



# Kern Council of Governments



## Public Information Policies and Procedures **March 2015** **2019**

## Policy Manual Chapter V: Planning and Services

### Article IXXI: Public Involvement Procedures and Policies

#### Section 1. Introduction

This document is a plan for providing guidance for Kern Council of Governments' (Kern COG) elected officials and staff in public participation and interagency consultation throughout the regional planning process. It contains the agency policies, guidelines and procedures Kern COG uses in developing the metropolitan planning process. This includes the development and approval of the Regional Transportation Plan, Regional and Federal Transportation Improvement Program, and environmental review documentation related to growth, transportation, air quality, and any product prepared by Kern COG staff that statutorily requires public participation, or for which the Kern COG Board of Directors determines is necessary. Kern COG carries out its transportation and air quality planning responsibilities in a continuing, cooperative and comprehensive manner in conformance with federal and state Law that determine how Metropolitan Planning Organizations (MPOs) provide for early consultation and public participation. The various laws include but may not be limited to:

#### Federal

- Transportation and Conformity Regulations of Title 40 CFR Part 93.105
- Title 23 CFR Part 450.316
- Title 23 CFR Part 450.322(g)(1) and (2)
- Title 23 CFR Part 450.216(a)(1)
- Title 23 USC Part 134(g)(4)
- Title 23 USC Section 135(e)
- Title VI of the Federal Civil Rights Act of 1964
- Title 49 CFR Part 21.5
- Title 42 USC Chapter 21 Section 2000(d)
- Executive Order 12898 regarding Environmental Justice (1994)
- Executive Order 13166 regarding Improving Access to Services for Persons with Limited English Proficiency
- Executive Order 13175 regarding Consultation and Coordination with Indian Tribes
- US DOT Order 5610.2 (1997)
- US DOT Order 6640.23 (1998)
- 1990 Americans with Disabilities Act
- 1990 Clean Air Act Amendments
- 2005 Safe, Accessible, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)
- Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21)
- Fixing America's Surface Transportation (FAST) Act

## State

- Government Code Section 11135
- Government Code Section 65080
- California Environmental Quality Act (CEQA)

Title 23 CFR Part 450.316(a) states the following concerning participation and consultation:

“The Metropolitan Planning Organization (MPO) shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, 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.”

A vigorous public information process not only serves Kern COG by meeting federal requirements, but also allows for a fruitful exchange of ideas while developing programs or projects that may be controversial.

## **Section 2. Background**

The federal government has mandated that public involvement in the metropolitan planning process meet minimum requirements. How effectively planning agencies provide opportunities for public input is an important criterion to determine federal fund allocation for local, regional, state projects and programs. While legislation such as [Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users \(SAFETEA-LU\)](#), [Moving Ahead for Progress in the 21<sup>st</sup> Century \(MAP-21\)](#), [most recent federal transportation spending bills](#), the Americans with Disabilities Act and awareness of environmental justice issues have broadened the scope of public participation in the planning and programming process, prior federal transportation acts also required public participation.

California’s Ralph M. Brown Act has long required state and local agencies to perform their duties in the public’s full view and provide opportunities for public input. All environmental documents related to transportation plans include the public comment provisions of the California Environmental Quality Act (CEQA). Kern COG has always complied with California law in addition to meeting federal statute mandates.

Kern COG’s Board of Directors and technical advisory committees assist the bottom-up planning process and frequent, ongoing public and interagency participation at all stages of the process. Outreach programs are designed in cooperation with technical advisory committees and other transportation and air quality agencies. These programs

will complement the decentralized planning process, which was established to increase participation in regional policy development.

Effective public involvement requires that affected individuals and groups be encouraged to participate in the development of local, regional, and state plans. The following policies, guidelines and procedures are designed to encourage participation during the preparation of the:

- A. Regional Transportation Plan – Refer to Appendix C of the ~~2014~~2018 RTP;
- B. Transportation Improvement Program;
- C. Environmental impact studies or reports; and
- D. Any product prepared by Kern COG staff that statutorily requires public participation or for which the Kern COG Board of Directors determines it is necessary.

### Section 3. Partnerships

Kern COG staff maintains regular contact with the following agencies:

American Lung Association	City of McFarland
Amtrak	City of Ridgecrest
Bakersfield ARC	City of Shafter
Bakersfield Senior Center	City of Taft
Bakersfield Association of Realtors	City of Tehachapi
Bakersfield Downtown Business Association	City of Wasco
<del>Bakersfield Association of Retarded Citizens</del>	CommuteKern
Bike Bakersfield	County of Kern
Bureau of Land Management	County of Kern Public Health Services Department
California Air Resources Board	Cultiva La Salud
California Department of Conservation – Oil, Gas & Geothermal Division	Dolores Huerta Foundation
California Department of Finance	Eastern Kern <del>County</del> APCD
California Environmental Protection Agency	Edwards Air Force Base
California Highway Patrol	Federal Highway Administration
California Office of Planning and Research	Federal Transit Administration
Caltrans Districts 6 and 9	Fresno Council of Governments
Center for Race Poverty & the Environment	Golden Empire Transit District (GET)
City of Arvin	Greater Bakersfield Chamber of Commerce
City of Bakersfield	Greyhound Lines
City of California City	Independent Living Center
City of Delano	Indian Wells Valley Airport District
City of Maricopa	Inyo County Transportation Commission
	Kern Congestion Management Agency
	Kern County Aging & Adult Services Department

