

New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE



New Mexico Department of Transportation's

Guide to NEPA Public Involvement

A practical resource guide to promote consistency,
compliance, and thoughtful planning for NEPA
public involvement

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Introduction



Public involvement is a cornerstone of project delivery. Not only is the process of engaging the public early and throughout a transportation project required under environmental law, but the deployment of thoughtful public involvement also leads to outcomes which are more inclusive of community and stakeholder perspectives.

The New Mexico Department of Transportation (NMDOT) delivers projects in compliance with the National Environmental Policy Act of 1969 (NEPA) and related federal and state laws and regulations that are in place to avoid, minimize, and mitigate environmental impacts caused by transportation projects. In accordance with NEPA, public involvement is required as a core component of project delivery and supports NMDOT's core values of accountability and communication.

This Guide to Public Involvement (“guide”) provides practical guidance on considerations and procedures for planning, conducting, and recording public involvement. The goal is to provide a framework for thoughtful public involvement planning while promoting consistency for projects advancing through the design phase. All project contexts are different and require varying levels and methods of engagement, however, this guidance should be used as a starting point for all public involvement for projects delivered by the NMDOT. With an understanding that there is no silver bullet for project engagement, this guidance is not intended to deter creativity on behalf of project teams, and teams are encouraged to continually adapt and evolve engagement processes based on the evaluation of previously utilized tactics, recommendations from the communities and stakeholders



Involvement vs. Engagement:

Throughout this guide, you will see these words intentionally used interchangeably. NEPA identifies Public Involvement as the necessary process to include the community in project planning. In modern practice, however, practitioners have adopted Public Engagement as the new standard language. This is because engagement implies active, meaningful, and ongoing participation as opposed to more passive project involvement or outreach.

Introduction (cont.)



themselves, and the emergence of new technologies that make engagement more inclusive and comprehensive.

The NMDOT Guide to Public Involvement is intended for use by NMDOT and consultant staff involved in the development and implementation of Public Involvement activities and engagement programs associated with project planning and

development in accordance with the NMDOT Location Study Procedures. The guide will assist NMDOT staff, project managers, the project development team, and Public Information Officers (PIOs) in identifying the means, methods, and opportunities to solicit and gather input and foster meaningful collaboration as part of a project’s decision-making process.

The guide is organized into four sections focusing on different elements of public involvement planning and delivery:



Public Involvement Planning



Conducting Public Involvement



Follow-up Documentation



Roles & Responsibilities

This is not intended to be a comprehensive guide for project delivery, and project teams should refer to additional resources including NMDOT’s Location Study Procedures, Context Sensitive Solutions & Design Directive (IDD-2006-08) and other guidance documents in developing a project delivery strategy.



Public Involvement Planning

Thorough planning prior to conducting public involvement can help avoid confusion.

Prior to engaging the public, NMDOT project team members should conduct research early in the project development process to understand procedural and documentation requirements associated with the project and identify the makeup of the community and stakeholders. It is also critical to determine the strategies and tools that would be most effective in securing the active engagement of key stakeholders and provide the widest and most meaningful reach possible to the public.

Thorough planning prior to conducting public involvement can help avoid confusion amongst team members and assist in putting forward a methodical approach to project delivery with the community and stakeholders being brought along at every step. This, in turn, helps to establish a common understanding among the communities being served or impacted by the project and can lead to the identification of potential issues and constraints early on. Early communication helps avoid project delays and gives teams ample time to prepare mitigation and avoidance strategies while also delivering the best outcomes for the communities.



A: Budgeting and Scoping Public Involvement

This guide will help team members gain an understanding of required activities and effective practices when considering a comprehensive public involvement plan. When scoping as part of project initiation and contract negotiation, the consultant project manager and consultant environmental lead should work closely with the NMDOT district engineer, environmental staff, and PIO to identify required activities, anticipated audiences, and context-specific services that can be implemented to increase engagement. It is important to note that minimum requirements for engagement on projects are not intended to cover all activities for successful engagement but instead act as a basis to build a foundation, which depend on the scope and scale of any given project.

B: The Purpose of Public Involvement

Public Involvement is a pivotal part of any publicly funded project. NMDOT uses the same taxpayer funded source to move a project through the planning, study, design, and construction phases, so it is important for state staff and hired consultants to do everything possible to be good stewards of public funding and work to deliver projects that serve in the public interest.

Public involvement is a legal requirement under NEPA and other environmental laws, so it is crucial to build robust engagement programs. If a project receives a legal challenge and the agency can't show there was adequate public notice and opportunities for input, there could be serious consequences including the halting of project delivery.

Creating robust engagement plans is also the right thing to do. Good design only comes when consulting the end-users of the product; for transportation projects this means gathering input from the traveling public, the community, and stakeholders. Therefore, it is critical that methods for gathering public input be thoughtfully planned and tailored to the needs of the affected communities through all phases of the project.



LISTENING AND TRUSTBUILDING

Although public involvement is a legal requirement for transportation projects, there are many benefits that come with actively engaging the communities being served or impacted by a project. Through the active listening process, team members can gather diverse perspectives that influence project design decisions and can help create trust between the agency, project team, community members and stakeholders.

Active listening creates a way for team members to receive input without predetermined outcomes clouding conversations between the community and a project team. One of the common complaints expressed by some members of the community is feeling as though the agency has already decided what the outcomes will be for a project before conducting engagement. Project teams can avoid this perception by facilitating active listening in engagement. This can be done by offering several opportunities for open-ended input, allowing more time at public meetings for question-and-answer sessions (Q&A) than for presentations, continuously and clearly defining the current phase of projects and actively soliciting feedback instead of having a one-way dialogue.

Establishing and maintaining trust is a process that takes time and effort, and project team members should not begin the engagement process assuming that the public will have an inherent trust for the way the project is being developed and delivered. Project teams must help to build and maintain the public's trust through deliberate, meaningful engagement and inclusion.



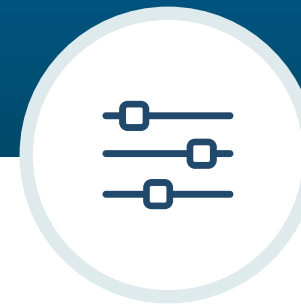
EQUITABLE ENGAGEMENT

Equity is a concept grounded in history that acknowledges past injustices and unfair treatment of historically underserved communities and communities of color which has led to the development of a system that does not work equally for all people.

NMDOT adopts community-driven planning processes that empower underserved and marginalized populations affected by projects in an attempt to help correct historic injustices and foster a more equitable future. To help engage underserved and marginalized populations it is important to 1) create topic literacy so the community can understand and contribute input on logistics and design, 2) develop partnerships with community-based and non-governmental organizations, and 3) create campaigns to ensure project awareness and accessibility.

New Mexico's melting pot of diverse backgrounds and languages should not be a barrier to civic participation. Project team members should translate materials and presentations based on the unique makeup of different communities, but also understand that language is only one aspect of culture. Creating partnerships with community-based organizations that engage with underserved populations can help to facilitate meetings in areas where underserved populations are in their comfort zones and with authorities they trust.

Project teams should take special care to tailor engagement strategies to the needs of traditionally underserved populations.



RECORDING ENGAGEMENT METRICS

Recording the quantitative and qualitative results of the public engagement process is a critical element of a comprehensive public involvement program. Recording results of the engagement process is not only required under NEPA, but it also helps project teams understand which strategies do work and don't work when engaging certain communities, and this information can be used to improve future project delivery.

Quantitative metrics can include:

- Visibility/reach
- Registrations and attendance
- Activity
- User-generated Content (UGC)
- Retention

Qualitative Metrics can include:

- Public sentiment
- Subjects/Themes of discussion



The statement "this is the way we have always done public engagement" is not a comforting sentiment and is instead a red flag for reassessment.

It is important for project teams to strive for continual improvement in engagement and be responsive to new technologies and metrics that become available as time carries on. Project teams should understand that the way public engagement was conducted two, five, or 10 years ago is likely in need of improvement. The statement "this is the way we have always done public engagement" is not a comforting sentiment and is instead a red flag for reassessment.

Requirements for Public Involvement



Study & Design
Discovery



Public
Comments



Final Decision

WHAT IS NEPA?

The National Environmental Policy Act (NEPA) requires federal agencies to seek input from stakeholders and the public throughout the project development process and develop alternatives for consideration where practicable. The following elements are part of the NMDOT's NEPA process.

NEPA ELEMENTS:

- I. PHASE 1-A/B Study (Corridor or Alignment)
- II. PHASE 1-C Environmental Documentation and Processing
- III. Categorical Exclusions
- IV. Programmatic CE
- V. Environmental Assessment (EA)/ Finding of No Significant Impact
- VI. Environmental Impact Statement/ Record of Decision
- VII. Alternate Project Delivery Methods

I. PHASE 1-A/B Study (Corridor or Alignment)

While the type of study may vary, the general approach is the same. Both alignment and corridor studies address the same general steps including purpose and need, improvement alternatives, initial environmental effects, and agency coordination and public involvement. The level of environmental effort and processing generally differs between alignment and corridor studies. Because alignment studies typically involve less complex actions and a smaller amount of right-of-way (ROW) acquisition and relocations, the magnitude of environmental impacts are generally minor.

Both alignment and corridor studies are part of Phase I of the NMDOT's project development process, as outlined in the NMDOT Location Study Procedures. The Phase I study phase is separated into two distinct phases—commonly referred to as Phases I-A and I-B (or simply A and B). The study phases serve to develop, evaluate, and refine the range of possible alternatives to achieve the need for an action. The next phase subsequent to the A & B study phases, Phase I-C, involves the preparation of a NEPA-compliant document in accordance with federal, state, and local laws.

Public and stakeholder involvement are a crucial element of each phase of the alignment/corridor study process and must begin at the start of Phase I-A and continue through Phase I-C. NMDOT often conducts Phases I-A and I-B as a single effort, especially those with a very limited range of improvement alternatives; however, it is important to achieve the objectives of each distinct phase and document this approach. Phase I-B evaluates and refines the alternatives advanced from Phase I-A. Important elements of Phase I-A & B are: (1) development and implementation of Context Sensitive Solutions (CSS)-based agency coordination; (2) a public involvement program; and (3) determining the appropriate level of effort for subsequent environmental documentation and processing. Determining the outreach methods, approach, and level of effort depend on the project and community context as well as the number of potential alternatives being considered in both Phase I-A and Phase I-B (**Figure 1.3**). The number and timing of public and stakeholder meetings will vary on a project-by-project basis. Coordination with affected agencies and involvement of the public must be proactive, comprehensive, and continuous through the project development process.

