

Public Participation Plan

For the Johnson City Metropolitan Transportation Planning Organization



Adopted March 28, 2008

Amended August 25, 2016 and June 21, 2022

This Public Participation Plan was developed by the Johnson City MTPO, in cooperation with:

Tennessee Department of Transportation

Federal Highway Administration

Federal Transit Administration

An electronic copy of this document can be found on our website at <http://jcmpo.org/ppp.html>.

If you need this document translated into Spanish or another language, please contact the MPO Manager, by phone at (423) 434-6272 or email at jcmpo@jcmpo.org.

Spanish Translation of the above statement:

Si usted necesita este documento resumido en español contacta por favor al Coordinador del MTPO. Numero de telefono (423) 434-6272, correo electronico: jcmpo@jcmpo.org.

The Johnson City Metropolitan Transportation Planning Organization (Johnson City MTPO) ensures compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, part 26; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex or national origin.

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RESOLUTION ADOPTING THE PUBLIC PARTICIPATION PLAN (PPP) FOR THE JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

WHEREAS, the Johnson City Metropolitan Transportation Planning Organization is responsible for the transportation planning and coordination for the Johnson City Urbanized Area; and

WHEREAS, the Johnson City Metropolitan Transportation Planning Organization Executive Board has the authority to adopt plans and programs; and

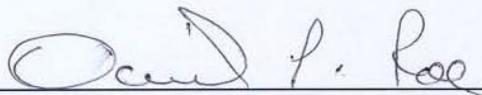
WHEREAS, the development of Public Participation Plan is required by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, various local, state, regional, and federal agencies, involved with transportation planning for the Johnson City Urbanized Area have cooperatively developed the Public Participation Plan; and

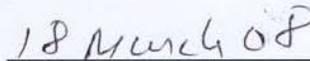
WHEREAS, the Public Participation Plan has completed the required 45-day public review and comment period;

NOW THEREFORE, BE IT RESOLVED BY THE JOHNSON CITY METROPOLITAN TRANSPORTATION EXECUTIVE BOARD:

THAT the Executive Board hereby adopts the Public Participation Plan for the Transportation Planning Process.



MTPO Executive Board, Chairman



Date



MTPO Executive Staff, Chairman



Date

RESOLUTION OF THE EXECUTIVE BOARD OF THE JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION TO APPROVE AND ADOPT THE UPDATE TO THE PUBLIC PARTICIPATION PLAN

WHEREAS, a comprehensive, cooperative, and continuing transportation process is to be carried out in the Johnson City Metropolitan Planning Area; and

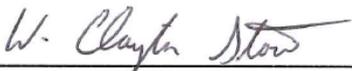
WHEREAS, the Johnson City Metropolitan Transportation Planning Organization Executive Board has the authority to adopt plans and programs; and

WHEREAS, the Public Participation Plan was first required by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and recently upheld in the recent Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, the Public Participation Plan has been reviewed for past performance and been updated accordingly, along with a more modern look; and

WHEREAS, the Public Participation Plan has completed the required 45-calendar day public review and comment period from July 1, 2016 through August 15, 2016; and

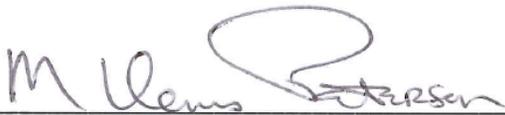
NOW, THEREFORE, BE IT RESOLVED the Johnson City MTPO Executive Board does hereby approve and adopt the update to the Johnson City MTPO Public Participation Plan.



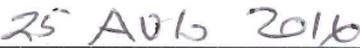
Johnson City MTPO Executive Board Chairman



Date



Johnson City MTPO Executive Staff Chairman



Date

RESOLUTION OF THE EXECUTIVE BOARD OF THE JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION (MTPO) TO

To adopt Amendment No. 2 to the Public Participation Plan

WHEREAS, a comprehensive, cooperative, and continuing transportation process is to be carried out in the Johnson City Metropolitan Planning Area; and

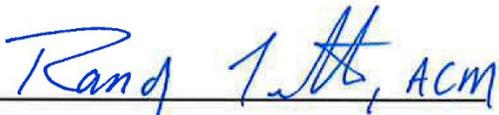
WHEREAS, the Johnson City Metropolitan Transportation Planning Organization Executive Board has the authority to adopt plans and programs; and

WHEREAS, the Public Participation Plan was first required by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and recently upheld in the recent Infrastructure Investment and Jobs Act (otherwise known as the Bipartisan Infrastructure Law); and

WHEREAS, the Public Participation Plan has been reviewed for past performance and been updated accordingly; and

WHEREAS, the Public Participation Plan has completed the required 45-calendar day public review and comment period from April 20, 2022 through June 6, 2022; and

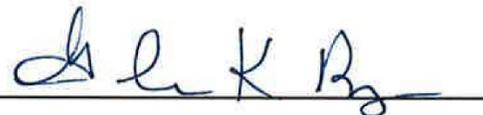
NOW, THEREFORE, BE IT RESOLVED that the Executive Board of the Johnson City Metropolitan Transportation Planning Organization does hereby adopt Amendment No. 2 to the Johnson City MTPO Public Participation Plan.



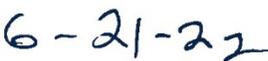
MTPO Executive Board, Chair



Date



MTPO Executive Secretary



Date

Abbreviations

ADA	The Americans with Disabilities Act
BIL	Bipartisan Infrastructure Law (also known as IIJA)
CFR	Code of Federal Regulations
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
IIJA	Infrastructure Investment and Jobs Act (also known as BIL)
JCT	Johnson City Transit
LEP	Limited English Proficiency
L RTP	Long-Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21 st Century Act
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organizations
MTP	Metropolitan Transportation Plan
MTPO	Metropolitan Transportation Planning Organization
NEPA	National Environmental Policy Act
POP	Program of Projects
PPP	Public Participation Plan
RPO	Rural Planning Organization
SAFETEA-LU	Safe, Accountable, Flexible Transportation Equity Act - Legacy for Users
SHPO	State Historic Preservation Office
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TDOT	Tennessee Department of Transportation
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
U.S. DOT	United States Department of Transportation
UZA	Urbanized Area
USC	United States Code

Section 1: Overview

What is an MPO?

According to the Federal Highway Administration (FHWA)¹, metropolitan transportation planning is the process of examining travel and transportation issues and needs in metropolitan areas. It includes a demographic analysis of the community in question, as well as an examination of travel patterns and trends. The planning process includes an analysis of alternatives to meet projected future demands, and for providing a safe and efficient transportation system that meets mobility while not creating adverse impacts to the environment. In metropolitan areas over 50,000 in population, the responsibility for transportation planning lies with designated Metropolitan Planning Organizations (MPOs).

An MPO is a transportation policy-making organization made up of representatives from local government and transportation authorities. In 1962, the United States Congress passed legislation that required the formation of an MPO for any Urbanized Area (UZA) with a population greater than 50,000, as defined by the U.S. Census Bureau. Congress created MPOs in order to ensure that existing and future expenditures for transportation projects and programs are based on a continuing, cooperative and comprehensive (“3-C”) planning process. Federal funding for transportation projects and programs are channeled through this planning process. Statewide and metropolitan transportation planning processes are governed by Federal law in the United States Code (23 USC 134 and 135). As a prerequisite for the receipt of both federal transit and federal highway funding, MPOs are responsible for the development of a Metropolitan Transportation Plan (MTP), the Transportation Improvement Program (TIP), and a Unified Planning Work Program (UPWP) for its metropolitan planning area.