Kern County Building Industry Association  
Black Chamber of Commerce  
Kern County Home Builders Association  
 Kern County Commission on Aging  
Community Action Partnership of Kern  
 Kern County Economic Opportunity Corporation  
Hispanic Chamber of Commerce  
 Kern County Housing Authority  
 Kern County Superintendent of Schools  
 Kern County Water Agency  
 Kern Economic Development  
Department Corp.  
 Kern Minority Contractors Association  
 Kern Motorist Aid Authority  
 Kern Regional Center  
 Kern Transit  
 Kern Transportation Foundation  
 Kern Wheelmen Bicycle Club  
 Kings County Regional Planning Agency  
Association of Governments  
Leadership Counsel for Justice and Accountability  
 Local Agency Formation Commission  
 Madera Local County Transportation Commission  
 Merced County Association of Governments  
 Metro Bakersfield Consolidated Transportation Service Agency  
 Mexican-American Opportunity Foundation  
 Minter Field Airport District

Mono County Transportation Commission  
 Mojave Town Council  
 Natural Resources Defense Council  
 Naval Air Weapons Station - China Lake  
 New Advances for People with Disabilities  
 North of the River Recreation & Park District  
 Blue Sky Partners  
 San Joaquin ~~County~~ Council of Governments  
 San Joaquin Valley Air Pollution Control District  
 Santa Fe Railways  
 Sierra Club  
 Southern California Auto Club  
Stanislaus Area Southern California Association of Governments  
Stanislaus Council of Governments  
 Tejon Indian Tribe of California  
 Tribal communities  
 Tubatulabal Tribe  
 Tulare County Association of Governments  
 Various chambers of commerce  
 Various community services districts  
Various environmental/social equity organizations  
 Wasco and Delano Associations for the Developmentally Disabled  
 Wasco Housing Authority

## Section 4. Guidelines

Kern COG is committed to developing and maintaining an effective citizen participation process. In order to accomplish this commitment, the following principles guide the public involvement process:

- A. It is the right and responsibility of citizens to be involved in the transportation planning process.
- B. Citizens should be educated about the needs and issues and encouraged to participate in finding solutions.

- C. Early and timely citizen involvement- is necessary to build community agreement on needs and solutions before alternatives are proposed.
- D. Agreement on the final product is a desirable goal, but agreement does not mean 100 percent unanimity by all parties. Negotiation and compromise are essential ingredients to building agreement.
- E. The process by which a decision is reached is just as important as the product. Citizens should end the process satisfied that they had the opportunity to be significantly involved and that their voices were heard and reflected in the final document.
- F. After decisions are made, actions should follow to maintain confidence in the community involvement process.

Community involvement is not a one-time process. The manner in which the public is involved may change as the process progresses.

In Attachment A, Public Involvement Chart, Kern COG defines a public participation program for each document it produces. Final documents will reflect the needs and desires of affected communities within the region. This includes establishing procedures and responsibilities for:

- A. Informing, involving, and incorporating public opinion into the planning process;
- B. Consultative involvement of designated agencies on technical data and modeling used in developing regional plans and determining transportation improvement program and regional transportation improvement program conformity;
- C. Clearly designating a lead staff person who is knowledgeable about the entire planning process to be responsible for the public involvement program; and
- D. Providing adequate funds and schedule expenditures to implement the public participation program.

## Section 5: Procedures

### Community Members/Organizations Involvement

Metropolitan transportation planning requires that where a metropolitan planning area includes Federal public lands and/or Indian Tribal lands, the affected Federal agencies and Indian Tribal governments shall be involved appropriately in the development of transportation plans and programs. Discussion on environmental mitigation activities of the long-range transportation plan shall be developed in consultation with tribes. Kern COG ~~shall initiate~~continues Government-to-Government consultation with the Tejon Indian Tribe of California in the development of transportation plans and programs.

Kern COG will notify interested or affected citizens who may be impacted through traditional and electronic meeting announcements, newspapers, public service announcements, press releases, social media, special mailers, publications and committee agendas, meetings and other opportunities to participate, as appropriate. Community members or organizations may include but are not limited to:

Academic and scientific communities

Airport authorities

Appropriate private transportation providers  
Bicycle and pedestrian groups  
Business and industry officials  
Elected officials  
Environmental organizations  
Freight shippers and receivers  
Health and disabled organizations  
Local public and private transit operators  
Local, state and federal agencies

Minority and ethnic groups  
Native American associations  
Operators of major modes of transportation  
Recreation groups  
Senior citizen groups  
Service organizations  
Traffic, ridesharing, parking, and enforcement agencies  
Youth services groups

- A. Kern COG encourages public participation and acknowledges the value of this input.
- B. Kern COG will provide complete and easily understood information and summaries. Planning issues and alternatives will be addressed in a realistic manner.
- C. Kern COG will publish public comments in a newsletter or report. Reports will include specific agency responses, the effect of citizen input on decisions, and (when appropriate) updated reports of citizen participation.
- D. Kern COG will conduct a thorough review of the program, including staff and citizen evaluation.
- E. Kern COG will consult with Federal agencies and Indian Tribal governments in the development of transportation plans and programs pursuant to Federal law.

### **Level I ~~Procedures~~ Public Involvement Requirements**

Level I procedures address routine documents that serve as a subset of or facilitate more significant plans or determinations. These documents are implementing long-range direction provided by plans and documents that went through a more intensive public review procedure (Level II or III). These documents are subject to the minimum levels of public outreach under these policies. These procedures become effective once an initial draft document has been produced.<sup>4</sup> Procedures that apply to these documents are customized as appropriate to better focus public involvement.<sup>2</sup>

### **~~All~~ Level I Documents and Formal Meetings including:**

- A. Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS) and Congestion Management Program (CMP) amendments
- B. Federal Transportation Improvement Program (FTIP) amendments (excluding technical or administrative modifications)
- ~~C. State Transportation Improvement Program amendments~~
- ~~D.C.~~ Regional Transportation Improvement Program

<sup>4</sup> See Attachment A, Kern COG Document Public Involvement Chart, for specific requirements on specific documents.