A properly designed and implemented public engagement strategy should follow the NMDOT CSS Public Involvement Plan (PIP) approach to ensure that: (1) the needs and concerns of affected agencies, stakeholders, and the general public are understood and fully considered (2) interested groups and persons are involved in key decisions; and (3) the public is informed of key decisions and progress of the study.

The public engagement team should hold at least one public meeting early in the study process. A second public meeting should be considered toward the end of the study to present the preliminary findings of the detailed analysis, the alternative(s) recommended, and to solicit public comments before a final decision is made on the study phase recommendations. Briefings to local officials, policy boards, community associations, or other groups having an interest in the study should also be provided.

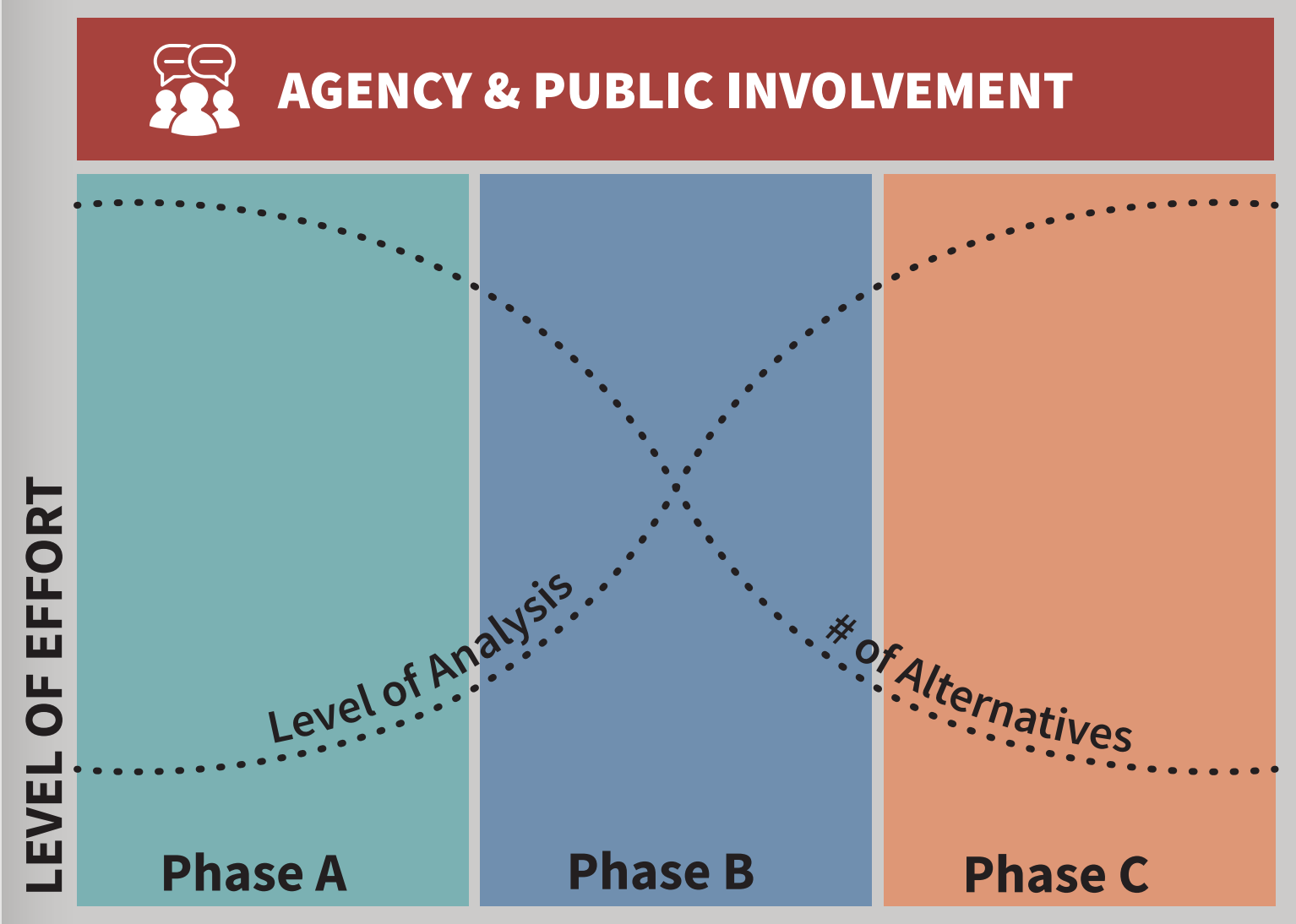


Figure 1-3. Level of effort: the amount of analysis increases as the number of alternatives is reduced. The effort for public involvement remains high throughout the study process.

II. PHASE 1-C ENVIRONMENTAL DOCUMENTATION AND PROCESSING



Phase I-C is the Environmental Documentation and Processing phase of the NMDOT’s project development process, as outlined in the NMDOT Location Study Procedures. During this phase, the preferred alternative identified at the conclusion of the study phase is advanced.

For the vast majority of projects, this phase will include the preparation of a Categorical Exclusion (CE). This type of NEPA document is used for actions that, based on past experience with similar actions, do not involve significant environmental impacts or unusual circumstances. More complex projects may require an Environmental

Assessment (EA) or Environmental Impact Statement (EIS), and less complex projects may qualify for a Programmatic CE, which is project specific.

Regardless of the NEPA level of effort, affected and interested agencies, stakeholders, affected property owners, and the general public should be consulted about the process. The level of public involvement during Phase I-C will depend on the information compiled in Phase I-A/B and the potential for the Action Alternative to affect individuals and the general public and the degree to which they are affected.

III. CATEGORICAL EXCLUSIONS

In accordance with guidance from Federal Highway Administration (FHWA), NEPA compliance begins at a CE level of effort. The NMDOT uses two different levels of documentation for the range of actions that qualify as a CE during Phase IC: (1) a CE checklist supported by an evaluation of environmental, social, economic, and cultural factors; or (2) programmatic CEs which require limited investigations based on archival research.

During the preparation of a CE for federal-aid projects, there can be variability in the public engagement approach and the need for a public meeting and 30-day comment period should be reviewed on a project-by-project basis. The need for informing the public and offering opportunities to participate in the decision-making process remains the same; however, the approach is scaled to the complexities of the alternative being advanced, the level of public interest and potential controversy, and the context of the project. Any action with substantial public controversy cannot be authorized using a CE and becomes elevated to an EA for NEPA compliance.

IV. CE CHECKLIST

Projects involving a CE Checklist often include some level of public engagement or a reasonable opportunity for public participation. This serves to confirm a lack of public controversy and applicability for the project to be authorized with a CE. A 30-day public review or comment period is a standard duration for NEPA compliance; however, the project team could consider a lesser (e.g., 15-day) or greater (e.g., 45-day) duration based on the context and needs of the project. Documentation of the public engagement process and public meeting(s) must be filed in the NEPA Administrative Record. NMDOT may make a CE approval on behalf of FHWA, and the agency’s decision does not require an additional 30-day public period.

V. PROGRAMMATIC CE

Certain projects meet the conditions stipulated in the Programmatic Agreement between the FHWA New Mexico Division and the NMDOT Regarding the Processing of Actions Classified as CEs for Federal-Aid Highway Projects can be approved under a Programmatic CE. These project actions commonly involve limited new disturbance to the human and natural environment (e.g., mill and inlay, geotechnical soil boring, in-kind replacement of a drainage structure). Public engagement or a reasonable opportunity for public participation activities are typically not needed under Programmatic CEs.

VI. ENVIRONMENTAL ASSESSMENT (EA)/FINDING OF NO SIGNIFICANT IMPACT

EAs are prepared for proposed actions with environmental impacts that cannot qualify for a CE level of environmental clearance. This situation can arise due to a number of factors. During the preparation of the EA, a public meeting and/or public hearing is required with a 30-day public comment period. Documentation of the public engagement process and public meeting must be filed in the NEPA Administrative Record.

Projects involving an EA are typically concluded with a Finding of No Significant Impact (FONSI). Any EA with a determination of significant impacts to the human environment cannot be authorized using a FONSI and becomes elevated to an EIS for NEPA compliance. The FHWA requires a 30-day notice of EA availability in a local newspaper(s) and other virtual platforms prior to authorizing a FONSI decision. Following closure, the 30-day comment period on the EA, a FONSI request letter is sent to FHWA requesting issuance of a FONSI. FHWA does not require an additional 30-day comment period on the FONSI decision document; however, FONSI Re-Evaluation may require additional public and stakeholder engagement depending on the context of the project.

VII. ENVIRONMENTAL IMPACT STATEMENT/RECORD OF DECISION

Federal actions that significantly impact the human and natural environment must be cleared with an EIS. This is a complex and highly structured environmental clearance process that involves a considerable amount of time to complete. Preparation of an EIS requires an extensive, multi-year public and stakeholder engagement campaign to ensure that substantive comments received are incorporated into the project to the extent feasible and considered as part of the decision-making process. Multiple public meetings and workshops would be required during an EIS.

A notice of availability of the Draft EIS must be published in the Federal Register for a no less than a 45-day public comment period. A public hearing is required during the 30-day circulation period of a Draft EIS. Every reasonable effort shall be made to resolve interagency, stakeholder, or public disagreements on actions before processing the final EIS. If significant issues remain unresolved, the Final EIS shall identify those issues and the consultations and other efforts made to resolve them.

A notice of public availability of the final EIS must be published in the Federal Register and local newspapers prior to authorizing a decision. Projects involving an EIS conclude with a Record of Decision (ROD). FHWA does not require an additional 30-day comment period on the ROD decision document; however, EIS Re-Evaluations may require additional public and stakeholder engagement depending on the context of the project.



VIII. ALTERNATE PROJECT DELIVERY METHODS

The NMDOT’s typical project development process uses Design-Bid-Build (DBB) procurement; however, there are alternative project delivery methods to help reduce the time it takes to deliver highway projects to the public and reduce construction-related risk. Public engagement strategies are implemented in the context of alternative project delivery.

Design-Build (DB) contracting is an example of one method of alternative project delivery in which the design and construction phases of a project are combined into one contract beyond development of an initial conceptual 30% design. In this context, engineering and environmental consultants are either working on behalf of the owner (NMDOT/FHWA) or on behalf of the construction contractor. Beyond the traditional Phase I-AB study phase public engagement, both the owner and construction contractor participate in any additional public outreach efforts.

C: Components of Public Involvement Plans

This section identifies the core components of Public Involvement Plans (PIP) and highlights the types of engagement that can be incorporated into a PIP.