According to the U.S. DOT², there are five core functions of an MPO:

- **Establish a setting:** Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.
- **Identify and evaluate alternative transportation improvement options:** Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program or UPWP.
- **Prepare and maintain a Metropolitan Transportation Plan (MTP) or Long-Range Transportation Plan (LRTP):** Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.

¹ Federal Highway Administration. (2014). *Metropolitan Planning*. Retrieved from: <http://www.fhwa.dot.gov/planning/processes/metropolitan/>

² Federal Highway Administration, Federal Transit Administration. (2007). *The transportation planning process: Key issues: A briefing book for transportation decisionmakers, officials, and staff: A publication of the Transportation Planning Capacity Building Program*. Washington, D.C.: U.S. Department of Transportation.

- **Develop a Transportation Improvement Program (TIP):** Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals, using spending, regulating, operating, management, and financial tools.
- **Involve the public:** Involve the general public and other affected constituencies in the four essential functions listed above.

In addition to these five core functions, MPOs are also required to address ten planning factors during the metropolitan planning process. These factors can be found in the Code of Federal Regulations (CFR), Title 23, Section 450.306(a):

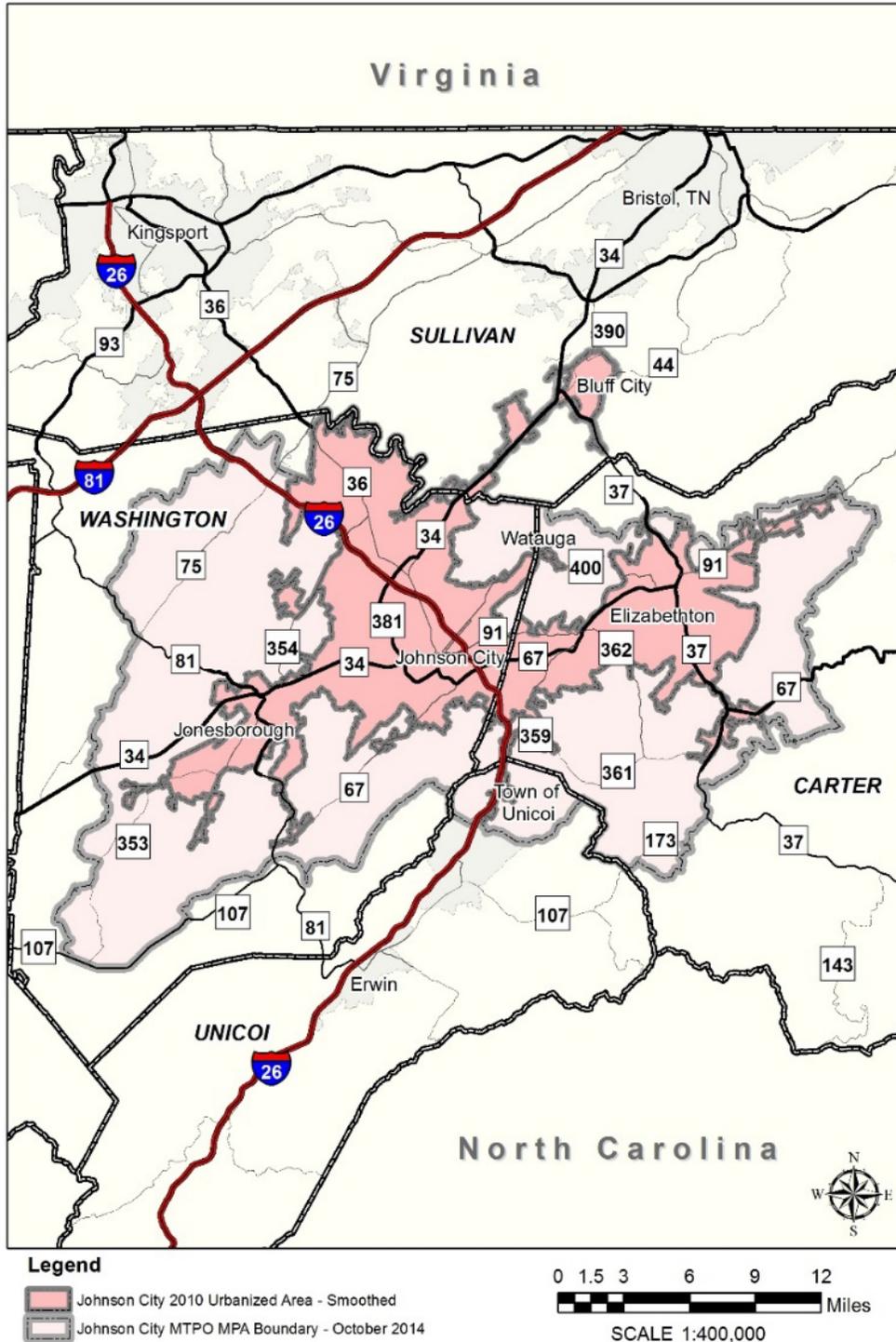
- (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (2) Increase the safety of the transportation system for motorized and non-motorized users;
- (3) Increase the security of the transportation system for motorized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

About the Johnson City MTPO

In 1980, the Johnson City UZA, as defined by the U.S. Census Bureau, reached a threshold population of 50,000 people, and subsequently, as prescribed by federal law, the Johnson City Metropolitan Transportation Planning Organization (MTPO) was established in 1982. The Johnson City MTPO is responsible for coordinating transportation planning activities within the Johnson City Metropolitan Planning Area (MPA), which is established to identify areas beyond the UZA for future growth and transportation needs. Figure 1 on the next page shows the current MPA for the Johnson City MTPO. The

Johnson City MTPO serves the jurisdictions of Bluff City, Elizabethton, Johnson City, Jonesborough, and Unicoi, along with parts of Carter, Sullivan, and Washington Counties.

Figure 1
Johnson City MTPO MPA Boundary



The Johnson City MTPO is comprised of three organizational units. They are the Executive Board, the Executive Staff and the administrative staff. The overall governing body and policy board for the Johnson City MTPO is the Executive Board. The Executive Board has the authority to adopt plans, programs, and policies for the Johnson City MTPO. The Executive Board is comprised of elected officials from the member jurisdictions. In addition, Tennessee state law requires that a chosen representative from the Tennessee County Highway Officials Association that resides in the Johnson City MPA be on the Board.

- Mayor of Johnson City – Executive Board Chairman
- Mayor of Elizabethton – Executive Board Vice Chairman
- Governor of Tennessee – Member
- Mayor of Bluff City – Member
- Mayor of Jonesborough – Member
- Mayor of the Town of Unicoi – Member
- Mayor of Carter County – Member
- Mayor of Washington County – Member
- Tennessee County Highway Officials Association (Chosen Representative) - Member

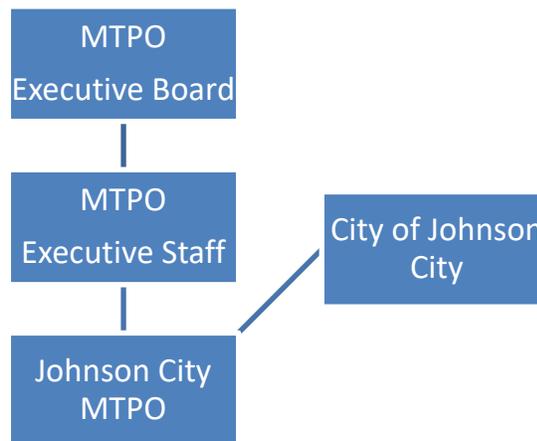
Members of the Executive Board may designate a representative to serve on the board in their absence. Due to the duties and responsibilities of his office, the Governor of Tennessee usually sends a representative to meetings on his behalf. The FHWA and Federal Transit Administration (FTA) are non-voting members of the Executive Board. The Executive Staff is the next level of organization for the Johnson City MTPO. The Executive Staff assists in the development of plans and programs for the Johnson City MTPO region, keeps the Executive Board informed of transportation activities, and makes recommendations to the Executive Board for their consideration. Similar to the Executive Board, the Executive Staff is composed of representatives from each of the participating jurisdictions with additional agencies represented. The top administrators from each agency make up the Executive Staff. Generally these administrators are staff positions and not elected to office; however, in some cases such as Highway Superintendents, they are elected or appointed officials.