<sup>2</sup> See Attachment A, Kern COG Document Public Involvement Chart, for specific requirements on specific documents.

~~E.D.~~ Air quality conformity determinations

~~F.~~ Miscellaneous studies

~~G.~~ Transit plans & studies

E. Overall Work Program (OWP), agency budget

~~H.F.~~ Active Transportation Plans and studies ~~currently under consideration~~

H.G. Environmental Documents, as defined by the California ~~environmental~~  
Environmental Quality Act and/or the National Environmental Policy Act <sup>1</sup>

~~J.~~ Congestion Management Program amendments

### Level I Procedures

1. No person shall be denied participation.
2. A legal notice or display ad will be placed in the advertising sections of at least one newspaper of general circulation within the affected community, including a Spanish-language publication, if possible.
3. Display ads will be placed as deemed necessary and targeted specifically to affected communities to encourage involvement and address key decision-making points.
4. Non-traditional approaches, such as postal and electronic mailings to non-profit organizations, churches and chambers of commerce will be used to encourage involvement of the underserved and transit dependent in project development and public workshops. Spanish-language advertising will be included as deemed necessary by the agency in these non-traditional approaches.
5. Public meetings are defined as those regular COG meetings normally held on the third Thursday of each month, ~~excepting August and December.~~
6. Public workshops are defined as forums established specifically for the public to gain information and provide input on Kern COG documents and processes. This definition does not include technical workshops for member agency staff or elected officials even though they are technically open to the public.
7. Announcements dealing with documents and/or meetings and workshops ~~shall~~will be posted on the Kern COG web site and social media sites.
8. A mailing list of individuals who have expressed interest ~~shall~~will be maintained.
9. Meeting notices ~~shall~~will be mailed or e-mailed to individuals who have expressed interest.
10. Kern COG shall provide appropriate assistance, auxiliary aids and/or services when necessary to afford disabled individuals an equal opportunity. Individuals with disabilities will be provided an opportunity to request auxiliary aids.
11. Kern COG ~~shall~~ will provide audio/visual presentations along with its maps, charts and graphics whenever practical to help the public better understand the plans, programs, projects or determinations it adopts as deemed necessary by the agency.
12. Kern COG ~~shall~~will provide an interpreter, when requested, at any and all public hearings and workshops, and ~~shall~~will maintain its subscription to a language line for day-to-day public inquiries.
13. Kern COG's web site ~~shall~~will maintain a link to a translation service for information contained on the agency site.
14. Projects must be evaluated for their potential for public interest. Projects likely to have considerable public interest must also include Level III requirements.



15. ~~A~~Electronic and or a hard copy of draft transportation plan amendments and draft transportation improvement program amendments, environmental documents, and the Congestion Management Program amendments will be made available for review at Kern Council of Governments, ~~Kern County Board of Trade,~~ and the main branch of the local library system, ~~college libraries, and chambers of commerce~~ within affected areas. Individual copies of all documents will also be distributed to any interested parties for a fee to offset printing charges.

## **Level II**

### **Additional Public Involvement Requirements**

Level II procedures address core agency plans, programs and declarations. These documents are subject to a higher level of public outreach than Level I documents under these policies. These procedures become effective before an initial draft document has been produced. The following documents must also meet the public involvement requirements listed in Level I:

~~A. Congestion Management Program~~

~~B. State Transportation Improvement Program~~

### **Level II Documents**

~~C.A.~~ Federal Transportation Improvement Program

~~D.B.~~ Corridor Studies

~~E.C.~~ Transit Studies

~~F.D.~~ Regional Housing Needs Assessment

E. Special Studies

~~G.F.~~ Public involvement procedure amendments

### **Level II Procedures**

1. Public review by various funding agencies submitting projects for the transportation improvement program will be accepted up to the final determination.
2. A copy of draft transportation plans and draft transportation improvement programs, environmental documents, and the Congestion Management Program will be made available for review at Kern Council of Governments, ~~Kern County Board of Trade,~~ and the main branch of the local library system, ~~college libraries, and chambers of commerce~~ within affected areas. Individual copies of all documents will also be distributed to any interested parties for a fee to offset printing charges.
3. Public comments and responses, and the disposition of any comments, will be made part of final transportation plans, transportation improvement programs, and environmental documents.
  - a. **Prepare written summary/verbal presentation** – Staff will review all comments, synthesize them and prepare a narrative summary highlighting key points.

- b. **List all comments** – Using a summary chart format, staff will review and summarize all comments, categorizing them by topic and type of comments (e.g. question, fact, desire, opinion).
  - c. **Respond to comments** – Staff will respond, in writing within 30 days, to significant comments. Those responses will be made part of the final document.
  - d. **Provide the full record** – The decision-making body will be given copies of the meeting notes, the transcript (for public hearings) or taped transcripts.
4. Transportation improvement programs and environmental documents will be made available for public review for no less than a 30-day public review period.
  5. Programs, projects, or plans routed through the State Clearinghouse shall adhere to the public information requirements of the Clearinghouse and also be made available for no less than 30 days.
  6. If regionally significant changes are made to the transportation plan, transportation improvement programs, and environmental documents during the review and comment period, the plan(s) will be made available for 30-day public review and comment prior to final adoption.
  7. Minor amendments to the transportation improvement programs will have a 14-day public review period and may be approved by the executive director.
  8. Regionally significant changes to the transportation plan, transportation improvement programs, and environmental documents during the review and comment period shall also be advertised via press release to all media outlets, through electronic notice to Kern COG's address database and on the Kern COG web site as deemed necessary prior to final adoption.
  9. The executive director or his/her designee will coordinate with the State to improve public awareness of the State Transportation Plan and/or the State Transportation Improvement Plan.
  10. Records relating to the transportation plans, transportation improvement programs, and environmental impact reports will be made available for public review upon request.
  11. Technical and policy information relating to the transportation plans, transportation improvement programs, and environmental impact reports will be made available for public review upon request.
  12. Staff will hold ~~at least one formal~~ public ~~workshop every four years~~workshops as deemed necessary by the agency in ~~each~~-local ~~jurisdiction~~jurisdictions on the Regional Transportation Plan. These public meetings/-workshops will be announced in a variety of formats, including public notices, display ads, press releases and direct mail and/or electronic mail notices in the affected communities- as deemed appropriate by the agency.
  13. All project plan amendments not considered administrative in scope shall be advertised via public notice and held for a 30-day review period.
  14. Refer to the California Transportation Commission's ~~2010~~2017 Regional Transportation Plan Guidelines regarding addendums, supplemental and subsequent environmental documents to the Regional Transportation Plan.

