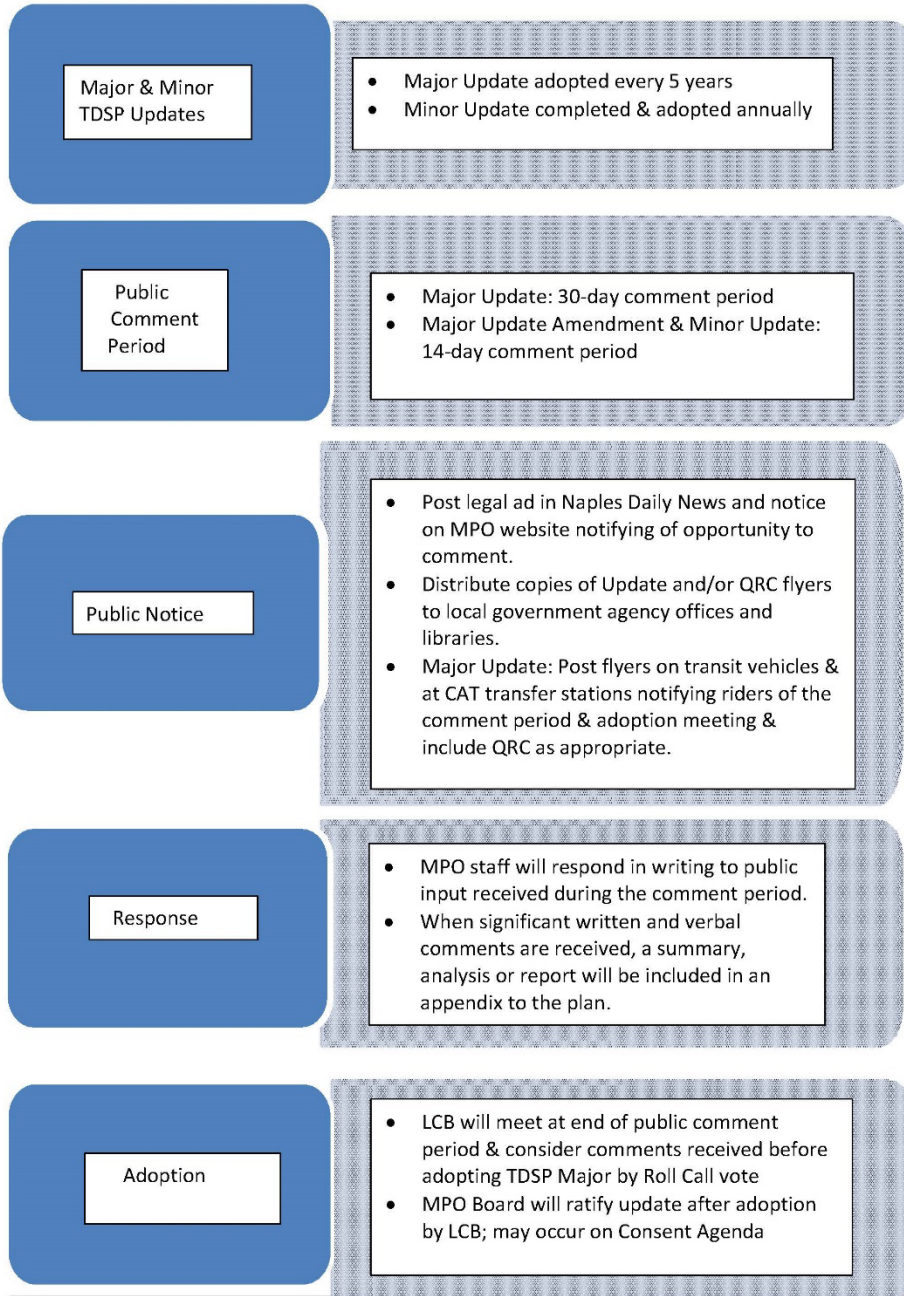




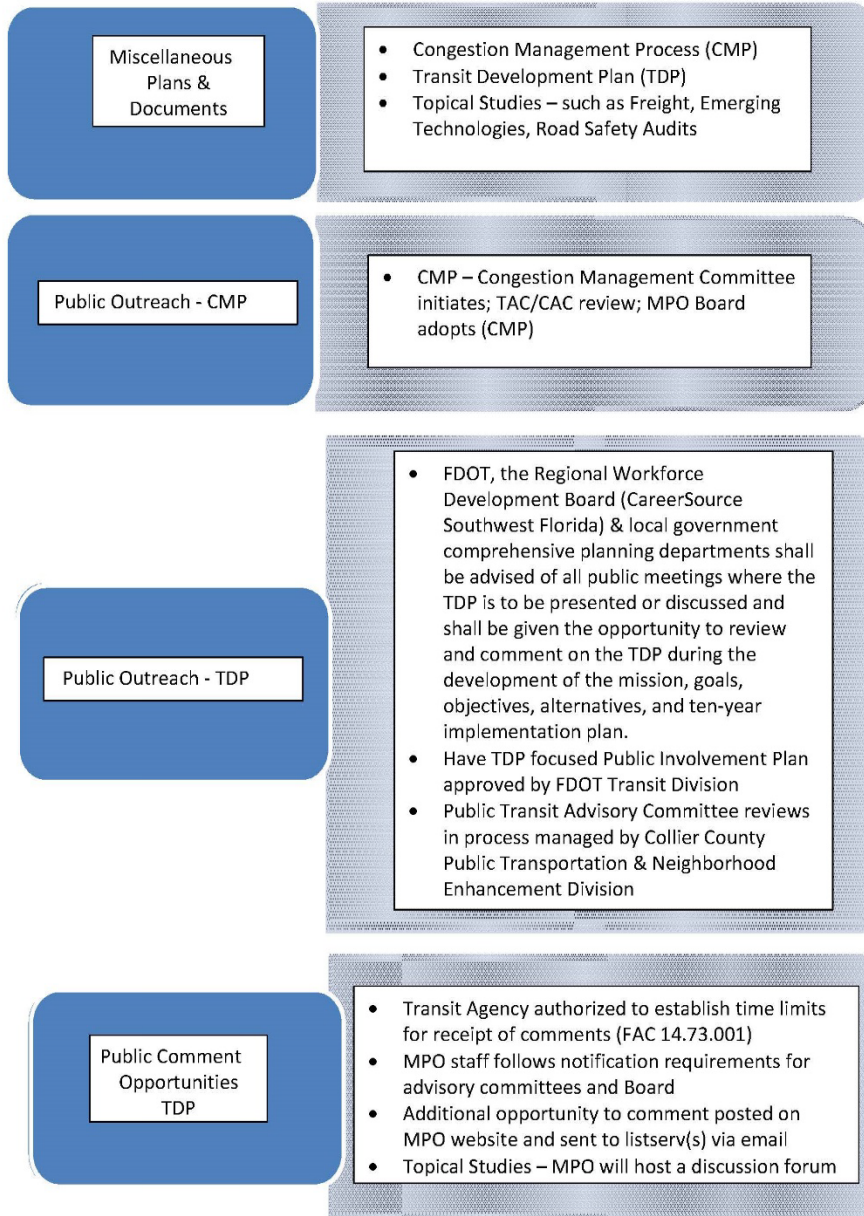
UNIFIED PLANNING WORK PROGRAM - PROCESS