- City Manager of Johnson City – Executive Staff Chairman
- City Manager of Elizabethton – Executive Staff Vice Chairman
- City Manager of Bluff City – Member
- Town Administrator of Jonesborough – Member
- Town Recorder of Unicoi – Member
- Highway Superintendent of Carter County – Member
- Highway Superintendent of Washington County – Member
- First Tennessee Development District – Member
- Johnson City Transit System – Member
- Tennessee Department of Transportation – Member

The Federal Highway Administration and the Federal Transit Administration are non-voting members of the Executive Staff. When necessary, the Executive Staff can assign tasks to other employees to assist with transportation projects.

The Johnson City MTPO administrative staff consists of an MPO Manager and a Transportation Planner. The MTPO also supports the shared position of a Transit Planner in coordination with Johnson City Transit. The Johnson City MTPO office is housed within the City of Johnson City and is not a standalone organization. The MPO Manager is the administrative staff position responsible for the day-to-day operations of the Johnson City MTPO. As the name implies, this position coordinates transportation planning activities with local governments, as well as state and federal agencies. The MPO Manager also serves as Executive Secretary to the Executive Board and must be approved by the board for this position. The Johnson City MTPO also employs a Transportation Planner who assists with day-to-day operations and project management. Other employees may be hired as needs and funding permit. Figure 2 shows the Johnson City MTPO Organizational Chart.

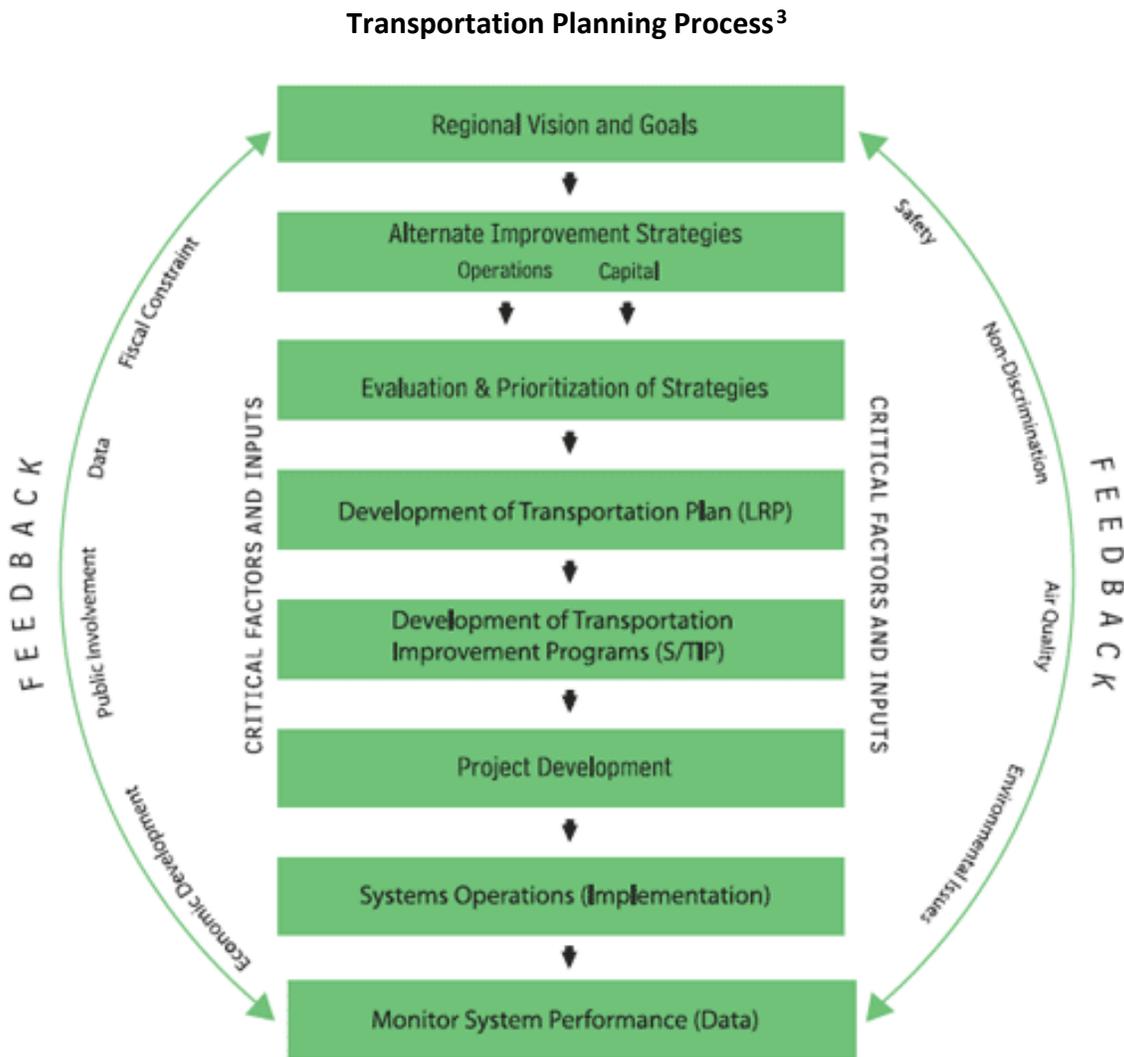
Figure 2
Johnson City MTPO Organizational Chart



What is a Public Participation Plan?

The Public Participation Plan (PPP) is an umbrella policy, encompassing the plans and programs of the transportation planning process. Public participation is an integral part of the Johnson City MTPO’s planning efforts. The PPP encompasses the public participation programs for all the major planning activities, including the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), the Johnson City MTPO’s provisions for the Americans with Disabilities Act (ADA) and any Air Quality Conformity Determinations (if needed). Currently all counties in the Johnson City MTPO MPA are classified as “attainment” for air quality by the Environmental Protection Agency and do not fall under air quality conformity issues. The planning process is shown on the next page that starts with a vision of how transportation should be for the region all the way through to the system’s performance. As you can see in *Figure 3 – Transportation Planning Process* on the next page, public participation is noted as feedback and it is continuous as the planning process progresses.

Figure 3



Section 2: Federal and State Requirements

The following types of federal and state requirements affect how the Johnson City MTPO conducts business and ensures its public participation process meets the needs of the transportation planning process.

³ Federal Highway Administration, Federal Transit Administration. (2007). *The transportation planning process: Key issues: A briefing book for transportation decisionmakers, officials, and staff: A publication of the Transportation Planning Capacity Building Program*. Washington, D.C.: U.S. Department of Transportation.

Federal Legislation

Public outreach in metropolitan transportation planning has long been a federal requirement. Federal law includes a number of specific requirements and performance standards and expectations for state departments of transportation and MPOs during transportation planning. This core set of requirements and performance standards have been amended and reinforced through additional transportation and environmental legislation, and related regulations and orders addressing environmental justice and persons with disabilities. Federal legislation passed in 2005, the Safe, Accountable, Flexible Transportation Equity Act - Legacy for Users (SAFETEA-LU), reauthorized the federal-aid transportation program and required some changes to the public outreach process. These mandated changes placed an increased emphasis on particular elements such as involving an expanded list of interested parties, increasing interagency consultation, and emphasizing visualization techniques and electronically accessible information. Subsequent transportation authorization acts enacted by Congress have continued the spirit of public outreach. The Code of Federal Regulations, Title 23: Highways, Section 450.316 pertaining to public outreach is attached as Appendix A.