**Level III**  
**Anticipated high-profile projects**

The following must also meet the criteria listed in levels I and II. In general, Level III procedures address plans that provide long-range direction for the organization or that Kern COG staff determines to be controversial based on their environmental impacts, project scope or other determining factors. These ~~documents are~~ Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS) is subject to ~~the~~ this highest ~~levels~~ level of public outreach under these policies. These procedures become effective before an initial draft document has been produced. Kern COG staff will:

- A. Develop a Regional Transportation Plan/Sustainable Communities Strategy
- ~~B. Help form a citizens' advisory committee.~~
- ~~C.B.~~ B. Develop a calendar of public workshops.
- ~~D.C.~~ C. Identify the appropriate media contact to respond to media inquiries.
- ~~E. Develop a quarterly newsletter specific~~ An e-mail address will be provided made available for public access to the plan or project.
- ~~F. Mail newsletter~~ receive updates and ~~to the plan/project participants at regular intervals.~~
- ~~G.D.~~ G.D. make and receive comments. Coordinate a ~~news conference and/or~~ press release highlighting the plan/program and coordination between Kern COG and public participation. Press releases will be sent to ~~the appropriate~~ radio stations, television channels, and newspapers as deemed necessary by the agency.

Metropolitan transportation planning requires that where a metropolitan planning area includes Federal public lands and/or Indian Tribal lands, the affected Federal agencies and Indian Tribal governments shall be involved appropriately in the development of transportation plans and programs. Discussion on environmental mitigation activities of the long-range transportation plan shall be developed in consultation with tribes. Kern COG ~~shall initiate~~ will continue Government-to-Government consultation with the Tejon Indian Tribe of California in the development of transportation plans and programs.

Senate Bill 375 increased the minimum level of public participation required in the regional transportation planning process. Collaboration between partners in the region during the development of a Sustainable Communities Strategy (SCS) and/or an Alternative Planning Strategy (APS) is essential and may include business and industry stakeholders, environmental justice stakeholders, social equity stakeholders and others. Public participation pursuant to SB 375 shall including the following:

1. Outreach efforts encouraging the active participation of a broad range of stakeholders in the planning process, consistent with the agency's adopted Federal Public Participation Plan. This includes, but is not limited to, affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations.
2. Consultation with other regional congestion management agencies, transportation agencies, and transportation commissions.
3. At least three regional public workshops will be held with information and tools providing a clear understanding of policy choices and issues. To the extent

practicable, each workshop shall include urban simulation computer modeling to create visual representations of the SCS and APS.

4. Preparation and circulation of a draft SCS (and APS, if one is required) not less than 55 days before adoption of a final RTP.
5. A process enabling the public to provide a single request to receive notices, information and updates.
6. During the development of the SCS (and APS, if applicable), at least two informational meetings will be held for members of the Board of Supervisors and City Councils. Only one informational meeting is needed if it is attended by representatives of the Kern County Board of Supervisors and City Councils that represent a majority of the cities representing a majority of the population in the incorporated areas of the county.
  - a. The purpose of the meeting (or meetings) will be to discuss the SCS (and APS, if applicable), including key land use and planning assumptions, with the members of the Board of Supervisors and City Councils and to solicit and consider their input and recommendations.
  - b. Notices of these meetings are to be sent to the Clerk of the Board of Supervisors and City Clerks.
- ~~7.~~ In preparing an SCS, Kern COG will consider spheres of influence that have been adopted by the Local Agency Formation Commission (LAFCO). Kern COG will also consult with LAFCO regarding special districts within the region that provide property-related services such as water or wastewater services, and will

~~8.7.~~ \_\_\_\_\_ consult with these regional special districts, as appropriate, during development of a SCS (and APS if applicable).

## Process for Receiving Public Comments

~~The following public involvement techniques may be used to inform and educate the public and/or gather information.~~

### ~~A. Formal Public Meetings/Workshops~~

~~Formal public meetings and/or workshops may be held during the process. The format for the workshops will be at the discretion of Kern COG. All Kern COG meetings and public workshops will be held in buildings accessible to persons with disabilities. The format options include:~~

- ~~• 'Theater' style with a presentation followed by audience response.~~
- ~~• 'Open house' style with individual comments provided directly to a recorder, typed in by the participant, or via written comment sheets; or~~
- ~~• A mixed format with an 'open house' style meeting followed by a 'theater' style comment period.~~

In each case, Kern COG shall provide audio/visual presentations along with maps, charts and graphics, whenever practical, to help the public better understand the plans, programs, or projects it adopts.