CONTEXT SENSITIVE PUBLIC INVOLVEMENT GOALS

Agency coordination and public involvement is a cornerstone of the NMDOT project development process. These concepts are also fundamental elements of a CSS PIP approach to project development. The CSS process is a collaborative, interdisciplinary approach that involves all stakeholders to develop transportation projects that fit in their respective physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. The NMDOT has developed a CSS PIP Guidance for Location Study Projects (Appendix A) to help guide the CSS approach to project development and integration of CSS concepts into project-specific public engagement procedures. When developing a PIP and considering the engagement methods to be used to inform and engage with the public, CSS principles should be incorporated into the PIP. It is also important to understand that results of public involvement may call for changes to the planned approach for the project PIP. With that in mind, the project team should treat it as a "living document" which can be updated as the project develops to adjust to what is learned during the process.

ENGAGEMENT TYPES

There are several ways to engage communities and stakeholders, and strategies are as diverse as the communities served throughout the project development process. During the early stages of the public involvement planning process, project teams should consider the makeup of the population and make informed decisions about strategies that would garner the largest representation and most meaningful engagement of affected community members and stakeholders.

Questions to ask in early stages of public involvement planning can include:

- ? What is the age demographic of the population?
- ? Will attending an in-person meeting conflict with work commutes or the dinner hour for community members?
- ? Is broadband internet access or mobile data widely available in the community?
- ? Is there a high limited-English proficiency (LEP) population in the community? If so, what other languages are highly represented? If so, how are those other languages expressed (e.g., verbal only or written and verbal)?
- ? Are there other well-attended community events happening during the project timeline? Getting the public meeting added to the agenda of an existing community meeting/forum (i.e. City Council meetings, Chapter House meetings, Tribal Council meetings, etc.) can result in greater attendance and participation.
- ? Who are the local leaders or trusted community resources?
- ? Is there a history of mistrust from previous projects?

...And other targeted questions.



I. IN-PERSON

In-person public involvement strategies are the most traditionally utilized methods because they have been in-use since the passage of NEPA and other associated environmental laws and well prior to the onset of readily available internet capabilities among the general population.

In-person engagement strategies can include:

- Public Information Meetings and Open Houses
- Design Workshops
- Stakeholder Interviews
- Pop-up Meetings
- In-person Surveys
- Other methods involving direct interfacing with the public and stakeholders



II. VIRTUAL

Virtual public involvement strategies involve the use of phone or internet-based technology to gather input and facilitate involvement in the project development process.

These strategies have been steadily adopted by State Departments of Transportation and other transportation agencies over the last several years, especially following the increased use of smart phones by the general population.

Adoption of virtually based techniques has been further expanded by the onset of the COVID-19 Pandemic since local health guidance and laws prevented the gathering of groups in-person for over two years. Additionally, the Federal Highway Administration issued guidance for [Virtual Public Involvement During the COVID-19 Pandemic](#), which allows for virtual public involvement to satisfy public involvement requirements as long as the Coronavirus Disease 2019 (COVID-19) Emergency Declaration remains in place.

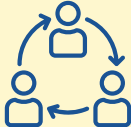
In-line with this guidance, NMDOT has adopted several virtual public involvement strategies to engage the community and stakeholders on critical transportation projects. The results of these efforts often garnered higher attendance, more comments and feedback and a more diverse population of engaged individuals when compared to previous “in-person only” public involvement techniques.

Virtual public involvement strategies and tools are constantly evolving, and NMDOT staff and consultants increasingly have more powerful tools available to target and engage the population in project areas. When it comes to technology-based tools, it can be daunting to consider all options available. The matrix in Appendix B offers a selection of widely used currently available tools and their capabilities for consideration in public involvement plans.

Active Projects: When hosting project public involvement, the project team should ensure general project information and scheduled meeting information are posted to the NMDOT Active Projects webpage.



Virtual Engagement Tools and Strategies:

 PROJECT WEBSITE	 WEBINARS	 ONLINE SURVEYS
 MEETING VIDEOS	 TELEPHONE TOWN HALLS	 SOCIAL MEDIA CHANNELS



III. HYBRID

Hybrid public involvement requires utilizing a mixture of virtual and in-person engagement strategies. This can be any combination of the previously mentioned strategies.

When considering appropriate public involvement techniques, the project team should determine whether the community would be best served by a combination of strategies, and if so, which combination would best encourage robust, meaningful public participation.

Additionally, if an identified hybrid strategy includes offering a public meeting in both an in-person and virtual format, the project team should make efforts to ensure the information presented at both meetings is identical to allow for the same opportunity for the public to be informed and provide input regardless of the option they choose.

As local and state public health guidance changes regarding gatherings in response to the Coronavirus, and considering the recent, sustained success of virtual public involvement strategies on transportation projects, project teams are advised to consider virtual engagement as the starting point for all NMDOT projects with in-person and hybrid tactics to be incorporated on an as-needed basis.

Simultaneous and non-simultaneous Hybrid Engagement As hybrid engagement methods become increasingly commonplace for projects, there is an ongoing assessment being made among communications practitioners about the benefits of one approach versus the other.

Simultaneous Hybrid Engagement – This method is used when project teams are interested in having community members and/or stakeholders attend a meeting, workshop, or other event at one time, whether they attend in-person at a specified location or online through a simultaneously broadcast stream. This approach can pose various challenges because it combines the typical hurdles project teams would account for at an in-person meeting with those of a virtual meeting including room capacity issues, internet connectivity issues, sound challenges, and other obstacles. This approach also typically involves compromises for one audience versus the other. For example, in-person attendees may have the ability to have one-on-one conversations with project team members before or after the meeting when online attendees do not.

There is value in having simultaneous hybrid engagement including having all parties, whether attending virtually or in-person, hear the same spoken testimony or questions posed by stakeholders and the public at one time. If project teams proceed with hosting a simultaneous hybrid meeting, however, there should be a concerted effort made to address expected barriers for engagement between the audiences.

Non-simultaneous Hybrid Engagement

– This method typically involves combining virtual and in-person engagement tactics at separate times. For example, there could be a virtual public meeting or open house held the same week as an in-person event where the project team shares identical content and operates under a similar format while accommodating for differences in capabilities between virtual and live events.

Non-simultaneous hybrid engagement is often seen as favorable because it avoids combining the challenges of a single simultaneous event while still allowing options for stakeholders or the community to engage in a way that suits them best. When incorporating this method, as with all other public engagement methods, it is important to provide detailed accounts of comments and questions received within the administrative record to make sure that the public has access to the full range of information discussed regardless of format.





AGENCY STAKEHOLDER ENGAGEMENT STRATEGY

An agency stakeholder engagement strategy differs from a public engagement strategy in that agencies may have jurisdiction, regulatory authority or other responsibilities that will have a direct impact on key functions of project design and/or construction.

This could range from having direct oversight over the flood control channel connected to the drainage for an existing project (e.g., Albuquerque Metropolitan Arroyo Flood Control Authority), regulatory oversight of an environmental resource affected by a project (e.g., U.S. Fish and Wildlife Service), a tie to the funding of a project (e.g., FHWA), or management of the land, road, or ROW that connects directly to or overlaps with the NMDOT's project area (e.g., Bureau of Land Management), and/or state or local governing municipal responsibility (e.g., County/City/Village government, emergency/community services), among other considerations.

As part of a comprehensive engagement strategy, project team members are responsible for identifying the relevant local, state, and federal stakeholders for a project and including them in the project contact list and on all public project communications.



An agency stakeholder engagement strategy differs from a public engagement strategy in that agencies may have jurisdiction, regulatory authority or other responsibilities that will have a direct impact on key functions of project design and/or construction.

Additionally, team members should plan to meet with stakeholders upon the approach of major milestones for a project. This should be performed ahead of a larger public meeting or other public activity but within the same general timeframe to foster trust among the community. Many of the subjects covered in a stakeholder meeting will be similar to what would be presented at a public meeting, however, there may be a smaller group present and more time focused on reviewing specific elements of alternatives or design details and less time focused on procedural elements of project delivery. This can also help encourage common understanding among local agency stakeholders who can then communicate information to their

community members and attend the public meeting having a more comprehensive understanding of proposed designs and delivery.

Occasionally projects will warrant the development of a Technical Advisory Committee comprised of agency and community stakeholders, to regularly meet and consider project details, schedule, and steps in the decision-making process. This is most often necessary for large, complex projects with the potential of having more wide-ranging impacts. It is important to note that the New Mexico Open Meetings Act requires that such meetings be made open to any members of the public upon request.

TRIBAL ENGAGEMENT STRATEGY

The State of New Mexico is home to 24 federally recognized Native American Tribes, which operate as sovereign nations with their own governance structure, customs, and culture. Because of the high concentration of Tribal communities throughout the state, it is common for NMDOT projects to traverse or occur in the vicinity of Tribal land. When NMDOT develops a project that travels through or near Tribal land, it is the responsibility of the project team to engage the Tribe as part of the Engagement Strategy.

Project team members should research the existing Tribal Council and/or other governing body (e.g., Navajo Nation Chapter Houses) on the sovereign nation for inclusion in project communications. If a project has limits which traverse Tribal communities, the project team should work closely with Tribal governments and applicable resource departments to communicate the proposed engagement strategy to ensure common understanding and to confirm the strategies can be effective for their Tribal members.

The New Mexico Department of Cultural Affairs Historic Preservation Division maintains a list of all tribes who have requested to be consulted for projects occurring in specific counties throughout the state. The NMDOT Tribal Liaison also maintains and annually updates a list of tribal officials in the state. These lists should be referenced and utilized when creating a stakeholder database for a project.

Tribal government officials, councils, elders, and other Tribal representatives operate as part of a sovereign nation and should be communicated to with the same courtesy, respect, and deference to official titles that project team members would use to communicate with other elected officials, partner agencies, and stakeholders.

Many Tribes manage their local roads, in cooperation with the Bureau of Indian Affairs, which connect to state-managed highways and, as such, a concerted effort should be made to engage with the appropriate division of the Tribal government to solicit collaboration and common understanding.

Further information on NMDOT’s policy for Tribal engagement can be found in the State-Tribal Consultation, Collaboration and Communication Policy (Dec. 2009).