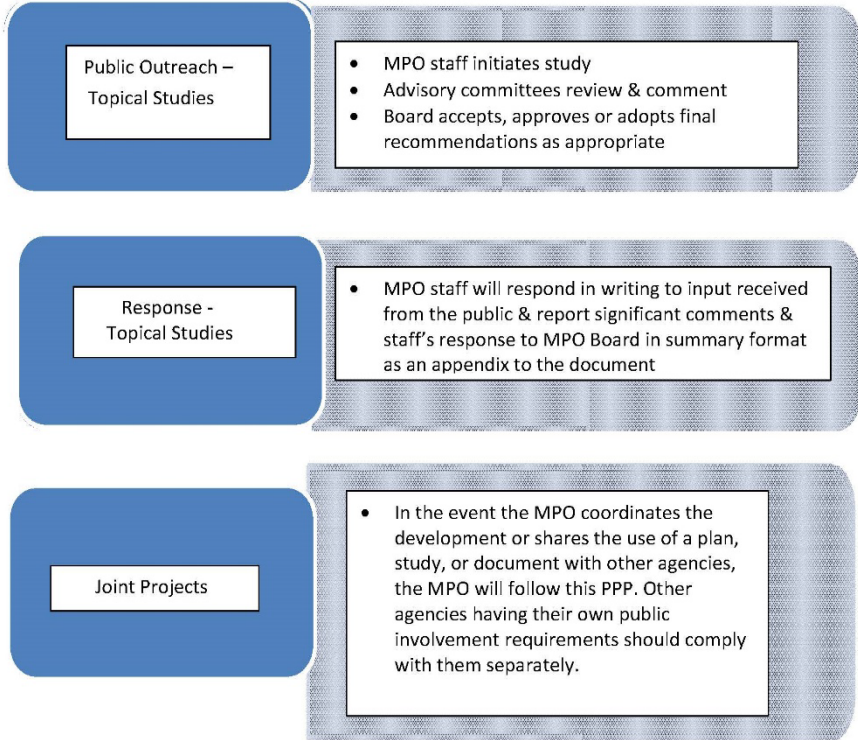
TDSP – MAJOR & MINOR UPDATES - PROCESS



MISCELLANEOUS PLANS & DOCUMENTS - PROCESS