## **B. Small Group Sessions**

A meeting of selected citizens, businesses, and/or neighborhood residents may be invited to participate in small group sessions to discuss options and give opinions on specific transportation topics. Participants may be presented with materials and asked to respond. The following are types of small groups that might be involved in the process:

Plan/Program Advisory Committee (PAC)— An advisory committee established for the development of a plan or program may consist of a broadly representative group of citizens who understand other citizens' concerns, needs and wants, technical and administrative staff from various organizations, and officials from appropriate local and state entities.

A PAC with citizen participation can be a valuable asset. Generally, PACs provide and consider citizen input and advice regarding regional goals and objectives, problems and needs, and to discuss potential options and solutions regarding the activity and to be responsive to the citizen input.

PAC members may be expected to attend several public and neighborhood meetings. They may also be asked to assist, provide support and be responsible for the dissemination of information, and give testimony to the benefits and importance of the activity to the community, actively seek informed responses from the community regarding transportation problems and priorities, and elicit potential solutions.

Kern COG will specifically consider the need for a PAC with regard to major transportation plans, studies, programs and projects. If the Board elects to form a PAC, the PAC shall be organized with a special effort to appoint persons who are or will represent the needs of the persons traditionally underserved such as low income, minorities, elderly and disabled. The ways and means of determining PAC membership, committee structure, and specific roles and responsibilities for an activity shall be presented to the TTAC and Board for their approval. Membership will not be permanent, thus PAC members will serve for the length of the development and completion of a plan or program.

Stakeholders - Interview or meet with individuals or groups who have a vested interest in the outcome of a Kern COG-developed plan or program. Interviews and meetings would be conducted to identify issues and concerns. Such groups may include business, neighborhood, environmental, and others.

PAC and stakeholder meetings may include the use of various public involvement techniques to keep the group informed, obtain information, identify preferences and resolve conflicts.

Focus Groups - Kern COG may use this approach to uncover information that is difficult to access. This includes uncovering attitudes, opinions, and emotions on specific issues or topics from a group of 'screened' participants. This method may also be used to clarify issues so as to develop surveys.

### **C. Internet**

Whenever possible, Kern COG will provide access to plans and programs through Internet access. When applicable, an e-mail address will be presented and made available for public access to make and receive comments.

### **D. Fairs and Festivals**

Kern COG will attend community fairs and festivals to present various aspects of transportation planning, programming and projects as set forth in the RTP, as well as the FTIP. Participants are encouraged to view exhibits, ask questions, consider the information and give comments. Fairs create interest and dramatize a plan, program or TIP project through visualized graphics, audiovisuals, and interaction with Kern COG staff.

### **E. Public Opinion Surveys**

Surveys report what people know or want to know. Surveys test whether a plan, program or an element of them is acceptable to the public as it is being developed. An appropriately sized random sample will be drawn from the targeted population and surveyed to develop a sense of general public attitudes. Surveys can be formal such as a direct mailing to citizens, businesses, and community organizations or informal such as a self-administered questionnaire attached within a draft document.

### **G. Phone/In-person Comments**

A period of time may be provided to allow citizens to telephone or walk in their comments. Kern COG's phone number and address will be provided to the media and may be included on documents related to the plan or program. Kern COG will summarize verbal comments.

The following public involvement techniques may be used to inform and educate the public and/or gather information.

### **A. Formal Public Meetings/Workshops**

Formal public meetings and/or workshops may be held during the process. The format for the workshops will be at the discretion of Kern COG. All Kern COG meetings and

public workshops will be held in buildings accessible to persons with disabilities. The format options include:

- 'Theater' style with a presentation followed by audience response.
- 'Open-house' style with individual comments provided directly to a recorder, typed in by the participant, or via written comment sheets; or
- A mixed format with an 'open house' style meeting followed by a 'theater' style comment period.

In each case, Kern COG will provide audio/visual presentations along with maps, charts and graphics, whenever practical, to help the public better understand the plans, programs, or projects it adopts.

### **B. Mini – Grant Program**

Kern Council of Governments may seek assistance from community-based organizations, etc. to solicit public input into key activities associated with the preparation of high profile projects such as the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS). Kern COG may request help with ensuring diverse and extensive input by further expanding community outreach activities.

Kern COG may provide mini grants to organizations for outreach activities that result in public involvement and input from stakeholders regarding the RTP/SCS, with the primary goal of including Kern residents in the RTP and SCS transportation planning process. This program will help ensure that interested residents have ample opportunity to understand and provide meaningful input on these plans.

### **C. Small Group Sessions**

A meeting of selected citizens, businesses, and/or neighborhood residents may be invited to participate in small group or roundtable sessions to discuss options and give opinions on specific transportation topics. Participants may be presented with materials and asked to respond. The following are types of small groups that might be involved in the process:

Plan/Program Advisory Committee (PAC) - An advisory committee established for the development of a plan or program may consist of a broadly representative group of citizens who understand other citizens' concerns, needs and wants, technical and administrative staff from various organizations, and officials from appropriate local and state entities.

A PAC with citizen participation can be a valuable asset. Generally, PACs provide and consider citizen input and advice regarding regional goals and objectives, problems and needs, and to discuss potential options and solutions regarding the activity and to be responsive to the citizen input.

PAC members may be expected to attend several public and neighborhood meetings. They may also be asked to assist, provide support and be responsible for the dissemination of information, and give testimony to the benefits and importance of the activity to the community, actively seek informed responses from the community regarding transportation problems and priorities, and elicit potential solutions.