- A

Acoma

B

Cochiti

C

Fort Sill Apache

D

Isleta

E

Jemez

F

Jicarilla Apache Nation

G

Laguna

H

Mescalero Apache

I

Nambe

J

Navajo Nation

K

Ohkay Owingeh

L

Picuris

M

Pojoaque

N

San Felipe Pueblo

O

Santa Ana Pueblo

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Sandia

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Santa Clara

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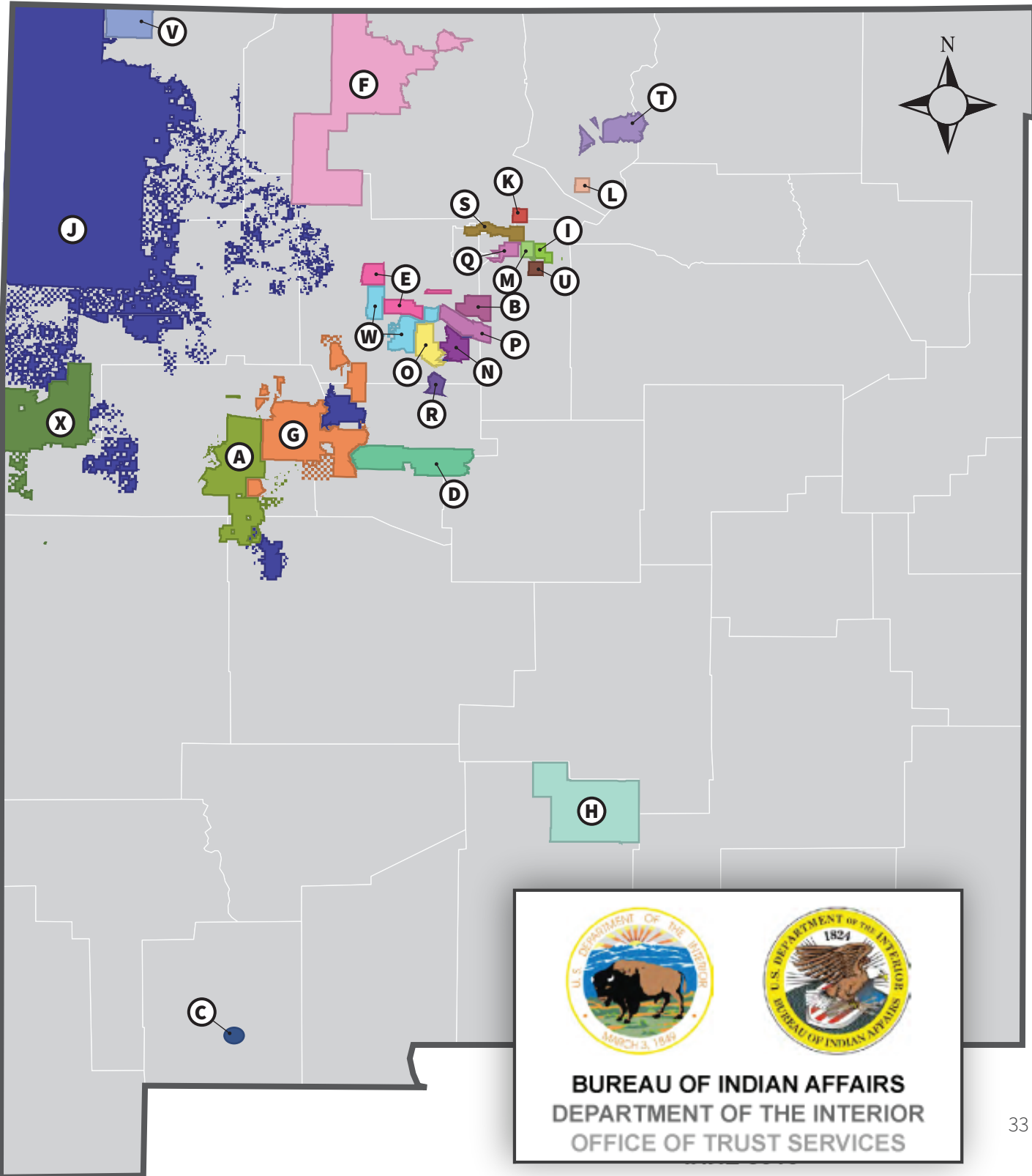
Ute Mountain

W

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ELECTED OFFICIAL ENGAGEMENT STRATEGY

As part of any PIP, project team members should research elected and appointed representatives of the communities being affected by the proposed project and contact their offices to notify them of upcoming milestones and opportunities for engagement. This should include adding them to the project contact list and including officials on all meeting notices and related project communications.

Ahead of scheduled public meetings, project team members should contact elected offices via telephone to secure confirmation or decline of attendance for the meeting. Many elected officials also have comprehensive email distribution lists for their constituents. The team member assigned to the phone follow-up should ask if the official will share the notice via their respective distribution lists. At the beginning of a public meeting, it is a best practice to acknowledge the presence of officials in attendance.



Offices to be contacted should include:

- ✓ NMDOT Transportation Commissioners
- ✓ State Legislators
- ✓ County Commissioners
- ✓ City Councilors (if applicable)
- ✓ Tribal Government Officials (if applicable)

PUBLIC INVOLVEMENT STRATEGY

A public involvement strategy should be the most comprehensive part of a project’s PIP. This is because through the development of this strategy, the project team must consider the most diverse and unique characteristics of a community and determine, based on these considerations, what strategies would be most effective for engaging the public.

I. DEMOGRAPHIC ANALYSIS

As part of the necessary NEPA documentation, the environmental team will conduct a demographic analysis to look at the characteristics of the community in terms of factors such as age, race and ethnicity, English proficiency and other considerations. This analysis helps to determine the profile of the community and can lead to the incorporation of engagement strategies tailored to their needs.

II. COMMUNITY CHARACTERISTICS

There are several sub-groups within a respective broader community context that should be researched and included when developing a PIP. Some of the sub-communities can include:

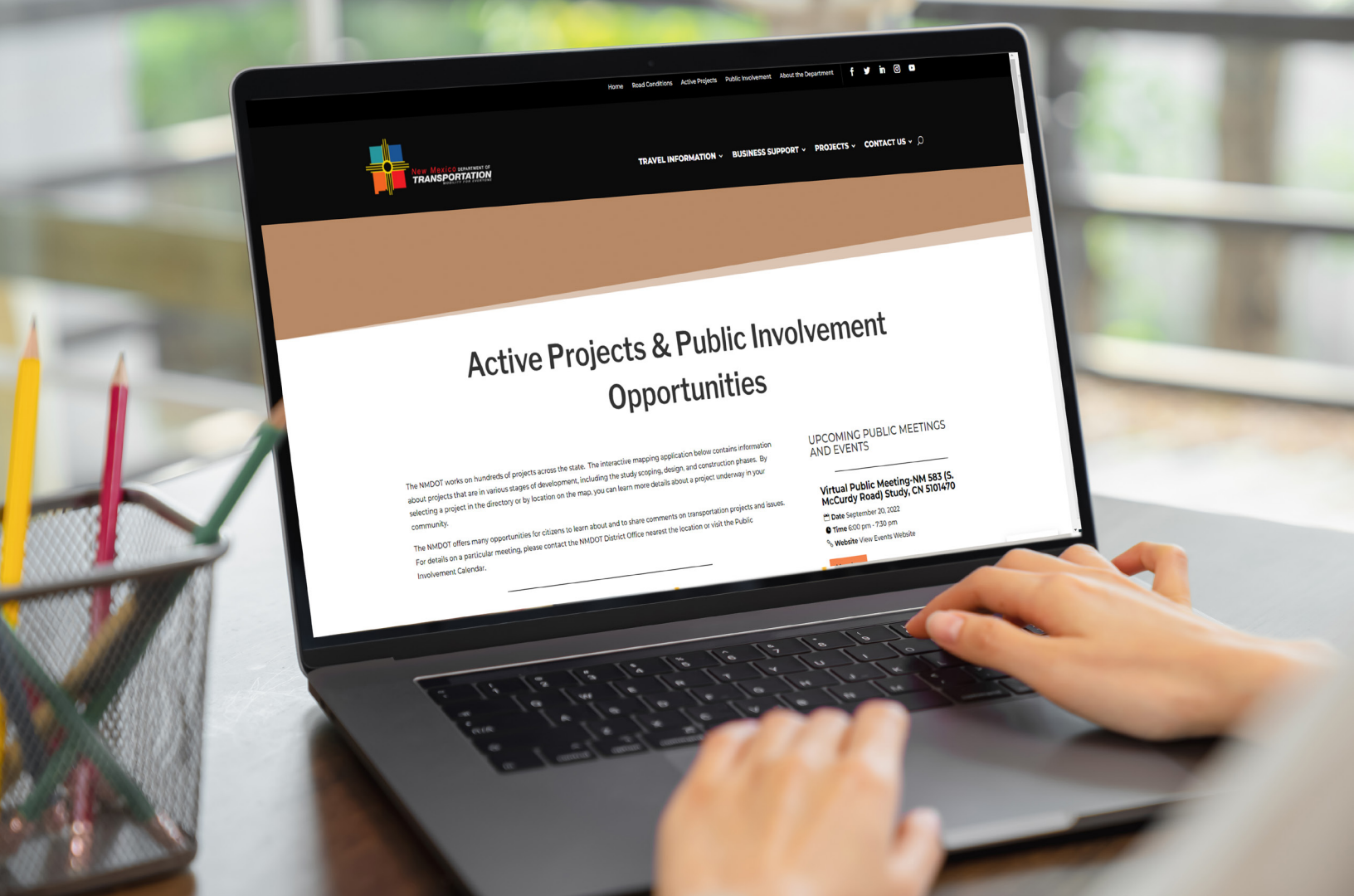
- Community members
- Businesses
- Neighborhood associations
- Community-based organizations
- Schools
- Health and safety
 - » Police and fire
 - » Emergency medical services
 - » Local healthcare services

III. AFFECTED PROPERTY OWNERS

When private property impacts are expected as a result of the project such as acquisitions, construction-maintenance easements, temporary constructions permits, and temporary work permits, the NMDOT Project Development Engineer (PDE) is responsible for conducting property owner interviews with affected property owners. Property owner interviews occur in the field on the potentially impacted property. The scope of work and intended need for property is explained to the owners and exhibits or visuals are used, if available, to describe the impacts to property. The PDE must also request the owner sign a License to Enter Real Property. The results of the meeting are recorded and referred to as the project design advances.

Although property owner interviews are only required prior to the project team reaching 30% design, depending on the project and potential impacts, there could be value in conducting interviews in the study phase. In order to promote trust and rapport, it is recommended that property owner interviews occur before a public meeting to avoid the potential for surprise and an adverse response if affected property owners discover potential impacts to their property in a public forum.

More information about property owner interviews can be found in the NMDOT Infrastructure Design Directive IDD-2020-01.



ONLINE PRESENCE

Online resources are some of the most readily accessible assets to the general public. Within this section, we look at common online tools and how they are used.

I. WEBSITE REQUIREMENTS

Currently, NMDOT maintains an “Active Projects” webpage on their agency website (<https://www.dot.nm.gov>) of all active study and design phase and construction phase projects across the state. This webpage is used to advertise upcoming public involvement opportunities and meeting events. Project-specific websites should be considered for use on a project-by-project basis depending on the scale, scope, and anticipated level of public interest. These websites are hosted by NMDOT and serve as a hub for all public project information throughout the life of the project. Not every single project warrants a stand-alone website and project teams should determine needs during project initiation to scope for content development support if a website is needed.

