



## 1.1 Originator

The Chief of the Environmental Process and Document Section is the originator of this chapter. Direct questions and comments on the contents of this chapter to Dan Scudder, 608-267-3615, dan.scudder@dot.wi.gov.

## 1.2 Goals and Objectives

Every Department project must include some element of public involvement. WisDOT public involvement plans and activities are designed to effectively involve the public early and often in the process so that the project decisions made are in the best overall interest. Good public involvement is integral to good transportation planning. Without meaningful public participation, there is a risk of making poor decisions, or decisions that have unintended, negative consequences. With it, it is possible to make a lasting contribution to the quality of life. It is more than an agency requirement and fulfilling statutory obligations. It is central to good decision-making.

The public includes individuals or organizations, groups, municipalities and businesses. Consider all avenues of the transportation industry such as rail, freight, transit, roads, or other modes. Include underserved or minority populations, all income levels, races, and cultures to represent the widest variety of input, opinions, and feedback.

Effective public involvement is attained through the implementation of various techniques designed to accomplish one or more of the following objectives:

1. Identify, inventory, and define key populations affected by a project.
2. Foster the public's trust by identifying key community plans, issues, priorities, and values.
3. Utilize a process to effectively capture the public's input.
4. Inform citizens of meetings or events and why they may want to participate.
5. Encourage citizens to participate and gain buy in for the proposed project using appropriate methods.
6. Analyze project alternatives and their impacts on the community and the environment.
7. Promote and conduct public interaction through direct and indirect methods.
8. Resolve differences and conflict in a professional and respectful manner.
9. Monitor impacts related to recently completed projects.
10. Document and evaluate the effectiveness of all public involvement activities.

Public involvement is a very important part of the overall communication plan for a project. Please refer to [FDM 2-20-5.8](#) - Communication Management and other references in FDM 2-20 for a discussion of communication from a project management perspective.

## 1.3 Public Involvement and the Facilities Development Process

This Chapter focuses on public involvement as implemented within the Facilities Development Process (refer to [Chapter 3](#) of this Manual for a description of this process).

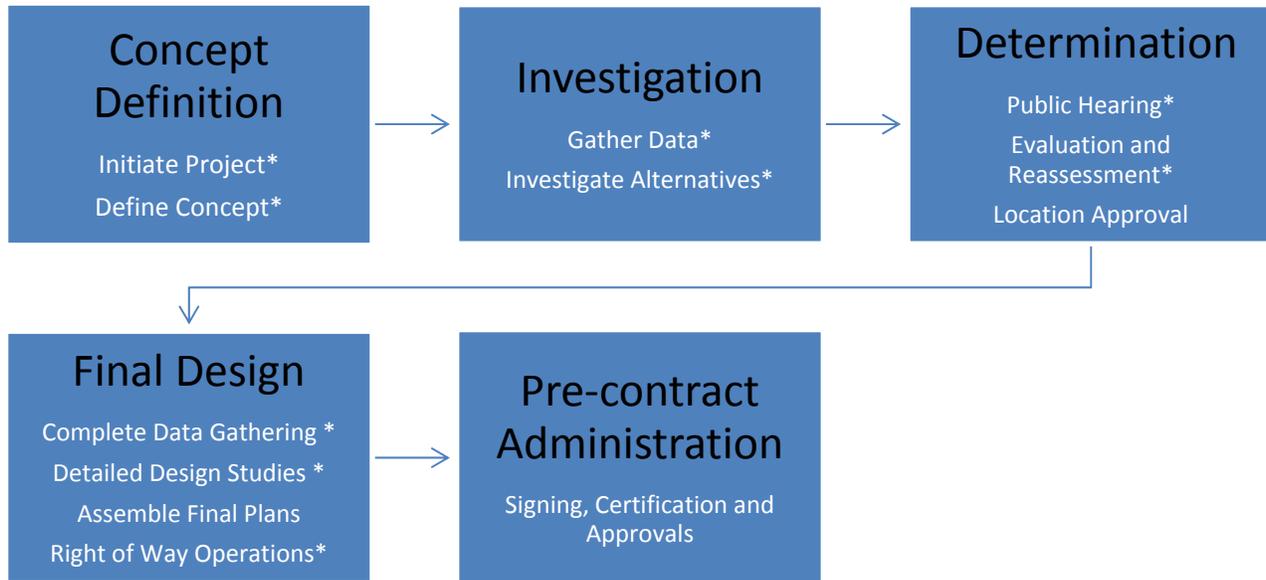
There are requirements for public involvement during the WisDOT statewide plan development process that will not be discussed in this Chapter. Plan development public involvement procedures are found at:

<http://wisconsindot.gov/Pages/projects/multimodal/conn2030.aspx>

There are also opportunities for public involvement following the completion of the Facilities Development Process. Groundbreaking ceremonies prior to starting construction, local public meetings and email blasts during construction to provide information about construction activities, and ribbon cutting ceremonies following construction are several examples of public involvement that can be considered. Refer to [FDM 6-5-15](#) for a summary of available public involvement techniques.