Kern COG will specifically consider the need for a PAC with regard to major transportation plans, studies, programs and projects. If the Board elects to form a PAC, the PAC shall be organized with a special effort to appoint persons who are or will represent the needs of the persons traditionally underserved such as low income, minorities, elderly and disabled. The ways and means of determining PAC membership, committee structure, and specific roles and responsibilities for an activity shall be presented to the TTAC and Board for their approval. Membership will not be permanent, thus PAC members will serve for the length of the development and completion of a plan or program.

Stakeholders - Interview or meet with individuals or groups who have a vested interest in the outcome of a Kern COG-developed plan or program. Interviews and/or roundtable meetings would be conducted to identify issues and concerns. Such groups may include business, neighborhood, environmental, and others.

PAC and stakeholder meetings may include the use of various public involvement techniques to keep the group informed, obtain information, identify preferences and resolve conflicts.

Focus Groups - Kern COG may use this approach to uncover information that is difficult to access. This includes uncovering attitudes, opinions, and emotions on specific issues or topics from a group of 'screened' participants. This method may also be used to clarify issues so as to develop surveys.

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#### **F. Public Opinion Surveys**



Surveys report what people know or want to know. Surveys test whether a plan, program or an element of them is acceptable to the public as it is being developed. An appropriately sized random sample will be drawn from the targeted population and surveyed to develop a sense of general public attitudes. Surveys can be formal such as a direct mailing to citizens, businesses, and community organizations or informal such as a self-administered questionnaire attached within a draft document.

### **G. Phone/In-person Comments**

A period of time may be provided to allow citizens to telephone or walk in their comments. Kern COG's phone number and address will be provided to the media and may be included on documents related to the plan or program. Kern COG will summarize verbal comments.

## **Section 6. Public Involvement Policy Evaluation**

- A. Significant changes to Kern COG's Public Involvement Procedures shall be published and available for a 45-day public review and comment period before final adoption.
- B. Kern COG staff and the public will review the public review process biennially.

### **Evaluation Methodology**

In order to regularly evaluate the Public Involvement Procedures, ~~five performance measures are proscribed~~ metrics are recommended and will be reported to the Board:

- A. The accessibility of the outreach process to serve diverse geographic, language and ability needs.
- B. The extent or reach of the process in involving and informing as many members of the public as possible.
- C. The diversity of participants in the outreach process and its ability to reflect the broad range of ethnicities, incomes and special needs of residents in the Kern region.
- D. The impact of public outreach and involvement on the plan/program and on policy board actions.
- E. The satisfaction with the outreach process expressed by participants.

For each of these five performance measures, a set of quantifiable indicators has been established. They will be applied as appropriate to each plan/program's level requirements.

#### **A. Accessibility Indicators:**

- Meetings are held throughout the county.
- 100 percent of meetings are reasonably accessible by transit.
- All meetings are accessible under Americans with Disability Act requirements.
- Meetings are linguistically accessible to 100 percent of participants with three working days' advance request for translation. (*Meeting*

*announcements will offer translation services with advance notice to participants speaking any language with available professional translation services.)*

#### B. Reach indicators

- Number of formal comments on draft final document logged into comment tracking and response system.
- Number of individuals actively participating in outreach program.
- Number of visits to the specific section of the Kern COG website.
- ~~Number of newspaper articles mentioning the plan/program.~~
- ~~Number of~~ radio/ and television interviews ~~or mentions on~~ mentioning the plan/program.

#### F. Diversity indicators

- Demographic of targeted workshop/charette/meeting roughly mirror the demographics of the Kern region.
- Percentage Listing of targeted organizations and groups participating in at least one workshop/charette/meeting.
- ~~Participants represent~~ Listing of participants representing a cross-section of people of various interests, places of residence and primary modes of travel.

#### G. Impact Indicators

- 100 percent of written comments on draft final document received are logged into a comment tracking system, analyzed, summarized and communicated in time for consideration by staff and the policy board.
- 100 percent of significant written comments on draft final document are acknowledged so that the person making them knows whether his or her comment is reflected in the outcome of a policy board action, or, conversely, why the policy board acted differently.

#### H. Participant Satisfaction (*This information would be obtained via an online and written survey available on the Kern COG web site, and at each workshop/charette/public meeting involving the plan or program in question.*)

- Accessibility to meeting locations.
- Materials presented in appropriate languages for targeted audiences.
- Adequate notice of the meetings provided.
- Sufficient opportunity to comment.
- Educational value of presentations and materials.
- Understanding of other perspectives and priorities.
- Clear information at an appropriate level of detail.
- Clear understanding of items that are established policy versus those that are open to public influence.
- Quality of the discussion.
- Responsiveness to comments received.

## Section 7. Media Resources

### Print Media Resources

Kern County is situated in California's southern San Joaquin Valley occupying 8,075,200 square miles. It is the third largest county in the State; ~~is larger than with about the states of Delaware, Connecticut, same area as New Jersey and Rhode Island combined, and is larger than is twice the entire states of Massachusetts or Hawaii area of L.A. county with 1/10<sup>th</sup> the population.~~ The county is divided into three distinct geographical regions: The eastern third of the county is the Mojave Desert; the middle section straddles the Southern Sierra Nevada Mountains and the Transverse Ranges; the western portion is in the San Joaquin Valley. ~~As of 2013, the county had a population of 864,124 registering an increase of more than 178,000 people over 2000.~~ Because of the diversity in the market profile and geography of Kern County, it is necessary to address the county in segments. Public Notices must be carefully placed depending on the project and affected communities.