NMDOT Branding and Style

Branding consistency is needed for projects and project team members should use the appropriate NMDOT logo and color scheme when developing materials. Federal aid projects should use of the appropriate federal funding agency logo (e.g., FHWA). There is room for deviation for specific resources and exhibits, and for projects with lengthy schedules and high public visibility, there can be occasions where individual branding elements may be warranted to promote familiarity amongst the community. In these cases, the NMDOT logo will still need to be included as well as partner agencies as appropriate. This should be handled on a case-by-case basis.



Americans with Disabilities Act

Web accessibility is covered Under Title II of the Americans with Disabilities Act (ADA). Public guidance has been published to provide a best practices toolkit for state and local government websites. Some of the provisions of this guidance include:

- **Adding a Text Equivalent to Every Image:** Adding a line of simple HTML code to provide text for each image and graphic will enable a user with a vision disability to understand what it is. Add a type of HTML tag, such as an “alt” tag for brief amounts of text or a “longdesc” tag for large amounts, to each image and graphic on your agency’s website.
- **Posting Documents in a Text-Based Format:** Always provide documents in an alternative text-based format, such as HTML or RTF (Rich Text Format), in addition to PDF. Text-based formats are the most compatible with assistive technologies.
- **Avoiding Dictating Colors and Font Settings:** Websites should be designed so they can be viewed with the color and font sizes set in users’ web browsers and operating systems. Users with low vision must be able to specify the text and background colors as well as the font sizes needed to see webpage content.
- **Including Audio Descriptions and Captions:** Videos need to incorporate features that make them accessible to everyone. Provide audio descriptions of images (including changes in setting, gestures, and other details) to make videos accessible to people who are blind or have low vision. Provide text captions synchronized with the video images to make videos and audio tracks accessible to people who are deaf or hard of hearing.



Section 508

Section 508 refers to the amendment to the Rehabilitation Act of 1973 and specifically addresses access to electronic and information technology. The law applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Federal agencies must ensure that this technology is accessible to employees and members of the public with disabilities to the extent it does not pose an “undue burden”. It applies to, but is not solely focused on, Federal pages on the Internet.

Although the law does not explicitly apply to state agencies or entities outside the federal government, it is good practice to strive for 508 compliance, especially for projects utilizing federal funding sources. Accessibility is also a major priority for the state and every effort should be made to remove barriers from participation for people with disabilities.

There are several resources available to learn about Section 508 compliance and test existing resources for compliance at www.section508.gov



II. SOCIAL MEDIA CHANNELS

NMDOT utilizes social media to engage with the public. NMDOT-managed profiles include Facebook, Twitter, Instagram and YouTube. Chapter 2 includes more details on how project team members can create content for sharing on NMDOT’s social media channels.

III. ONLINE ENGAGEMENT TOOLS

There are a variety of online engagement tools available for use during project development. When utilizing these tools, the project team should ensure the language and style utilized is consistent with NMDOT style and the style of other project resources. Further detail on engagement tools can be found in Chapter 2 and a comprehensive matrix of readily available tools can be found in Appendix B.



Conducting Public Involvement

Identify activities and strategies that increase participation and lead to a robust program.

This chapter outlines the necessary functions for conducting a public involvement program and items for consideration to increase participation. The intent of this chapter is to define requirements while identifying activities and strategies that could increase participation and lead to a robust public involvement program.



Different projects require different levels of public involvement depending on things like duration of anticipated impacts, the number of impacted resources, the population of impacted residents or travelers, or the need for private property acquisitions, among other considerations. The level of public involvement also depends on the need to involve the public to ensure that decisions are made in consideration of and to benefit the public needs and preferences.

Below are examples of four different types of projects and potential engagement tactics to be used based on project context:



Project 1

A federally funded bridge alignment study for a major perennial river crossing within a metropolitan area with mixed residential, light industrial, commercial, and open spaces.

Public Involvement Goal – Facilitate early and continuous engagement with the public and stakeholders, identify community concerns and involve them in the decision-making process.

Potential Engagement Tactics –

- Identify the audience and any unique or special communication needs
- Launch a study website and calendar event page with a fillable comment form
- Post to NMDOT’s Active Projects webpage
- Host Live Virtual Meetings with stakeholders at key study milestones
- Conduct outreach to advertise public Involvement meeting(s)
- Newspaper advertisements, phone calls, email blasts, press releases, social media posts, banners, EDD mailers, fliers, and announcements at local events
- Host live virtual public involvement meetings during Phase A and Phase B with Spanish interpretation
- Provide a Project Hotline to reach team members to ask a question or provide input
- Conduct online-interactive surveys in English and Spanish
- Establish a comprehensive contact list
- Share a summary of public input and study findings via project fact sheets, study website, social media, and radio announcements
- Send regular updates on study milestones to the contact list
- Share a summary of public input and study findings on the study website



Project 2

A federally funded project for pedestrian path improvements along a U.S. Highway in a small rural historic village that is very active and vocal. The road traverses a National Historic Landmark.

Public Involvement Goal – Maintain open communication with the village residents, National Park representatives, State Historic Preservation Division, and community leaders to develop CSS design plans that consider the historic context, the high number of seasonal tourists, and the safety concerns.

Potential Engagement Tactics –

- Identify the audience and any unique or special communication needs
- Launch a project-specific webpage and calendar event page with a fillable comment form
- Post to NMDOT’s Active Project webpage
- Conduct outreach to advertise public involvement events
 - » Newspaper advertisements, email blasts, press releases, social media posts, and EDD mailers
 - » Post fliers at churches, shops, and gathering sites
 - » Prepare visualizations for outreach materials, presentations, and webpage
 - » Email via NHL manager’s community contact list
- Host live virtual stakeholder meeting(s)
- Host a virtual open house and in-person public involvement meeting(s) on the weekend due to poor internet availability and the number of out-of-town property owners
- Coordinate a Citizens’ Advisory Committee and host several working group sessions
- Post-recorded events, visuals, and meeting summaries on the project webpage
- Establish a comprehensive contact list
- Share regular updates on project development milestones via mailed fact sheets, email blasts, project-specific webpage, and social media



Project 3

A federally funded bridge replacement project on Navajo Nation land.

Public Involvement Goal – Maintain open communication with the tribal representatives and community.

Potential Engagement Tactics –

- Identify the audience and any unique or special communication needs
- Launch a project-specific webpage and calendar event page with a fillable comment form
- Post to NMDOT’s Active Projects webpage
- Host virtual stakeholder meetings or in-person meetings, if desired, with Chapter House and Navajo Nation at key milestones
- Conduct outreach to advertise a Telephone Town Hall meeting
 - » EDD mailers
 - » Radio announcements broadcast in the Navajo language, Diné Bizaad
 - » Emails and follow-up phone calls to tribal representatives in the area, schools, and emergency response teams
 - » Social media blasts on NMDOT profiles and local county, tribal, and school district channels
 - » Banners positioned in key locations for roadway users to see
 - » Press Releases
 - » Newspaper advertisements
 - » Chapter House newsletter announcements
- Host Telephone Town Hall Meeting



Project 4

A state-funded road preservation project in an urban area. No need for ROW and no roadway closures are required.

Public Involvement Goal – Maintain open communication with the local municipality and inform the public about the upcoming project.

Potential Engagement Tactics –

- Launch a calendar event page with an online fillable comment form
- Post to NMDOT’s Active Projects webpage
- Host virtual stakeholder meetings with the local municipality at key milestones
- Conduct outreach to advertise public notification and opportunity to comment or ask questions
 - » Phone calls and emails to schools and emergency response teams
 - » Social media blasts on NMDOT profiles and local municipality, and school district channels
 - » Press Releases

A: Public Notifications

Public notifications are necessary for announcing any engagement opportunity whether, in-person, virtual or hybrid. Examples of required notice types and others that could assist in getting the word out include the following:

ADVERTISEMENTS

There are several types of advertisements used as part of standard and enhanced NMDOT public engagement processes.

I. NEWSPAPER

Publication of newspaper advertisements to notice public meetings is a standard procedure for all NMDOT projects and an FHWA requirement. Project teams should identify the local newspaper publication in closest proximity to the project area and publish the meeting notice two weeks before the date of the meeting. If there are multiple meetings to be held in a series within the same project area, the notice should be published two weeks before the first meeting of the series. In some areas of the state the nearest local newspaper may be a considerable distance from the project area. If there is no widely circulated newspaper publication in the area, project team members should work with the Environmental Bureau District Liaison, Public Involvement Coordinator,

and District PIO to identify an alternative strategy to announce the meeting. This correspondence should be documented via email and mentioned in the summary report.

II. CORRIDOR SIGNAGE

There may be instances where corridor signage is useful for providing notice of the public meeting, especially for projects near heavily trafficked areas with lower travel speeds. Corridor signage can come in different forms ranging from campaign-style signs to large banners. Project team members should include minimal text and direct the audience to the project website or NMDOT website for more information.

All print and email advertisements should be graphically appealing, attempt to minimize text where possible, use common language as opposed to overly technical jargon, and include the following elements:

- | | |
|--|---|
| » Meeting date, time, and location | » Project team contact information |
| » NMDOT logo | » ADA accessibility and translation needs statement |
| » FHWA logo (if receiving federal funding) | » Instructions for how to share a comment |
| » Project control number | » Notice of closing date of the comment period |
| » Project area map | |
| » Meeting purpose | |

III. RADIO ADVERTISEMENTS

Radio advertisements can be an effective way to notice the community about an upcoming public engagement opportunity. These types of ads are especially useful when engaging rural audiences or tribal audiences on tribal lands where mobile phone service can be sparse. If issuing a radio advertisement on a tribally affiliated radio station, the project team should consider issuing the advertisement in the native language of the target audience in order to reach a broader stakeholder base.

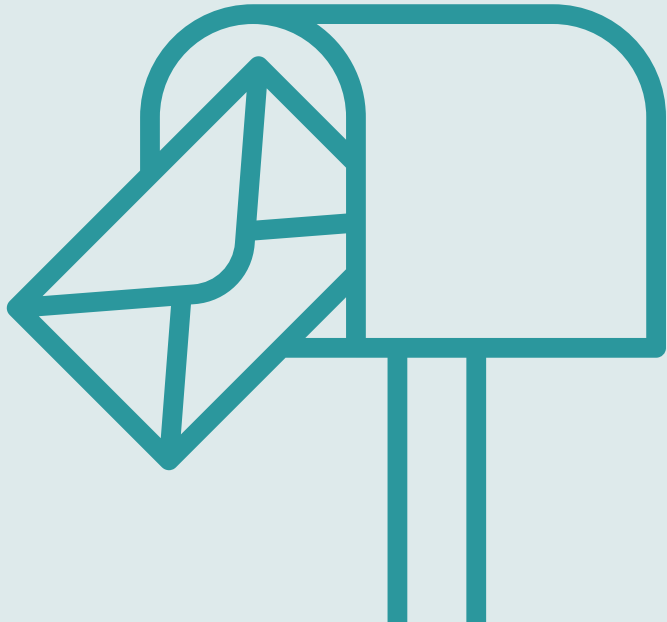
MAILERS, FLYERS, AND EMAIL NOTICES

Mailers, flyers, and email distribution are common ways to notify the public of meetings, and each have benefits and drawbacks.