Title VI

The Johnson City MTPO ensures compliance with Title VI of the Civil Rights Act of 1964, which states, “No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Johnson City MTPO seeks to engage persons who are traditionally underserved or underrepresented in the transportation planning process. These populations are identified through the analysis of Decennial Census or American Community Survey data, along with knowledge of the community. A Title VI statement is published annually in the Johnson City Press. Title VI notices are also provided on the Johnson City MTPO website (www.jcmpo.org) and posted in the MTPO offices, in both English and Spanish languages. Civil Rights clauses are also included in third-party contracts.

The Americans with Disabilities Act of 1990

The Americans with Disabilities Act of 1990, which was updated in 2010, requires coordinating with disabled communities in the development and improvement of transportation services. Persons with disabilities must also be able to access the sites where public involvement activities occur as well as the information presented. The Americans with Disabilities Act of 1990 requires coordinating with disabled communities in the development and improvement of transportation services. The Johnson City MTPO will ensure that meeting locations meet ADA requirements.

Executive Orders

The President of the United States will often issue Executive Orders for agencies of the Executive Branch, such as the Department of Transportation, for managing the operations of the federal government. Executive Orders have the full force of the law. There are two executive orders that are directed at project level decision making in the engineering and design phases for projects as well as long-range and project programming activities. The first, Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority and Low-Income Population, was signed by President Clinton in February 1994, which

reinforced the requirements of Title VI of the Civil Rights Act (1964) and focused federal attention on the environmental and human health conditions in minority and low income communities. The second, Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency, was also signed by President Clinton in August 2000 and requires federal agencies and grantees to make their activities accessible to non-English speaking persons.

The Johnson City MTPO ensures compliance with the Executive Orders. The Johnson City MTPO has a Limited English Proficiency (LEP) Policy to outline steps to assist LEP individuals. For example, all documents include a note in Spanish that documents can be translated, upon request. Telephone translation services are available for LEP individuals. A translator can be provided at meetings, if requested.

Tennessee Open Meetings Act

All sessions of every meeting of the Executive Board and Executive Staff shall be open to the public pursuant to the Tennessee Open Meetings Act, T.C.A. Section 8-44-101, *et seq* (full text found in Appendix B). The public shall be afforded the opportunity to comment on current agenda items at the meetings of the Executive Board and Executive Staff. The chair of the meetings shall determine the time to be allotted to each speaker. Before commenting on an item, the person must state their name and address for the record.

Section 3: General Guidelines

Public Meetings and Workshops

Public meetings and workshops can be held for a variety of reasons. Depending on the nature of the meeting, there will be varying levels of public input. The purpose of these public meetings has several objectives:

- To confirm the purpose and intent of the plan or project
- To present the trends and forecasts for the region
- To gather public input

These meetings may be specially scheduled, project – or plan-specific. Stakeholder and public workshops are held during the formation of the MTP and the TIP. Public input is also scheduled at meetings of the Executive Board and Executive Staff. Actions of meetings may result in the adoption or approval of the UPWP, TIP, MTP and/or PPP. Other actions include adoption of resolutions for amendments, administrative modifications, endorsements, special plans and reports. For meetings to be successful, the following steps are recommended.

- Early Involvement – Early Involvement with local community leaders (including elected officials, city managers and department heads) and stakeholders (including non-profit groups, businesses and community service agencies) can help to determine suitable meeting forums and information formats to foster valuable input, especially when soliciting input from target populations including the traditionally underserved populations.

- Accessibility – Johnson City MTPO public meetings and workshops shall be held at a convenient location and time. To encourage public access, the majority of meetings will be held at the Johnson City Transit Center’s Training Room, located at 137 West Market Street, Johnson City, Tennessee. Meetings may also be held at other locations when necessary. All meeting locations shall be accessible to comply with the Americans with Disabilities Act.

Outreach/Information Tools and Techniques

The Johnson City MTPO will employ various outreach and information tools for public involvement. Outreach tools are used to solicit information from the public, while information tools are used to share information with the public. Listed below are techniques the Johnson City MTPO can choose from to encourage public outreach and information dissemination to ensure that all area residents have the opportunity to be involved in the transportation planning process, including traditionally underserved groups. These are generally listed and plan-specific guidelines are listed later in this plan.

- Public Notices – Public notices and/or advertisements will be placed in major regional newspapers deemed appropriate for the project. For the Johnson City MTPO area, the Johnson City Press is currently the most widely circulated newspaper. Currently, the Johnson City MTPO has not identified a minority newspaper available in the area. Public notices are also placed on the Johnson City MTPO website (www.jcmpo.org) homepage, “[Upcoming Board & Staff Meetings](#)” webpage, the “[Upcoming Public Meetings](#)” webpage and social media. Public notices are also sent by an email distribution list to all Johnson City MTPO members and other interested individuals. Unless otherwise provided in this plan, all notices shall be published a minimum of seven (7) calendar days prior to the meeting date. The agenda for the meeting is made available on the “[Upcoming Board & Staff Meetings](#)” webpage when the public notice is published. In addition to the notice for public meetings, public notices are specified for individual plans in the Section 4 “Plan-Specific Guidelines.” If a special meeting is called for unusual circumstances or urgent situations, notices shall be published a minimum of three (3) calendar days prior to the meeting date, with the purpose of the meeting stated in the notice and be limited to that item(s).
- Direct Outreach – When appropriate, traditional letters about plans, studies, projects or any other information deemed important for public input will be mailed out to identified parties. For example, letters may be mailed to property owners directly affected by a project or household travel surveys mailed out to gather data for the travel demand model. Addresses are identified through the use of the counties’ property assessment databases.
- Email Distribution List – The Johnson City MTPO maintains a web-based email distribution list of all Executive Board and Executive Staff members, along with other interested city/state agencies, stakeholders, and individuals in the community. Anyone can request to be added to or removed from the list, either in person or by using the form on the website. In addition, the MTPO administrative staff will add individuals identified as stakeholders as they come in contact with the Johnson City MTPO. Anyone may opt out of the list at any time upon request or using the

“Unsubscribe” option in their email. As individuals leave their elected office or organization, they are removed from the list, unless they request to remain on the list as an interested party.

- Public Comments – Opportunities for public comments and/or questions will be provided to all interested parties at public meetings, workshops, and Executive Board meetings. A specified period for receiving comments is provided to the public for plans such as the PPP, TIP and the MTP prior to adoption. The comments can be submitted verbally or in writing. A sample comment form is included at the end of this document as Appendix E. Comments can be submitted in the following ways:
 - Comment forms in paper formats mailed or given to MTPO staff;
 - Electronic comment forms submitted on the Johnson City MTPO website;
 - Emails sent to MTPO staff; and/or
 - Messages through social media.

Other times, MTPO staff may use electronic surveys with specific questions to gather information from the public.

- Website – The Johnson City MTPO’s website (www.jcmpo.org) is employed as a tool for disseminating information on public notices, meeting agendas and minutes, draft/adopted documents, project updates, maps and other documents. The Johnson City MTPO’s website is an information resource for its members, special interest groups and the general public. The website provides information about meetings, plans and projects, as well as contact information for the administrative staff and board members. The Johnson City MTPO will post draft and final documents on the website for public comment and review. The following is a brief list of content on the website:
 - Brief description of current projects with status, available maps, photos or renderings;
 - Documents such as the UPWP, TIP, MTP and PPP, along with their amendments and/or administrative modifications, and previous versions;
 - Submit comments electronically;
 - Links for important transportation laws and regulations;
 - A listing of current Johnson City MTPO member jurisdictions and their contact information;
 - Public notices about meetings, workshops and public review periods;
 - Meeting calendar with agendas;
 - Executive Board/Executive Staff meeting minutes, both past and present;
 - Contact information and profiles for Johnson City MTPO administrative staff.
- Social Media – The Johnson City MTPO utilizes several social media platforms to post notices and updates. Links to these social media profiles will be displayed on the Johnson City MTPO website.