Countywide Publications	Type	Adjudicated
The Bakersfield Californian	Main / Greater Kern County	X
El <del>Mexicale</del> <u>Popular</u>	Hispanic Interest	X
Indian Wells Valley	Type	Adjudicated
The Daily Independent	Main / Ridgecrest	X
<del>NWC Rocketeer</del>	<del>Military / China Lake</del>	<del>--</del>
News-Review	Main / Ridgecrest	X
Southeastern Kern County	Type	Adjudicated
Antelope Valley Press	Main / Palmdale	X
<del>The Bulletin</del>	<del>Main / North Edwards</del>	<del>--</del>
<del>Desert Wings</del>	<del>Military / Edwards Main</del>	<del>--</del>
<del>Lancaster Desert Mailer</del>	<del>Lancaster / Main</del>	<del>X</del>
Mojave Desert News	Main / Mojave	X
Rosamond Weekly News	Main / Rosamond	X
Southeast Kern Weekender	Ridgecrest	
Tehachapi News	Main / Tehachapi	X
Kern River Valley	Type	Adjudicated
Kern Valley Sun	Main / Lake Isabella	X
<del>Kern River Courier</del>	<del>Main / Lake Isabella</del>	
Arvin/Lamont	Type	Adjudicated
Arvin Tiller	Main / Arvin	X
El Popular	Hispanic Interest	X
<del>Lamont Reporter</del>	<del>Main / Lamont</del>	<del>X</del>
Southwestern Kern County	Type	Adjudicated
The Pine Mountain Pioneer	Main / Frazier (monthly)	--
Mountain Enterprise	Main / Frazier Park (weekly)	X

<b>Metropolitan Bakersfield</b>	<b>Type</b>	<b>Adjudicated</b>
The Bakersfield Californian	Main / Kern County	X
Bakersfield News Observer	African-American Interest	X
El Mexicalo	Hispanic Interest	X
El Popular	Hispanic Interest	X

<b>Northwest Kern County</b>	<b>Type</b>	<b>Adjudicated</b>
Delano Record	Main / Delano	--
El Popular	Hispanic Interest	X
Shafter Press	Main / Shafter	X
Wasco Tribune	Main / Wasco	X

<b>Western Kern County</b>	<b>Type</b>	<b>Adjudicated</b>
The Midway Driller	Main / Taft	X

## **Section 8. Legal and Display Ad Minimum Requirements**

### **Legal Notice:**

Date, time, and place of public hearing or meeting;  
Identity of the hearing body or officer;  
General explanation of the matter to be considered;  
General description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing or meeting;  
The following statement when appropriate –“Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public meeting/hearing.”

Kern Council of Governments  
Address  
Contact name  
Telephone number  
Web site: [www.kerncog.org](http://www.kerncog.org)  
E-mail: [ahakimi@kerncog.org](mailto:ahakimi@kerncog.org)

### **Notice of Intent to Adopt:**

Period during which comments will be received;  
Date, time, and place of any public meetings or hearings on the proposed project;  
Brief description of the proposed project and its location;  
Address where copies of the proposed negative declaration are available for review;  
The following statement when appropriate – “Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public meeting/hearing.”

Kern Council of Governments  
Address  
Contact name  
Telephone number

Web site: [www.kerncog.org](http://www.kerncog.org)

E-mail: [ahakimi@kerncog.org](mailto:ahakimi@kerncog.org)[ahakimi@kerncog.org](mailto:ahakimi@kerncog.org)

**Notice of Determination: – Filed ONLY with Kern County Clerk's Office**

Information identifying the project, including common name and location;  
Brief description of the project;  
Date on which Kern COG determines the project will not cause any significant adverse environmental effects;  
Address where copy of the negative declaration may be examined;  
The following statement – "Kern COG has complied with the California Environmental Quality Act in the preparation of this negative declaration;"  
The following statement when appropriate – "Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public review process."

Kern Council of Governments  
Address  
Contact name  
Telephone number  
TTY number  
Fax number  
Web site address  
Project manager e-mail address

**Notice of Preparation:**

- A. Description of project;
- B. Project location on a map;
- C. Discussion of probable environmental effects of project;
- D. The following statement when appropriate -"Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public review process."

Kern Council of Governments  
Address  
Contact name  
Telephone number  
TTY number  
Fax number  
Web site address  
Project manager e-mail address

**Notice of Completion:**

- A. Description of project;
- B. Project location;

- C. Date, time, and place of any public meetings or hearings on the proposed project;
- D. Address where copies of the Draft EIR are available for review;
- E. Period during which comments will be received;
- F. The following statement when appropriate -"Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public review process."

Kern Council of Governments

Address

Contact name

Telephone number

TTY number

Fax number

Web site address

Project Manager e-mail address

## Sample Notice

### Notice of Public Hearing

Date

Before the Kern Council of Governments (Kern COG) in the matter of STATE  
PURPOSE OF PUBLIC HEARING:

A. WHEREAS, Kern COG, in its capacity as the INSERT DESIGNATION will hold a public hearing to receive public comments regarding the INSERT PLAN, PROJECT, PROGRAM and

B. WHEREAS, NAME DOCUMENT AND PURPOSE

NOTICE IS HEREBY GIVEN THAT:

A. A PUBLIC HEARING will be held in the Kern COG conference room, 1401 19th Street, Suite 300, Bakersfield, California at ~~7:00~~6:30 pm, on Thursday, STATE DATE, for the purpose of receiving public comments and testimony regarding INSERT PLAN, PROJECT, OR PROGRAM. This hearing will be a part of a regularly scheduled meeting of the Kern Council of Governments.

B. The INSERT PLAN, PROJECT, OR PROGRAM will be considered for INSERT ACTION by the Kern Council of Governments following the public hearing.

C. Any person wishing to present testimony related to INSERT PLAN, PROJECT, OR PROGRAM may be heard, or may submit written comments to Kern COG, 1401 19th Street, Suite 300, Bakersfield, California 93301, for inclusion in the official record of the hearing. Individuals with disabilities may call Kern COG to request auxiliary aids necessary to participate in the public review process.