Distribution of physical mailers can be an efficient and cost-effective way to reach a large population of community members within or near a project corridor.



EDDM Mailings can reach a large audience of community members at a reasonable cost.



MANUAL MAILING

Project team members can review County Assessor data to find property owner contact information and develop a mailing list based on proximity to the proposed project. One of the issues with this method is the property owners may sometimes be different than the residents or occupants of the physical property and affected community members can miss the distribution.

EVERY DOOR DIRECT MAILING

The U.S. Postal Service (USPS) offers Every Door Direct Mailing (EDDM) as a service in which they will provide a postcard-sized mailer to every mailbox along a specified mail route so that residents and occupants near the proposed project receive notifications. This is the most efficient way to secure a large, guaranteed distribution of mailers in a relatively short period of time. Additionally, many local print shop vendors offer development of EDDM-sized mailers and will provide the cards directly to the postal service for distribution. The drawback to this strategy is that individual addresses cannot be selected for distribution. so there is less control over the footprint of notice distribution. Another drawback of this method is that occupants may be missed if mail is not received at their physical properties.

FLYERS

Flyer distribution can be a useful method for distributing meeting notices, primarily due to the personalized nature of walking through the corridor to hand the notice to property owners, renters, institutions, and businesses. This serves as an opportunity to engage directly with community members where project team members can inform them of the upcoming project. An additional consideration could be to post flyers at community gathering areas that allow postings like grocery stores, places of worship, supermarkets, community and senior centers and other frequented community hubs. The drawbacks to this type of distribution include safety concerns for staff when accessing private property and the inefficient distribution of notices when compared to other methods like EDDM.

EMAIL DISTRIBUTION

Email distribution can be the most cost-effective and efficient way to notice the community and stakeholders about upcoming engagement opportunities. In order to distribute project emails, team members should first develop a comprehensive email list, develop a digital graphic in the same style as other advertisements, and then either distribute the notice via a designated project team member email or through a subscription-based email distribution service (some readily available options identified in Appendix B). A drawback to this type of distribution includes excluding those members of the public who do not have an email address or lack reliable connectivity to the internet.

SOCIAL MEDIA

Social media should be utilized when providing notice of upcoming public meetings. This can be done through the development of formatted social media posts and their accompanying copy for NMDOT’s existing social media channels. Team members should consider researching stakeholders’ use of social media channels and request that they post information about upcoming meetings.

Twitter and Facebook are the most widely followed and utilized social media channels for NMDOT and will generate the largest audience for meeting notifications. Unlike email and print notices, social media posts work best with minimal text.

A social media post should include the following elements:

- ✔ Project Title
- ✔ Meeting Date
- ✔ Project Website
- ✔ Project Control Number

Project team members should work with the relevant agency staff to develop content and share social media posts leading up to the meeting (Refer to Chapter 4).

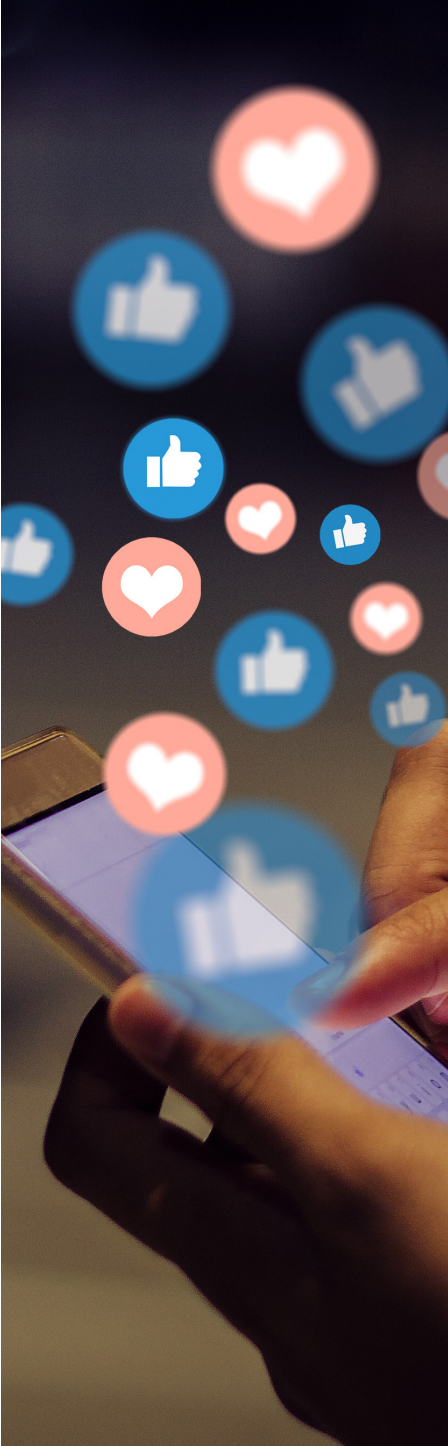
CROSS-POSTING

Coordinate with trusted local organizations to share project information through their social media channels. This expands reach and increases awareness of public involvement opportunities.

Provide ready-to-use materials (graphic and caption) to streamline posting.

Potential partners may include:

- ✔ Public libraries
- ✔ Schools
- ✔ Neighborhood organizations
- ✔ Local nonprofits
- ✔ Community/recreation centers



OTHER NOTICES

PRESS RELEASES

Press releases can be used to make broader announcements of a public meeting or opportunity for public comment. These often are warranted for projects with high public visibility and/or those with high potential for impacts to the community and travelers. Project team members should work with the District PIO to prepare press releases for all public events.

CALENDAR EVENTS

Upon scheduling and noticing of a public meeting, consultant team members should work with the relevant NMDOT staff to create a calendar event with all meeting information on the NMDOT website or project-specific website.

STAKEHOLDER PHONE CALLS

A more personal form of notification includes direct phone calls to community stakeholders. These can include community center managers, local medical facilities, leadership at local schools, prominent community-based organizations, and other community leaders. This can be time consuming, especially for large projects. However, the level of effort is significantly less than distributing flyers door-to-door but it still maintains personal contact. Phone calls can also help establish goodwill and lead to notice distribution through existing networks, forums, meetings, and email lists. Many schools use an auto-dialer notification system to send pre-recorded messages to parents, which may be available to provide notice of a public meeting.

EXISTING COMMUNITY MEETING ANNOUNCEMENT/UPDATE

It is important for project team members to consider the existing commitments and responsibilities of community members and governing officials and understand that adding another meeting to their calendar may not move the respective project higher up the priority list of community members or governing officials. Project staff should consider attending an existing well-attended community or council meeting to either announce the upcoming public meeting or seek a spot on the agenda (if possible) to provide a project update.

PLACE OF WORSHIP BULLETINS

Some project areas have prominent places of worship in their vicinity. An effective strategy for engaging community members can include contacting a congregation to inquire into publishing a meeting notice or announcement within their bulletins, which are often published weekly.

TRIBAL AND PUEBLO NEWSLETTERS

Many tribes and pueblos circulate regular newsletters to tribal members. For projects occurring near or on tribal lands, the project team should pursue publishing the notice in the newsletter.



B: Materials

There are a variety of materials used for engagement. This section identifies commonly used resources and the justifications for their use.

POWERPOINT PRESENTATION (PPT)

PowerPoint presentations (PPTs) are a critical part of public meeting materials. For projects utilizing consultants for project delivery, it is standard practice for the consultant team to lead the development of these presentations in close coordination with NMDOT engineering and environmental staff.

PPTs should be succinct and rely on visuals to help tell the story of the project development process, including introduction

of the presentation topics, current project status, and next steps, as opposed to being exclusively text-based. Presentations should also have graphic treatment that is consistent with project materials. Like other public resources, PPTs should use common language, avoid dense written paragraphs and technical jargon, and utilize bulletized information with graphic support wherever possible.

An example PowerPoint presentation is included in Appendix C.

FACT SHEETS

Fact sheets can be printed or digital and include design information, process information, graphics and any other information that helps to convey the complexities of the project. Fact sheets are especially useful for complex, lengthy projects that will require extended time between the study phase, environmental processes, final design, and potential construction.

When developing a fact sheet, project staff should review the community demographics and identify if the development of an accompanying fact sheet in a language other than English is warranted.

All developed fact sheets should be posted to the NMDOT project website for easy accessibility.

VISUAL AIDS

Visual aids can include poster boards, engineering design roll plots, schematics and other visual information that helps to convey critical project information under consideration. Many times, large visual aids are best used when conducting an open-house style meeting where project team members are assigned to specified stations and are able to have detailed conversations with the community and stakeholders in a more intimate fashion than exclusively relying on large group-based presentations. Visual aids can also be helpful to include as a project resources on a dedicated project website.

PUBLIC COMMENTS

Public comments are a critical part of the environmental process, and the solicitation of public comments is required under NEPA. The methods for submission include phone call, email, traditional mail, online or in-person at a meeting. Public comment periods typically last 30 days but can be extended in certain circumstances including for projects with significant public interest and volume of comments, or if the comment period coincides with holidays, among other extenuating circumstances.

Public comment sheets, forms, or cards are common resources for in-person meetings. These allow for community members to voice their concerns, support, or opposition about a project in a written format. Comments sheets are placed into a box by community members for consideration by the project team and are later recorded into the administrative record per NEPA requirements. The public should be allowed anonymity when submitting comments.

One point of contact should be designated on the project team for all public comments and commenters should be notified of receipt of their comment.

SIGN-IN SHEETS

Sign-in sheets are utilized for all in-person meetings and allow for attendees to identify themselves and place their contact information into the project contact database. When collecting personal information, there should be an acknowledgment that collected personal contact information will not be made public to protect privacy.



PRESENTATION STYLE:

Whether a meeting is held virtually or in-person, presenters should be cognizant of presentation style and use layman terminology, positive body language, warm tone, and a cadence that allows listeners to easily follow the presentation. It is also important for presenters to not overly rely on visuals in consideration of audience members who may have called into the meeting or who have sight limitations.

C: In-Person Meetings

In-person meetings have commonly been utilized to solicit public input throughout history for project delivery. There are a few considerations that should be made when planning for in-person engagement opportunities.