- Presentations & Exhibits – The Johnson City MTPO administrative staff is available to present at conferences, civic meetings and local neighborhood meetings. This usually involves giving a presentation and providing handouts, along with setting up an exhibit table.
- Advanced Visualization Techniques – Advanced visualization techniques shall be used to enhance the public’s understanding of the Johnson City MTPO plans and programs. These techniques will employ such technologies as photographs, posters, geographic information system (GIS)-based maps, interactive maps, 3D-visualization, video animation, use of a multi-media room with large format presentation screen, video clips and other technology that will enhance the public knowledge of plans and programs in an effort to present technical knowledge in an understandable format.
- Virtual Meetings/Town Halls - Virtual meetings and/or town halls tools are an option to the MTPO to provide opportunities for the public to receive information when the safety of the public does not allow for in-person meetings. Utilization of this tool for public meetings that are normally required to be in-person is dependent on executive orders from the Governor of the State of Tennessee and/or changes to state law by the Tennessee General Assembly that allow its use; however, for instances when there is no official business to be undertaken, this tool can be utilized to encourage public participation and ease of interaction.
- Posters and Flyers – When appropriate, participation from target populations can be sought by posting flyers and posters in locations such as the Johnson City Transit Center, government centers, social service agencies, employment centers, community centers, public health clinics, public libraries and other popular meeting places.
- Surveys – The Johnson City MTPO can use electronic, web-based, and paper surveys to gather public input and comments about specific projects or plans. Links to web-based surveys are provided on the website and social media, and also emailed. In an effort to broaden the publication of the survey link, the Johnson City MTPO administrative staff will request other websites to include a link to the survey, such as the main city or county website for member jurisdictions.
- Committees – The Johnson City MTPO has adopted the approach to establish partnerships with existing committees that have an interest in transportation and transportation security. The Johnson City MTPO will also establish advisory committees on specific tasks or projects as needed for information gathering and advice.

Section 4: Plan-Specific Guidelines

In addition to the general guidelines, this section will outline plan-specific guidelines and what the outreach process is for that plan. These key plans are identified as:

- Metropolitan Transportation Plan
- Transportation Improvement Program
- Unified Planning Work Program
- Public Participation Plan

Metropolitan Transportation Plan



Public Comment Period
30 Calendar Days
Prior to Adoption

The MTP is developed for the Johnson City MTPO MPA and covers at least a 20-year time frame. The MTP covers all aspects of transportation strategies to maintain the existing transportation infrastructure while meeting the future needs of all federally funded transportation modes in the Johnson City MTPO MPA, including highways, transit, bicycle and pedestrian.

The Johnson City MTPO shall review and update the MTP at least every five years for areas meeting air quality attainment, to ensure the plan is consistent and current with transportation needs of the community. During the development of the plan, as well as updates, the Johnson City MTPO administrative staff will use the techniques described throughout this document to ensure public involvement in the creation of the plan. The Johnson City MTPO will conduct public surveys during the MTP planning process throughout the Johnson City MTPO area and on the Johnson City MTPO website. The surveys may be available in either paper and / or electronic format. The Johnson City MTPO administrative staff will analyze the surveys and any comments collected through the survey are incorporated into the MTP. Meetings could be held with other civic groups, when available, and the general public during the formation of the MTP for an opportunity to gather public input.

Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, it is posted for review to the public for a period of 30 calendar days. A public notice will be published in the regional newspaper stating comments on the MTP are being solicited. Additional notices will appear on the website, social media, and other locations as appropriate.

In the event the Johnson City MTPO Executive Board determines there are significant unresolved comments on the MTP, it may defer the adoption until a subsequent meeting. The Johnson City MTPO administrative staff will then prepare a written response to the comments to be incorporated into the document, or suggest amendments to the draft document as a means of summarizing, analyzing, and reporting on the disposition of the comments. If these comments are significant, the Johnson City MTPO Executive Board may submit the MTP for a second public comment period not to exceed 15 calendar days.

Once all reviews and comments have been completed and the Plan is adopted, it is forwarded to TDOT and officially reviewed for concurrence by FHWA and FTA. A final version of the MTP will be on file in the office of the Johnson City MTPO and an electronic version of the document will be made available on the Johnson City MTPO website, under the “Documents” tab. In addition, final copies are provided to the TDOT, FHWA, and FTA.

Amendments to the MTP can occur once a plan has been adopted. These amendments can occur for various reasons – changes in project schedules, unknown development changes, or changes in priorities. While the intent is to avoid such mid-cycle changes, amendments do occur. Any such amendment to the MTP must follow the same public review process and procedures described for the adoption of the plan.

Metropolitan Transportation Plan (MTP) Checklist	
Activity	Technique(s)
Draft Document	Available online at www.jcmpo.org and at the Johnson City MTPO administrative office.
Comment Opportunities	<ul style="list-style-type: none"> • Public Meetings and Workshops; • Electronic Surveys/Forms or Paper Comment Forms; • Posts on social media; • During standard public meetings, such as Executive Board/Staff meetings; and/or • In person or by mail to the Johnson City MTPO Office
Public Notice & Comment Period	30 Calendar Days, beginning with public notice in a regional newspaper, on the Johnson City MTPO website at www.jcmpo.org and on social media. http://www.jcmpo.org/
Public Meeting Notice	Published a minimum of seven (7) calendar days prior to the public meeting in the Johnson City Press, on the website and on social media.
Amendment Notice	Amendments to the MTP will follow the same public review process and procedures as that of plan adoption.
Summary of comments received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the MTP adoption/amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, additional opportunity for public comment will be provided.
Final, adopted document availability	The final, adopted MTP document will be available on the Johnson City MTPO website and at the administrative office.

Transportation Improvement Program

Public Comment Period
14 Calendar Days
Prior to Adoption

The TIP is a four-year program identifying projects and programs that are federally funded in the Johnson City MTPO MPA. This includes such items as highway projects, transit projects, active transportation projects, and bicycle/pedestrian projects. Projects in the TIP are developed from the MTP for the MPA. The TIP is a relatively short timeframe for implementation of projects and programs when compared to the MTP. Development of the TIP is coordinated with the local jurisdictions, the Tennessee Department of Transportation (TDOT) Program Development and Administration Division, FHWA, and FTA. Coordination workshops and meetings are conducted early on in the process to discuss selection of projects and these meetings are open to the public. These meetings may occur during regular Johnson City MTPO Executive Board meetings. Through this coordination process, funding amounts and project eligibility are reviewed and corrected before being approved by the Johnson City MTPO Executive Board. The final, adopted TIP is available on the website, under the “Documents” tab, and at the Johnson City MTPO office.

Since the TIP is derived from the MTP, the public has already been involved in the planning process to some degree. Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, it is posted for review to the public for a period of 14 calendar days. A public notice will be published in the regional newspaper stating comments on the TIP are being solicited. Additional notices will appear on the Johnson City MTPO website and social media. During this review period, comments will be requested and compiled for review by the Executive Board. If there are significant comments, the Executive Board may postpone the adoption of the TIP until such time the comments are answered and/or incorporated into the document. If these changes are significant, the Johnson City MTPO Executive Board may submit the TIP for a second public comment period not to exceed 7 calendar days.