BOARD & COMMITTEE MEETING NOTICE REQUIREMENTS

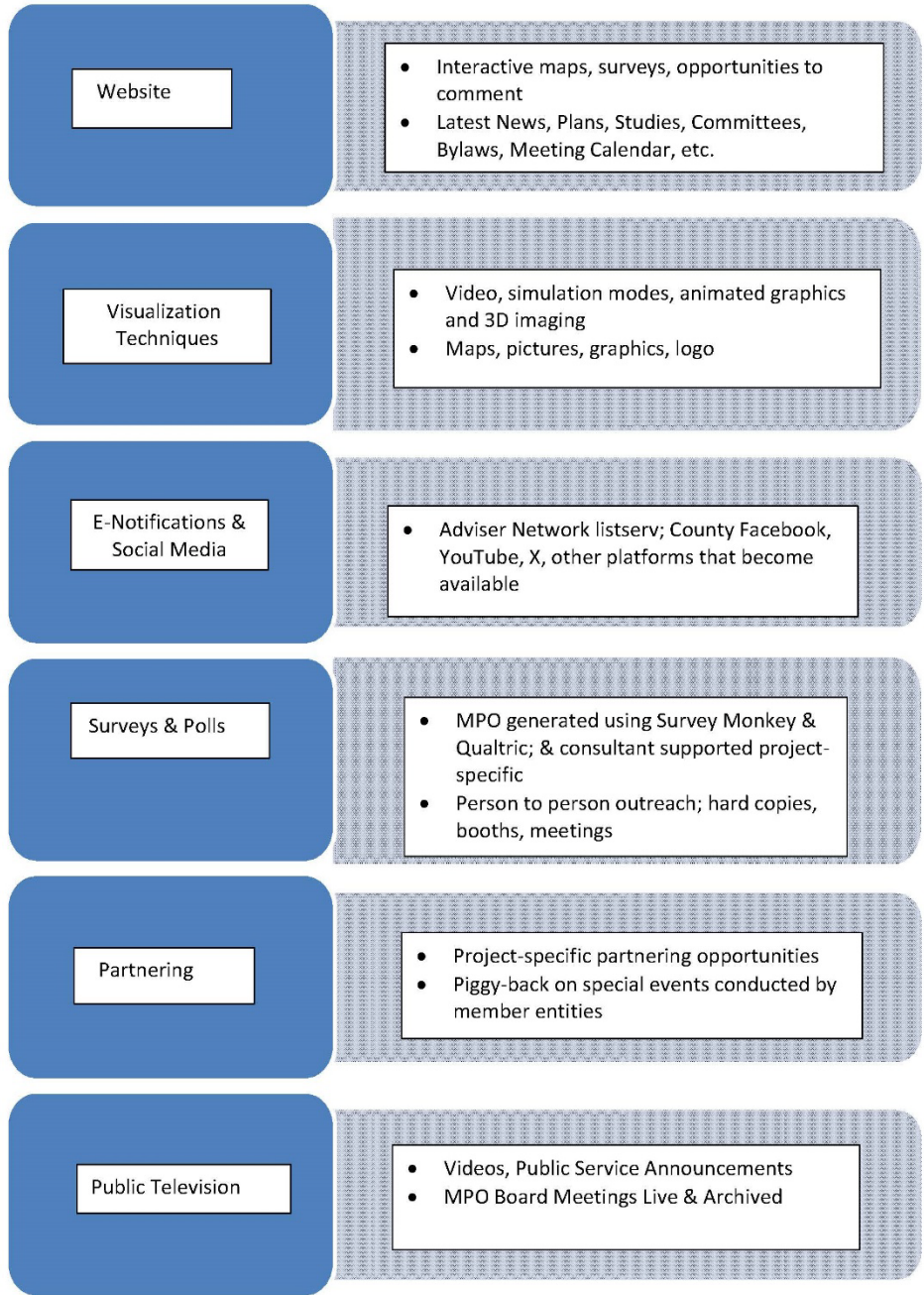
MPO Board  
TAC, CAC  
CMC  
BPAC  
Joint Collier/Lee  
MPO Meetings