LOCATION SELECTION

A location should be selected that is in or near the project area with easy access and ample parking for attendees. Local community centers, libraries and other public venues often work well. If hosting a pop-up meeting, project team members should utilize an area that is heavily trafficked like a local grocery store, community park or at an existing event within the community. The location or setting selected should be neutral meeting space lacking in religious and political context.

When selecting a meeting location, the project team should discuss seating needs with the meeting space owner. Submitting a facility use application may be required to inform the owner of the number for chairs and tables needed and inform the user of any terms and conditions associated with use of the space.

AUDIO VIDEO (AV) SERVICES

Project team members should consider AV availability including projector and screen access, audio amplification (e.g., microphones and speakers) and other technology needs anticipated for use. On occasion, the most central meeting location will not have technology available, and the project team members assigned to coordinating the meeting will need to secure the necessary technology for use at the event or select a different meeting location within proximity to the project having better AV accessibility.

REFRESHMENTS

It is important for the project team to understand that lengthy in-person public meetings generally occur at or near the dinner hour for attendees. Refreshments including small snacks, such as baked goods or crackers, and drinks, such as water, coffee, or juice, should be provided at in-person meetings. The project staff providing refreshments should take care to have original packaging and a list of ingredients readily visible to avoid dietary issues for attendees.

When selecting a meeting location, the project team should confirm that outside food and drink are permissible to bring into the meeting space.

ACCESSIBILITY NEEDS

When determining a meeting location, the project team should consider the mobility impaired ADA-related accommodations at the chosen facility. These can include access ramps, automatic doors, handicap parking and other accommodations. Some older buildings constructed prior to the passage of the ADA may be missing these facilities and should be removed from consideration.

As part of the public meeting notices, project teams are required to solicit requests for ADA accommodations. When these requests are received, it is the responsibility of the staff in charge of facility and access planning to develop accommodation strategies.

D: Virtual Engagement

TOOL SELECTION

There is a myriad of interactive tools for consideration when hosting a virtual engagement opportunity. These range from virtual meeting hosting software to online surveys, on-screen drawing tools, online mapping tools and everything in between. Increasingly NMDOT is utilizing accessible online engagement tools to empower the public to contribute to the project development process in an enhanced manner when compared to soliciting comments alone. Appendix B includes a matrix of readily available tools that can be referenced by NMDOT and consultant staff when developing a public engagement scope and plan.



PUBLIC MEETING RECORDING

A major benefit of hosting a virtual public meeting or workshop is the ability to record the session for posting onto the NMDOT YouTube channel and/or project webpage. In addition to serving as part of the public record, videos allow for community members and stakeholders who were unable to attend the meeting to receive the same information as those in attendance. This benefit is evident by recent meeting recordings receiving a higher volume of viewership than the volume of attendees at the event on many recent virtual public meetings. The project team is required to record every virtual public meeting for posting following the event. Recordings should be provided to the NMDOT in MP4 digital multimedia file format.



A major benefit of hosting a virtual public meeting or workshop is the ability to record the session.

PREPARATION AND TROUBLESHOOTING

As part of the preparation for an upcoming virtual public meeting, the project team members assigned to coordinating the meeting are required to assign staff with keen familiarity using the online meeting platforms for virtual public events. The team is also required to incorporate staff redundancy and provide a “backup host” should the designated host experience any technology or connection issues during the virtual event.

As part of typical virtual meeting preparation, the project team members assigned to coordinating the meeting should host at least two rehearsals prior to the meeting to run through the presentation material and test intended functionality of the online meeting platform. This is critical to the preparation process and all speakers and team members with a role at the meeting are asked to attend the rehearsal. If utilizing a language interpreter or other third-party service provider as part of the meeting, the team should ensure their presence in at least one rehearsal and scope the vendor agreement accordingly.



E: Interpretation and Translation

Interpretation and translation should be provided if the demographic analysis identifies a high threshold of LEP community members and/or if interpretation services are requested by a community member. Interpretation refers to the active communication, word by word, at a meeting. By contrast, translation refers to the conversion of materials to another language or the action of operating as an intermediary between two parties attempting to communicate in different languages.

Interpretation services can be provided in both in-person and virtual formats and trained interpreters should be utilized to provide this service. For in-person meetings, interpreters will often bring radio technology that community members can utilize to listen in their own language. For American Sign Language interpretation, the interpreter will often stand at the front of the room to communicate what is being spoken.

For virtual meetings, many platforms offer functionality that allows for an interpretation channel to be added to the meeting. In this case, community members in need of accommodation will select the corresponding language track and the interpreter will actively communicate what is being spoken in the English language channel. Many platforms also offer the ability to turn on closed captioning interpretation to accommodate hearing impaired members of the public.

If interpretation services are requested, it is not suitable to have an untrained technical staff member attempt to provide this service, even if they are fluent in the language. For material translation, however, project team members with experience delivering these services can be considered upon NMDOT approval.

F: Documenting and Tracking

When conducting public engagement, it is a requirement to consistently document and track efforts and their outcomes. Not only is this process required by NEPA and other environmental laws, but it can also assist in evaluation of tactics following the completion of an engagement cycle.

RSVP AND ATTENDANCE

RSVP information allows project team members to understand anticipated attendance for a meeting and help them to staff accordingly. RSVP information is easier to secure for virtual public meetings which often have a simple registration mechanism.

The gathering of attendance allows the project team to track who arrived, their organization or affiliation (if any), and to add them to the contact list. Sign-in sheets should be used for in-person meetings. Virtual meeting platforms often automatically track this information.

COMMENTS

The solicitation of comments is a required process for all NMDOT projects and recording comments for the public record is required under NEPA and other applicable environmental law. Public and stakeholder comments can be secured in a variety of ways including a completed comment sheet, an email, a phone call, or through an online form or survey. Typically, comments posted on social media are not collected for the public record.

GLOBAL MAILING LIST

The global mailing list is one of the most important resources for on-going project engagement throughout the entire project development process. When the project team is starting from the initial project phases, the consultant team is required to conduct research to populate the list based on the community characteristics and information available online or through existing organizations. When a consultant is tasked with advancing a project in a later phase, it is the responsibility of the consultant to work with NMDOT staff to secure any previously existing contact lists used by the team to build upon. Chapter 1 identifies a good starting point for the community stakeholders, officials, and organizations to include when developing the list. The global mailing list is an iterative resource and all community members and stakeholders who attend meetings, provide comments, or otherwise participate in the project development process should be added to it regularly.

When a project team completes its work on a project, the final list should be provided to NMDOT Environmental Bureau staff for record keeping and distribution to any team overseeing engagement for later phases of the project.



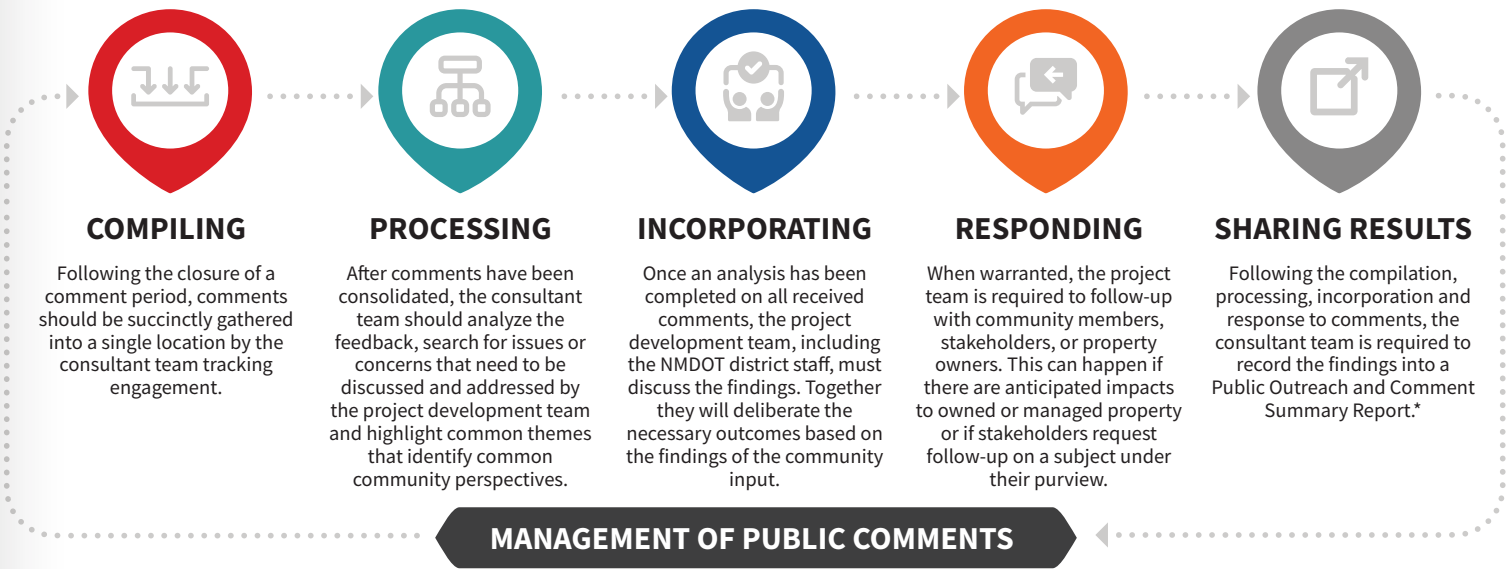
Follow-up and Documentation

After conducting public engagement there are a set of practices required to accurately record the results of the activities and provide them to the project development team for consideration. The following section identifies the standard process for documenting engagement and following up with community members and stakeholders who engage.



A: Management of Public Comments

As identified in Chapter 2, public comments come in many forms. Although community members can submit comments whenever they choose, there are streamlined processes associated with compiling and analyzing comments received during an open comment period, usually following a public meeting. All submitted public and stakeholder comments should be recorded and interpreted for consideration as part of the project development process.



*Because the final Public Outreach and Comment Summary Report is likely to contain sensitive information like personal contact information, the consultant team is required to develop an accompanying redacted version which is published on the project website or active projects website. (Refer to Section B).

B: Documentation of Public Involvement

There are typically two key deliverables used for documenting public involvement as standard practice by NMDOT during the environmental documentation phase (Phase I-C)—the **Public Outreach and Comment Summary Report** and **NEPA Compliance Documentation**:

PUBLIC OUTREACH AND COMMENT SUMMARY REPORT

Record keeping and documentation are imperative to a transparent public engagement program and to ensure a defensible NEPA Administrative Record is maintained. Following closure of an open comment period associated with a public meeting and after comments are compiled, a Public Outreach and Comment Summary Report should be prepared that summarizes the steps taken in the public engagement process, including the methods used for notifying the public, and organizes the comments received. The report would include copies of notification and presentation materials, meeting attendance lists, and raw comment data. A version of the report with redactions made to remove personal identifying information should also be published to the established project website upon completion. Refer to Appendix C for an example of a Public Outreach and Comment Summary Report.