Ahron Hakimi,  
Executive Director  
Kern Council of Governments  
(661) 635-2900  
TTY (661) 832- 7433  
Fax: (661) 324-8215  
Web site: [www.kerncog.org](http://www.kerncog.org)  
ahakimi@kerncog.org  
DATE OF PUBLICATION

### Display ads

Newspaper display ads, which may be inserted anywhere in the paper and are not confined to the classified section, will be used for the following documents: Regional Transportation Plan; Regional Transportation Improvement Program; Federal Transportation Improvement Program; all corridor studies; transit studies, including the unmet transit needs process; and all special studies.

These advertisements should run at the beginning, middle, and toward the end of the document development process. They will announce either a public input period, draft review availability or a final review period.

Display ads should be no smaller than 2 columns in width by no less than 4 inches deep. If financial constraints allow, display ads should run 2 columns wide by 7 inches deep or larger.

Given the larger canvas with which to work, display ads should contain at least one art element by which to draw the eye. This should include, but not necessarily be limited to the Kern COG logo. The number of different fonts used should be limited to two.

### **Sign In Sheets**

Have a sign-in sheet available. This will become part of Kern COGs official record. Make sure people write legibly, this information will become a part of the mailing list. At a minimum, include: name, address (street, city, zip), daytime contact telephone number and e-mail address. The information needed from the sign-in sheet may vary from meeting to meeting. If quite a bit of information is needed, consider developing an information card that attendees can complete at their seat.

### **Have Kern COG materials available**

Several items will help the public to understand the purpose of the agency, the project and Kern COGs role. Many questions as can be answered prior to the meeting, which will save time during the meeting.

- A. Comment Sheets
- B. Project Information Guide
- C. Kern COG Information Guide
- D. Presentation-specific support materials

### **Visual Aids**

- A. PowerPoint presentation
- B. Slides
- C. Enlarged diagrams and graphs
- D. Enlarged maps
- E. Videos
- F. Handouts



### **Anticipate Questions**

Anticipated questions should be developed and answered when the Project Information Guide is created. However, it is likely the audience will have many more. The process of transportation planning is not an easy one to grasp. Many members of the audience will have wishes and desires that simply cannot be fulfilled. How staff responds to questions or statements of desire will make a difference with their opinion of Kern COGs efforts to involve the public. Kern COG staff should create ways of telling the audience the planning process instead of telling the audience “No, we can’t.”

Are there creative ways to help the audience understand that transportation planning is a dynamic give-and-take process?

# Attachment A: Kern COG Document Public Involvement Chart - 2019

				OWP	COG Budget	KMAA Budget	RTP /SCS	RTP <sup>1</sup> /SCS Amend	RTP <sup>2</sup> Env. Doc.	RTIP	FTIP	TIP <sup>3</sup> Amend	Corridor Studies	Transit Studies	Regional Housing Needs Assessment	Special Studies	Air Quality Conformity	Population & Socio-Economic Forecast	Public Information Policies/ Procedures	Active Transportation Plan	
Procedures Level:			1	1	1	3	1	1	1	2	1	2	2	2	2	1	1	2	1		
<b>Document/Process Inception</b>																					
	Display Ads (Newspapers)						●						○	○	●	○					
	Direct Mail/Electronic Notices						●				●		●	●		●				●	
	Press Releases						●						○	○	●					●	
	Public/COG meeting		●	●	●						●										
	Workshop(s)						●						●	●			●				
<b>Draft Document/Process</b>																					
	Display Ads (Newspapers)						●				○		○	○	●	○					
	Direct Mail/Electronic Notices						●				●		●	●		●				●	
	Press Releases						●			○	○		○	○	●	○					
	Public/COG meeting		●	●	●		●			●	●		●	●	●	●	●	●	●	●	●
	Workshop(s)						●			○	○		●	●		●			●		
<b>Final Report/Plan/Study/Process</b>																					
	Display Ads (Newspapers)						●						●		●	●	○				○
	Direct Mail/Electronic Notices		●	●	●		●			●	●		●	●		●	●	●	●	●	●
	Press Releases						●			○	○		○	○	●	○	○	●			○
	Public/COG meeting		●	●	●		●			●	●		●	●		●	●	●	●	●	●
<b>14-day Review Period</b>																					
							●					●									
<b>30-day Review Period</b>																					
			●	●	●		●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
<b>45-day Review Period</b>																					
									●											●	
<b>55-day Review Period</b>																					
							●														
<b>Legal Notice</b>																					
				●	●		●	●			●	●					●				●
<b>Public Hearing</b>																					
				●	●		●	●			●	●					●				●
●	Required																				
○	As deemed necessary by staff																				
<b>Display ads:</b> Bakersfield Californian, El Popular, Arvin Tiller, Delano Record, Kern Valley Sun, Ridgecrest Daily Independent or Ridgecrest News-Review, Shafter Press, Taft Midway-Driller, Tehachapi News, Wasco Tribune Antelope Valley Press, Mojave Desert News, Rosamond Weekly, Mountain Enterprise Frazier Park (papers selected dependent on the project and affected communities)																					
<sup>1</sup> Minor RTP amendment types 2 and 3 will have a 14-day review period. Regionally significant major amendment types 4 and 5 will have a 30-day review, subject to environmental document requirements.																					
<sup>2</sup> Refer to CEQA/NEPA and California Transportation Commission latest Regional Transportation Plan Guidelines for addendum, subsequent and supplemental environmental documents.																					
<sup>3</sup> Minor TIP amendment types 2 and 3 will have a 14-day review period. Regionally significant types 4 and 5 will have a 30-day review.																					
<b>2/1/2019</b>																					