Once all reviews and comments have been completed, a final version of the TIP will be adopted by the Executive Board. The adopted TIP is forwarded to TDOT and officially reviewed for approval by the State of Tennessee for inclusion in the STIP before FHWA/FTA approval. The TIP is kept on file in the office of the Johnson City MTPO and on the website. In addition, final copies are provided to TDOT, FHWA, and FTA.

Amendments to the TIP must follow the same public review process and procedures described for the adoption of the TIP. Administrative modifications to the TIP do not require an adoption by the Executive Board; however, they are submitted to TDOT and FHWA and FTA for their records and details made available on the TIP page on the Johnson City MTPO website.

Transportation Improvement Program (TIP) Checklist	
Activity	Technique(s)
Draft Document	Available online at www.jcmpo.org and at the Johnson City MTPO office.
Comment Opportunities	<ul style="list-style-type: none"> • Public Meetings and Workshops; • Electronic Surveys or Comment Forms; • Posts on social media; • During standard public meetings, such as Executive Board/Staff meetings; and/or • In person or by mail to the Johnson City MTPO Office
Public Notice & Comment Period	14 Calendar Days, beginning with public notice in a regional newspaper and on the Johnson City MTPO website at www.jcmpo.org , and on social media. http://www.jcmpo.org/
Public Meeting Notice	Published a minimum of seven (7) calendar days prior to the public meeting in the Johnson City Press, on the website and on social media.
Amendment Notice	Amendments to the TIP will follow the same public review process and procedures as that of TIP adoption.
Summary of comments received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the TIP adoption/amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, additional opportunity for public comment will be provided.
Final, adopted document availability	The final, adopted TIP document will be available on the Johnson City MTPO website and at the administrative office.

Public Transportation Program of Projects

The transit agencies that operate within the Johnson City Urbanized Area rely on their coordination with the Johnson City MTPO public participation process outlined in the PPP to ensure public awareness and outreach of the agencies’ Program of Projects (POP). Johnson City MTPO’s public involvement activities, public notices, and public comment periods on the TIP will satisfy the POP requirement of the Urbanized Area Formula Program (Section 5307) administered by FTA.

Public notices of the TIP will state: *“Public involvement activities and time established for public review and comment on the TIP will satisfy the Program of Projects requirement for the Federal Transit Administration Urbanized Area Formula Program.”*

Unified Planning Work Program

The UPWP is a two-year plan developed by Johnson City MTPO administrative staff which outlines work and planning efforts to be conducted. The UPWP includes all federally-funded transportation planning activities that are in the Johnson City MTPO MPA. In developing the UPWP, federally-required planning

factors for MPOs are considered. Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, it is made available on the website a minimum of seven (7) calendar days prior to the Executive Board meeting scheduled for adoption, with notification on the homepage and social media that it is available. Any comments made are recorded. The UPWP is reviewed by the Executive Staff and Executive Board, and then adopted by the Executive Board. The final, adopted UPWP forwarded to TDOT and officially reviewed for concurrence by FHWA and FTA. The UPWP is available on the website, under the “Documents” tab, and at the Johnson City MTPO office. In addition, final copies are provided to TDOT, FHWA, and FTA.

Amendments to the UPWP must follow the same review process as described for the adoption of the UPWP. Administrative modifications to the UPWP do not require adoption by the Executive Board; however, they are submitted to TDOT and FHWA for approval and details made available on the Johnson City MTPO website.

Unified Planning Work Program (UPWP) Checklist	
Activity	Technique(s)
Draft Document	Available online at www.jcmpo.org and at the Johnson City MTPO office.
Comment Opportunities	<ul style="list-style-type: none"> • Posts on social media; • During standard public meetings, such as Executive Board/Staff meetings; and/or • In person or by mail to the Johnson City MTPO Office
Public Notice & Comment Period	Public Comment Period not required; it is posted to the website a minimum of seven (7) calendar days prior to the Executive Board meeting to adopt the UPWP. http://www.jcmpo.org/
Public Meeting Notice	Published a minimum of seven (7) calendar days prior to the Executive Board meeting to adopt the UPWP in the Johnson City Press, on the website and on social media.
Amendment Notice	Amendments to the UPWP will follow the same review process and procedures as that of UPWP adoption.
Summary of comments received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the UPWP adoption/amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, additional opportunity for public comment will be provided.
Final, adopted document availability	The final, adopted UPWP document will be available on the Johnson City MTPO website and at the administrative office.

Annual Listing of Obligated Projects

According to 23 CFR 450.332, an annual listing of obligated projects, including investments in pedestrian walkways and bicycle transportation facilities, for which federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the state, transit operator and metropolitan planning organization for public review. The listing shall be consistent with the categories identified in the TIP. The listing includes both highway (Federal Highway Administration) and transit (Federal Transit Administration) projects. At the beginning of each federal fiscal year, the Annual Listing of Obligated Projects will be made publicly available. Notice will be given through the website, under the “Projects & Info” tab, and on social media. The listing will be distributed and discussed at the Executive Board/Staff meetings, along with the listing emailed to the members.

Public Participation Plan

Public Comment Period

45 Calendar Days

Prior to Adoption

As previously described in Section 1, the PPP encompasses the public participation programs for all the major planning activities. The PPP will be developed through consultation with other agencies, which will be discussed in greater detail in Section 5. The performance evaluation process, outlined in Section 6, and improvements that can be made to the PPP are generally discussed after the adoption of major documents at Executive Board meetings, which are open to the public. MTPO staff will present to the Executive Board recommendations for changes, if needed, to the PPP.

Once a draft PPP has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, the final draft will be presented to the Executive Board for approval to begin the public review period. The draft PPP will be posted for review to the public for a period of 45 calendar days, which is a federally mandated established period of review. A public notice will be published in the regional newspaper stating comments on the PPP are being solicited. Additional notices will appear on the website, Twitter, and other locations as appropriate.

In the event the Johnson City MTPO Executive Board determines there are significant unresolved comments on the PPP, it may defer the adoption until a subsequent meeting. The Johnson City MTPO administrative staff will then prepare a written response to the comments to be incorporated into the document, or suggest amendments to the draft document as a means of summarizing, analyzing, and reporting on the disposition of the comments. If these comments are significant, the Johnson City MTPO Executive Board may submit the PPP for a second public comment period not to exceed 20 calendar days. Amendments to the PPP must follow the same public review process and procedures described for the adoption of the plan.

Once all reviews and comments have been completed, a final version of the PPP will be adopted by the Executive Board. The adopted PPP is forwarded to TDOT and officially reviewed for concurrence by FHWA

and FTA. The PPP is kept on file in the office of the Johnson City MTPO and on the website. In addition, final copies are provided to TDOT, FHWA, and FTA.

Public Participation Plan (PPP) Checklist	
Activity	Technique(s)
Draft Document	Available online at www.jcmpo.org and at the Johnson City MTPO office.
Comment Opportunities	<ul style="list-style-type: none"> • Electronic Surveys or Comment Forms; • Posts on social media; • During standard public meetings, such as Executive Board/Staff meetings; and/or • In person or by mail to the Johnson City MTPO Office
Public Notice & Comment Period	45 Calendar Days, beginning with public notice in a regional newspaper and on the Johnson City MTPO website at www.jcmpo.org . http://www.jcmpo.org/
Public Meeting Notice	Published a minimum of seven (7) calendar days prior to the public meeting in the Johnson City Press, on the website and on social media.
Amendment Notice	Amendments to the PPP will follow the same public review process and procedures as that of plan adoption.
Summary of comments received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the PPP adoption/amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, additional opportunity for public comment will be provided.
Final, adopted document availability	The final, adopted PPP document will be available on the Johnson City MTPO website and at the administrative office.