Record keeping and documentation are imperative to a transparent public engagement program and to ensure a defensible NEPA Administrative Record is maintained.

NEPA COMPLIANCE DOCUMENTATION

ADMINISTRATIVE RECORD

The NEPA Administrative Record contains the supporting documents of the path that an agency has followed in making its decision. An administrative record should contain those documents that are critical to the approach the federal agency has taken. Records detailing the public and stakeholder engagement process are important, as well as documents that reflect how criticism or opposition was addressed. All members of the project development team are responsible for developing and maintaining organized files that support the administrative record in addition to the NEPA document.

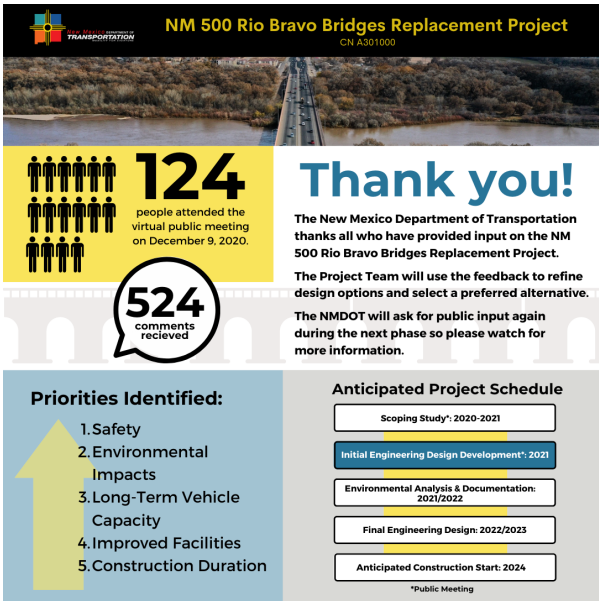


C: Follow-up

Community members and stakeholders who engage in the project development process are often donating time to participate in the project. Simple follow-up messages provided to the contact list can help keep the community engaged and informed and foster goodwill among the population.

ACKNOWLEDGMENT OF ATTENDANCE/INPUT

Following an engagement meeting or activity, it is important for the project team to communicate with the community and stakeholders and thank them for their involvement or input. This can often be done most efficiently via email and the message should include links to any resources available online, including a meeting recording, publication, or summary of received input.



An example follow-up message

FORECASTING PROJECT/STUDY NEXT STEPS

As a project advances to further phases including construction or as a published environmental document, the project team should utilize the email contact list to communicate progress.



D: Strategy Review and Performance Evaluation

As specified in the public involvement planning section of this guide, it is the responsibility of the project development team to identify performance measures at the onset of the engagement process for evaluation at the conclusion of the engagement cycle or project.

Project team members should consolidate qualitative and quantitative metrics as engagement processes wrap up for a discussion with the NMDOT about successes, challenges, and areas for improvement. This is a critical step in continually striving for improved and more inclusive engagement and allows the NMDOT to carry successes for specific communities to future projects.

“CUSTOMER SATISFACTION” FOLLOW-UP

A strategy that should be considered for evaluation is a follow-up survey provided to the contact list at the conclusion of a project phase. This can help secure valuable feedback that can be used by project team members to evaluate utilized strategies for future engagement.



Roles and Responsibilities

The project team may consist of a diverse group of staff from the NMDOT and Consultant firms.



For any given public engagement context, the project team may consist of a diverse group of staff from the NMDOT and Consultant firms. This may also include partnering quasi-decision-making local government agencies. The following section discusses the general roles and responsibilities of various team members who typically participate in public engagement activities for NMDOT/FHWA-led projects, as well as the public.

A. NMDOT Staff

This section identifies the NMDOT staff typically involved in the engagement process and specifies their roles.

PROJECT DEVELOPMENT ENGINEER

For design development projects, a Project Development Engineer (PDE) is assigned to the project as the overall lead and primary agency point-of-contact. Often this role is filled by staff from one of the NMDOT’s Regional Design Centers (North, Central, or South), but may be assigned to a technical engineer within the respective District office.

The PDE’s role in the public engagement process includes acting as the lead NMDOT representative. This includes review and comment on technical content of materials, attendance and participation at public and stakeholder events, determining appropriate responses to public comments, and coordinating with the respective District to determine how public input will be incorporated into the project design or construction.



ENVIRONMENTAL BUREAU PUBLIC INVOLVEMENT SPECIALIST

The NMDOT Roadside Environment Design Section of the Environmental Bureau has a staff position dedicated to public involvement. This ensures that communication with the public is inclusive, clear, and continuous so that stakeholders can come to a consensus on solutions to a community's transportation needs. The Public Involvement Specialist's role is to act as a supporting resource to the project development teams for projects statewide. This includes participation in the public engagement approach discussion on a project-by-project basis, review and comment on materials content, attendance at public and stakeholder events, and providing facilitation support as needed to support the Department.

ENVIRONMENTAL BUREAU DISTRICT LIAISON

Each NMDOT District has an assigned Environmental Bureau liaison who is responsible for overseeing the NEPA and environmental clearance process during development and design of federal and state funded projects. The Environmental Bureau liaison's role is to act as the agency environmental lead and participate in the project development process. This includes participation in the public engagement approach discussion for projects within their area of assignment, review and comment on materials content, attendance at public and stakeholder events, and maintaining internal agency projects records.

For any projects requiring public engagement and without an engineering and environmental consultant, the Environmental Bureau liaison would be responsible for facilitating all aspects of the public engagement strategy, preparation of materials, meeting facilitation, and subsequent documentation.

PUBLIC INFORMATION OFFICER

Each of the NMDOT's six District offices has a local PIO. The role of the PIO is to act as a local spokesperson and implement district-level organizational communication and public awareness strategies. The PIO typically responds to local media and public inquiries and disseminates public information through press releases and other forms of communication.

NMDOT's General Office (GO) public affairs communications team in Santa Fe handles all official content posting and public messaging on the Department's social media platforms.

The consultant and/or environmental liaison should provide the appropriate District PIO with an electronic copy of public meeting notices, including any social media advertisements. The consultant and/or environmental liaison should provide social media materials to the GO communications team.



DISTRICT STAFF

Numerous District staff are involved in the project development process and have roles and responsibilities in the public engagement process. This typically includes key leadership, the District Engineer, Assistant District Engineer, and Assistant District Construction Engineer since each District is responsible for fiscally delivering infrastructure improvement projects to benefit the traveling public. Participation from the district leadership is instrumental in consensus building with the public, affected stakeholders, and the project development team.

The role of district leadership in the public engagement process is to participate as a project team member and act in an agency decision-making role. This includes attendance and participation at public events and strategic stakeholder events, support with developing messaging pertaining to specific and/or sensitive issues, review and comment on technical content of materials, and working with the project development team to determine how public input will be incorporated into the project design or construction.

WEBSITE AND COMMUNICATIONS STAFF

Currently, NMDOT maintains a projects webpage on their agency website of all active study and design phase and construction phase projects across the state. This webpage is used to advertise upcoming public involvement opportunities and meeting events. Depending on the scale, scope, and anticipated level of public interest, a project-specific website may be developed to serve as a single source platform of information, including public engagement resources.

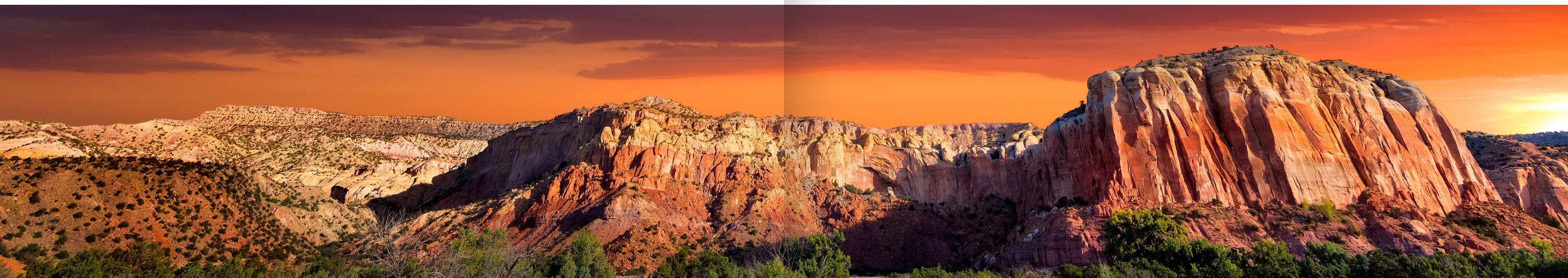
NMDOT website developers are responsible for adding site content and supporting the front-end and back-end functioning of the website(s). The consultant, NMDOT PIO, and/or environmental liaison are responsible for providing the website staff with electronic project-specific technical content, such as written narratives, presentation materials, visual graphics, post-meeting video recordings, etc.

B. Engineering, Environmental, and Public Involvement Consultants

Depending on the Department's needs for a specific project or task, engineering, environmental and public involvement consultants are contracted to serve as an extension of agency staff. In many instances a consultant team is selected to assist NMDOT with facilitating the entire project development process beginning with the study phase through final design. This is typical of larger and/or complex projects that require implementation of a public engagement strategy. Smaller projects and/or NMDOT design led projects may have a consultant contracted to perform specific public and stakeholder engagement tasks within the larger project context project.

The consultant team is typically responsible for developing the public engagement strategy and PIP based on the context of the project and local community, facilitating

the workflow, handling the production of technical materials (e.g., PowerPoint presentation, newspaper notices, roll plots), and implementing all aspects of hosting a public meeting event and 30-day public comment period. The consultant team must confirm the public engagement approach with the NMDOT PDE, public involvement coordinator, and Environmental Bureau District liaison prior to implementation. When the consultant team serves as the public engagement lead on a project, all consultant-produced materials need to be provided to the NMDOT team for review, comment, and approval prior to public distribution. The consultant team is also responsible for maintaining documentation of the public engagement process to support the NEPA administrative record, when applicable.





D. Partner Agencies

Depending on the scale of the project, local government agencies may partner with the NMDOT and participate in the project development process. The role of partner agencies is to oversee all jurisdictional responsibilities related to project design and work with NMDOT to help build consensus from the public. Partner agencies can also play a key role in notifying community members and stakeholders of upcoming engagement opportunities.

C. The General Public

Public input is key to developing sound transportation infrastructure solutions. Similar to the project team, the public has their own roles and responsibilities for participating and engaging in the NMDOT's decision-making process. While public input is accepted at any time, it is imperative for the public to offer input, ask questions, and provide comments during public and stakeholder engagement events and 30-day comment periods. This allows the project team to continue to advance the project schedule and meaningfully consider and incorporate public and stakeholder feedback.



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NMDOT