The Facilities Development Process involves developing transportation improvement projects from the point they are authorized to the let-to-bid phase. It is divided into five distinct phases:

1. Concept Definition
2. Investigation
3. Determination
4. Final Design
5. Pre-contract Administration



**\*Important Public Involvement Points**

**Figure 1.1. The Facilities Development Process**

**FDM 6-1-5 Statutes, Rules, Regulations and Law**

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**5.1 State Statutes and Rules**

Numerous state statutes and rules influence the Department's public involvement program. Several key Wisconsin statutes and rules are listed below.

Type of Documentation	Reference to:	Key Concepts
<b>WI Statutes</b> <a href="http://docs.legis.wisconsin.gov/statutes/statutes/1">http://docs.legis.wisconsin.gov/statutes/statutes/1</a>	Chapter 1.11 – Governmental Consideration of Environmental Impacts	Environmental policy affecting the quality of the human environment and proposed actions, including alternatives.
	Chapter 84 – State Trunk Highways; Federal Aid	State trunk highway action types, funding sources and related public involvement requirements.
	Chapter 985 – Publication of Legal Notices; Public Newspapers; Fees	Defines legal notice class-types, publishing requirements and identifies the official state newspaper.
<b>WI Administrative Rule</b> <a href="http://docs.legis.wi.gov/code/admin_code/trans/208/02">http://docs.legis.wi.gov/code/admin_code/trans/208/02</a>	Trans 208 – State Trunk Highway Location Process	Identifies the methods used by WisDOT for establishing state trunk highway locations and the related public involvement steps.
	Trans 400 – Wisconsin Environmental Policy Act (WEPA) Procedures for	Based on federal regulations and past experience, the state's procedures for environmental

	Department Actions	policies.
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## 5.2 Federal Regulations and Laws

Regulations (and rules) are "administrative laws." Key public involvement regulations include:

Topic	Reference to:	Key Concepts
<b>Public Involvement</b> <a href="http://www.gpo.gov/fdsys/">http://www.gpo.gov/fdsys/</a>	23 USC 139 – Efficient Environmental Reviews For Project Decision-making	Coordination and scheduling for public and agency participation on the environmental review process.
<b>Guaranteed Federal Funding for Highways</b> <a href="http://www.fhwa.dot.gov/map21/">http://www.fhwa.dot.gov/map21/</a> <a href="http://www.fhwa.dot.gov/safetealu/summary.htm">http://www.fhwa.dot.gov/safetealu/summary.htm</a>	Moving Ahead for Progress in the 21 <sup>st</sup> Century (MAP 21)	Continued and enhanced emphasis on strong planning and public involvement when using federal aid for projects.
<b>Highway Planning</b> <a href="http://www.gpo.gov/fdsys/">http://www.gpo.gov/fdsys/</a>	23 CFR 450 – Planning Assistance and Standards	Guides development of statewide transportation plans and programs; requires early and continuous public involvement. Section 450.212 details public involvement.
<b>Protecting the Environment</b> <a href="http://www.gpo.gov/fdsys/">http://www.gpo.gov/fdsys/</a>	23 CFR 771 – Environmental Impact and Related Procedures	Addresses early coordination, public involvement, and project development for proposed actions in section 771.111.
<a href="http://www.gpo.gov/fdsys/">http://www.gpo.gov/fdsys/</a>	40 CFR Volume 31, Chapter V Parts 1500-1508 – National Environmental Protection Act (NEPA)	Addresses availability of information to public officials and citizens prior to decisions made.
<b>ADA/Civil Rights</b> <a href="http://www.fhwa.dot.gov/civilrights/programs/ada.cfm">http://www.fhwa.dot.gov/civilrights/programs/ada.cfm</a>	28 CFR 36 – Americans with Disabilities Act	Requires government programs to be accessible to people with disabilities.
<a href="http://www.fhwa.dot.gov/environment/title_vi.htm">www.fhwa.dot.gov/environment/title_vi.htm</a>	Title VI – Civil Rights Act of 1964	No person shall be excluded from participating in any program receiving federal assistance based on race, color, or national origin.
<a href="http://www.fhwa.dot.gov/hep/lowlim/index.htm">www.fhwa.dot.gov/hep/lowlim/index.htm</a>	Title VI – Executive Order 13166 Limited English and Low Proficiency	Improves access to services to people with limited English and low proficiency populations.
<a href="http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm">www.fhwa.dot.gov/environment/ejustice/facts/index.htm</a>	Executive Order 12898 Environmental Justice	Addresses avoidance of actions that can cause disproportionately high and adverse impacts on minority and low income populations.
<b>Tribes</b> <a href="http://www.tribalplanning.fhwa.dot.gov/consult.aspx">www.tribalplanning.fhwa.dot.gov/consult.aspx</a>	Tribal Relations – IRR Public Hearings/Review 25 CFR 170.435 -170.441 25 CFR 170.413	Tribal transportation, consultation, and public involvement for road projects including within the metropolitan planning process.