Section 5: Consultation with Federal, State and Local Agencies

As part of the “Consultation Process” required by Section 450.316 of the Code of Federal Regulations (Appendix A), the Johnson City MTPO has established contact with federal and state agencies. Formal coordination with these agencies will help to identify effective mitigation strategies for potential impacts of projects included in the Johnson City MTPO’s MTP and TIP. The Johnson City MTPO public participation processes shall be coordinated with the statewide transportation public involvement process through review and communication wherever possible. The Johnson City MTPO Interagency Consultation List is available as Appendix C.

Johnson City MTPO Consultation Procedures

Building upon TDOT’s consultation procedures, the Johnson City MTPO will provide copies of the MTP and TIP to consulting agencies for the opportunity to comment. The MTP and TIP shall be developed with due consideration of other related planning activities within the Johnson City MTPO MPA, including the design and delivery of transportation services within the area that are provided by:

- Recipients of assistance under Title 49, U.S.C., Chapter 53;
- Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation service; and
- Recipients of assistance under Title 23, U.S.C., Chapter 204.

Interagency agreements will be maintained between the Johnson City MTPO and other local and regional agencies.

This PPP was developed through consultation with an expanded list of known interested parties, private citizens, regional and local agencies, including private transportation providers, through meetings, direct mailings and an online survey. The PPP will be posted online for review and notice will be given to interested parties.

For local coordination in developing the MTP and TIP, the Johnson City MTPO shall consult, as appropriate, with local and regional agencies and officials responsible for other planning activities within the Johnson City area, including State and local planned growth, economic development, housing, tourism, natural disaster risk reduction, environmental protection, and freight movements.

The Johnson City MTPO will provide individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The Johnson City MTPO has composed a list of agencies in which to consult that have an interest in projects located in the Johnson City MTPO MPA. This list is attached as Appendix C. This list is updated as necessary as contacts change and when agencies request to be added or removed from the list.

Section 6: Evaluating the Performance of the PPP

The PPP shall be reviewed periodically based on changes in local, state, or federal legislation, and in response to periodic evaluations of the effectiveness of public participation techniques that are used by the Johnson City MTPO. When updates or amendments are made to the PPP, the same process for adoption will be followed, including the same 45-calendar day comment period.

As part of the evaluation process, the Johnson City MTPO will seek to ask the following questions regarding its strategies and outreach methods in order to evaluate the effectiveness of the PPP:

- How many people did the method reach?
- Do the people that the method reached have a better understanding of our process as a result?
- Did this method reach people new to our process?

These questions determine the effectiveness of a method and its potential value moving forward. Other ways to determine the overall effectiveness of the PPP might include:

- Tabulation of media coverage;
- Surveys (including web based, email based);
- Comment/feedback cards;
- Website polling (including the number of hits);
- Periodic review and updating of email lists;
- Periodic review and updating of outreach mailing lists.

The Johnson City MTPO will look to outside sources, such as U.S. DOT's *Public Involvement Techniques for Transportation Decisionmaking*⁴, to provide guidance in evaluating and finding new outreach methods, especially methods that are able to be measured in a statistically significant way. This guidance can be a meaningful tool in evaluating which methods and practices may warrant further consideration and which practices may warrant less emphasis.

Appendix F of this document provides details on the recent performance evaluations of the PPP and the recommended changes. Based on the recent evaluation of the outreach methods, the Johnson City MTPO can choose to update the PPP based on these findings of which outreach methods are effective. Updates will be made as amendments to the PPP.

Section 7 – Comments on the PPP

The PPP has been developed in consultation with interested parties as required by federal rules and regulations. Before being adopted, the original PPP was made available for public review and comment from August 28, 2007 to October 11, 2007; Amendment No. 1 was made available from July 1, 2016 to August 15, 2016; and Amendment No. 2 was made available from April 20, 2022 to June 6, 2022. These

⁴ United States Department of Transportation. (2015). *Public Involvement Techniques for Transportation Decisionmaking*. Retrieved from: http://www.fhwa.dot.gov/planning/public_involvement/publications/pi_techniques/index.cfm.

comment periods run for a minimum of 45 calendar days (see public notice as Appendix H). Any resulting public input has been summarized as Appendix G, as well as addressed and incorporated as appropriate into this plan. These procedures for public participation have been formally enacted, reviewed and certified as being in compliance with all applicable federal rules and regulations.

The Johnson City MTPO welcomes additional comments about public participation, its outreach methods and this plan in general. Your comments may be sent by any of the following methods:

- Website: <https://form.123formbuilder.com/6059579/form>
- Mailed to the following address:
Johnson City MTPO, 137 West Market Street, Johnson City, TN 37604
- Email: jcmpo@jcmpo.org
- Twitter Message: @JohnsonCityMTPO
- Facebook Messenger: @JohnsonCityMPO

The public may also comment in person at any public meeting. These upcoming meetings are listed on the website, under the “Meetings” tab, posted on social media, and also published in the Johnson City Press.

Appendix A – Code of Federal Regulations, Title 23, Part 450

23 CFR 450

§450.316 Interested parties, participation, and consultation.

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

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

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendix B – Tennessee Open Meetings Act

TENNESSEE CODE ANNOTATED
TITLE 8. PUBLIC OFFICERS AND EMPLOYEES
CHAPTER 44. PUBLIC MEETINGS
PART 1. GENERAL PROVISIONS

*** Current through the 2021 Regular and First, Second, and Third Extraordinary Sessions of the
112th General Assembly.***

- § 8-44-101. Policy – Construction.
- § 8-44-102. Open meetings – “Governing body” defined – “Meeting” defined.
- § 8-44-103. Notice of public meetings.
- § 8-44-104. Minutes recorded and open to public – Secret votes prohibited.
- § 8-44-105. Action nullified – Exception.
- § 8-44-106. Enforcement – Jurisdiction.
- § 8-44-107. Board of directors of Performing Arts Center Management Corporation.
- § 8-44-108. Participation by electronic or other means.
- § 8-44-109. Electronic communication
- § 8-44-110 [Repealed.]
- § 8-44-111 Open meetings – Development of educational program required --
Materials.

8-44-101. Policy -- Construction.

(a) The general assembly hereby declares it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret.

(b) This part shall not be construed to limit any of the rights and privileges contained in the Constitution of Tennessee, Article I, § 19.

HISTORY: Acts 1974, ch. 442, §§ 1, 8; T.C.A., § 8-4401.

8-44-102. Open meetings -- "Governing body" defined -- "Meeting" defined.

(a) All meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee.

(b) (1) "Governing body" means:

(A) The members of any public body which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration and also means a private nonprofit community organization eligible to receive funds from the community services block grant program under 42 U.S.C. §§ 9901 - 9926. Any governing body so defined by this section shall remain so defined, notwithstanding the fact that such governing body may have designated itself as a negotiation committee for collective bargaining purposes, and strategy sessions of a governing body

under such circumstances shall be open to the public at all times;

(B) The board of directors of any nonprofit corporation which contracts with a state agency to receive community grant funds in consideration for rendering specified services to the public; provided, that community grant funds comprise at least thirty percent (30%) of the total annual income of such corporation. Except such meetings of the board of directors of such nonprofit corporation that are called solely to discuss matters involving confidential doctor-patient relationships, personnel matters or matters required to be kept confidential by federal or state law or by federal or state regulation shall not be covered under the provisions of this chapter, and no other matter shall be discussed at such meetings;

(C) The board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one (1) or more counties, cities, towns and local governments pursuant to the provisions of title 7, chapter 54 or 58. The provisions of this subdivision (b)(1)(C) shall not apply to any county with a metropolitan form of government and having a population of four hundred thousand (400,000) or more, according to the 1980 federal census or any subsequent federal census;

(D) The board of directors of any nonprofit corporation which through contract or otherwise provides a metropolitan form of government having a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census, with heat, steam or incineration of refuse;

(E) (i) The board of directors of any association or nonprofit corporation authorized by the laws of Tennessee that:

(a) Was established for the benefit of local government officials or counties, cities, towns or other local governments or as a municipal bond financing pool;

(b) Receives dues, service fees or any other income from local government officials or such local governments that constitute at least thirty percent (30%) of its total annual income; and

(c) Was authorized as of January 1, 1998, under state law to obtain coverage for its employees in the Tennessee consolidated retirement system.