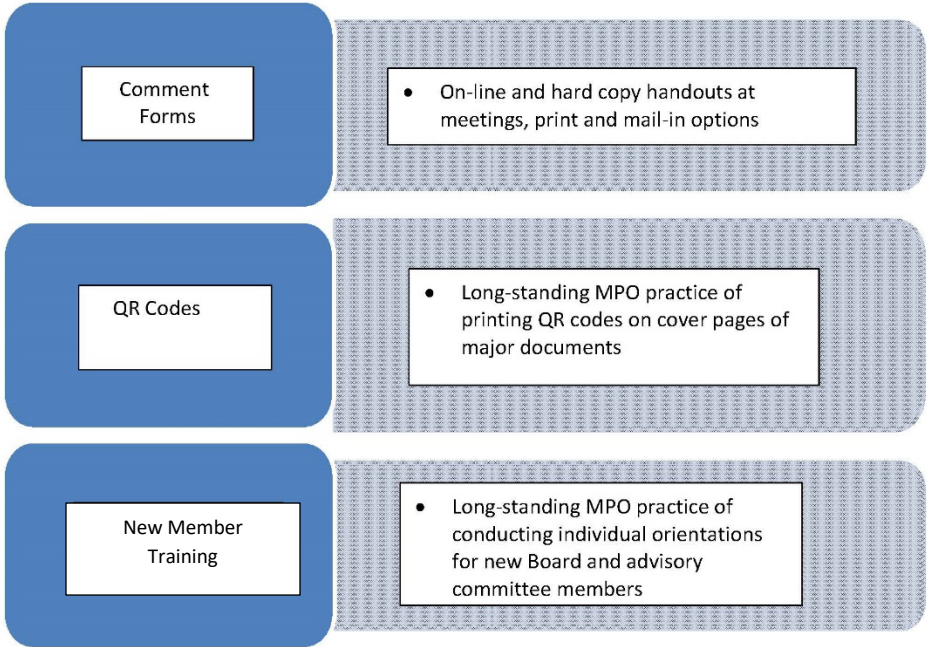
- Post agenda packet on MPO website 7 calendar days prior to meeting date
- Distribute packet via email to committee members & listserv(s) (hard copies provided on request to MPO staff)
- Distribute press release

LCB Meetings

- Post legal ad in Naples Daily News & post agenda packet on MPO website 7 calendar days prior to date of meeting
- Distribute packet via email to committee members & listserv(s) (hard copies provided on request to MPO staff)

PUBLIC OUTREACH TECHNIQUES USED BY MPO







# PUBLIC PARTICIPATION PLAN

Earned Media	<ul style="list-style-type: none"><li>• Cultivate media contacts &amp; provide background information on events</li><li>• Send press releases on events of general public interest</li></ul>
Project Specific Public Involvement Plans	<ul style="list-style-type: none"><li>• Long-standing MPO practice for major plans such as the LRTP, Community Walkability Studies and Bicycle and Pedestrian Master Plan</li></ul>
Monthly eNewsletter	<ul style="list-style-type: none"><li>• Distributed to Adviser Network, advisory committees and Board, posted to MPO website</li></ul>
Public Workshops & Open Houses	<ul style="list-style-type: none"><li>• Long-standing MPO practice; generally held in the context of major plan development and consultant supported</li></ul>
Public Meetings	<ul style="list-style-type: none"><li>• Long-standing MPO practice; includes MPO and advisory committee meetings, project specific meetings generally held in context of major plan development</li></ul>
Community Outreach Events	<ul style="list-style-type: none"><li>• Long-standing MPO practice; may be linked to major plan development or opportunities for MPO staff to piggy-back on special events to increase general public awareness</li></ul>



## APPENDIX G – GROUPS, BUSINESSES, & AGENCIES CONSULTED WITH IN DEVELOPING THIS PLAN

The following groups, businesses and agencies are members of the MPO’s Adviser Network, along with roughly 600 residents and interested parties who received notification of the revisions and the opportunity to comment.

### Federal Lands Management Agencies

- National Park Service (Everglades National Park and Big Cypress National Preserve)
- US Fish and Wildlife Service (Florida Panther National Wildlife Refuge, Ten Thousand Islands National Wildlife Refuge)

### State Land Management Agencies

- National Estuarine Research Reserve – Rookery Bay and Cape Romano – Ten Thousand Islands Aquatic Preserve
- Collier-Seminole State Park
- Picayune Strand State Forest
- Fakahatchee Strand Preserve State Park
- Delnor-Wiggins Pass State Park
- Okaloacoochee Slough State Forest
- South Florida Water Management District
- Florida Fish and Wildlife Conservation Commission

### Land Management Nonprofit Agencies

- National Audubon Society – Corkscrew Swamp Sanctuary

### Native American Tribes

- Miccosukee Tribe of Indians of Florida, Business Council
- Seminole Tribe of Florida, Chairman and General Counsel

### MPO Advisory Committees

- Citizens Advisory Committee
- Technical Advisory Committee

### MPO Adviser Network

- Immokalee and Bayshore Community Redevelopment Agencies
- Everglades Coordinating Council
- Bike/Walk Lee County

## PUBLIC PARTICIPATION PLAN

- Collier County Sheriff's office
- Lighthouse of Collier
- Conservancy of Southwest Florida
- Naples Pathways Coalition
- Collier Homeless Coalition
- City of Bonita Springs
- Blue Zones Initiative of Southwest Florida
- Community Transportation Safety Team – Collier County
- Florida American Society of Landscape Architects
- South Florida Water Management District
- Golden Gate Estates Area Community Association
- National Alliance for Mental Illness – Naples
- St. Matthews House
- Audubon
- Collier Public Schools
- Arthrex

## APPENDIX H: PUBLIC COMMENTS

**COMMENT RECEIVED**

**MPO RESPONSE**

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