(ii) The provisions of this subdivision (b)(1)(E) shall not be construed to require the disclosure of a trade secret or proprietary information held or used by an association or nonprofit corporation to which this chapter applies. In the event a trade secret or proprietary information is required to be discussed in an open meeting, the association or nonprofit corporation may conduct an executive session to discuss such trade secret or proprietary information; provided, that a notice of the executive session is included in the agenda for such meeting.

(iii) As used in this subdivision (b)(1)(E):

(a) "Proprietary information" means rating information, plans, or proposals; actuarial information; specifications for specific services provided; and any other similar commercial or financial information used in making or deliberating toward a decision by employees, agents or the board of directors of such association or corporation; and which if known to a person or entity outside the

association or corporation would give such person or entity an advantage or an opportunity to gain an advantage over the association or corporation when providing or bidding to provide the same or similar services to local governments; and

(b) "Trade secret" means the whole or any portion or phrase of any scientific or technical information, design, process, procedure, formula or improvement which is secret and of value. The trier of fact may infer a trade secret to be secret when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

(2) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program.

(c) Nothing in this section shall be construed as to require a chance meeting of two (2) or more members of a public body to be considered a public meeting. No such chance meetings, informal assemblages, or electronic communication shall be used to decide or deliberate public business in circumvention of the spirit or requirements of this part.

HISTORY: Acts 1974, ch. 442, § 2; 1979, ch. 411, §§ 1, 2; T.C.A., § 8-4402; Acts 1985, ch. 290, § 1, 2; 1986, ch. 594, § 1; 1988, ch. 908, §§ 3, 5; 1997, ch. 346, § 1; 1998, ch. 1102, §§ 1, 3; 2018, ch. 545, § 1.

8-44-103. Notice of public meetings.

(a) Notice of Regular Meetings. Any such governmental body which holds a meeting previously scheduled by statute, ordinance, or resolution shall give adequate public notice of such meeting.

(b) Notice of Special Meetings. Any such governmental body which holds a meeting not previously scheduled by statute, ordinance, or resolution, or for which notice is not already provided by law, shall give adequate public notice of such meeting.

(c) The notice requirements of this part are in addition to, and not in substitution of, any other notice required by law.

HISTORY: Acts 1974, ch. 442, § 3; T.C.A., § 8-4403.

8-44-104. Minutes recorded and open to public -- Secret votes prohibited.

(a) The minutes of a meeting of any such governmental body shall be promptly and fully recorded, shall be open to public inspection, and shall include, but not be limited to, a record of persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of roll call.

(b) All votes of any such governmental body shall be by public vote or public ballot or public roll call. No secret votes, or secret ballots, or secret roll calls shall be allowed. As used in this chapter, "public vote" means a vote in which the "aye" faction vocally expresses its will in unison and in which the "nay" faction, subsequently, vocally expresses its will in unison.

HISTORY: Acts 1974, ch. 442, § 4; T.C.A., § 8-4404; Acts 1980, ch. 800, § 1.

8-44-105. Action nullified -- Exception.

Any action taken at a meeting in violation of this part shall be void and of no effect; provided, that this nullification of actions taken at such meetings shall not apply to any commitment, otherwise legal, affecting the public debt of the entity concerned.

HISTORY: Acts 1974, ch. 442, § 5; T.C.A., § 8-4405.

8-44-106. Enforcement -- Jurisdiction.

(a) The circuit courts, chancery courts, and other courts which have equity jurisdiction, have jurisdiction to issue injunctions, impose penalties, and otherwise enforce the purposes of this part upon application of any citizen of this state.

(b) In each suit brought under this part, the court shall file written findings of fact and conclusions of law and final judgments, which shall also be recorded in the minutes of the body involved.

(c) The court shall permanently enjoin any person adjudged by it in violation of this part from further violation of this part. Each separate occurrence of such meetings not held in accordance with this part constitutes a separate violation.

(d) The final judgment or decree in each suit shall state that the court retains jurisdiction over the parties and subject matter for a period of one (1) year from date of entry, and the court shall order the defendants to report in writing semiannually to the court of their compliance with this part.

HISTORY: Acts 1974, ch. 442, § 6; T.C.A., § 8-4406.

8-44-107. Board of directors of Performing Arts Center Management Corporation.

The board of directors of the Tennessee Performing Arts Center Management Corporation shall be subject to, and shall in all respects comply with, all of the provisions made applicable to governing bodies by this chapter.

HISTORY: Acts 1981, ch. 375, § 1.

8-44-108. Participation by electronic or other means.

(a) As used in this section, unless the context otherwise requires:

(1) "Governing body" refers to boards, agencies and commissions of state government, including state debt issuers as defined in this section and municipal governing bodies. For the purpose of this section only, "municipal governing bodies" means only those municipal governing bodies organized under title 6, chapter 18, and having a city commission of three (3) members, and having a population of more than two thousand five hundred (2,500), according to the 2000 federal census or any subsequent federal census;

(2) "Meeting" has the same definition as defined in § 8-44-102;

(3) "Necessity" means that the matters to be considered by the governing body at that meeting require timely action by the body, that physical presence by a quorum of the members is not practical within the period of time requiring action, and that participation by a quorum of the members by electronic or other means of communication is necessary; and

(4) "State debt issuers" means the Tennessee state funding board, Tennessee local development authority, Tennessee housing development agency, and Tennessee state school bond authority, and any of their committees.

(b) (1) A governing body may, but is not required to, allow participation by electronic or other means of communication for the benefit of the public and the governing body in connection with any meeting authorized by law; provided, that a physical quorum is present at the location specified in the notice of the meeting as the location of the meeting.

(2) If a physical quorum is not present at the location of a meeting of a governing body, then in order for a quorum of members to participate by electronic or other means of communication, the governing body must make a determination that a necessity exists. Such determination, and a recitation of the facts and circumstances on which it was based, must be included in the minutes of the meeting.

(3) If a physical quorum is not present at the location of a meeting of a governing body other than a state debt issuer, the governing body other than a state debt issuer must file such determination of necessity, including the recitation of the facts and circumstances on which it was based, with the office of secretary of state no later than two (2) working days after the meeting. The secretary of state shall report, no less than annually, to the general assembly as to the filings of the determinations of necessity. This subdivision (b)(3) shall not apply to the board of regents, to the board of trustees of the University of Tennessee, the Tennessee higher education commission, a state university board, or an advisory board for a University of Tennessee system if the advisory board has had a physical quorum present at the location of the advisory board meeting at least one (1) time in the previous twelve (12) months.

(4) Nothing in this section shall prohibit a governing body from complying with § 8-44-109.

(c) (1) Any meeting held pursuant to the terms of this section shall comply with the requirements of the Open Meetings Law, codified in this part, and shall not circumvent the spirit or requirements of that law.

(2) Notices required by the Open Meetings Law, or any other notice required by law, shall state that the meeting will be conducted permitting participation by electronic or other means of communication.

(3) Each part of a meeting required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting. Any member participating in such fashion shall identify the persons present in the location from which the member is participating.

(4) Any member of a governing body not physically present at a meeting shall be provided, before the

meeting, with any documents that will be discussed at the meeting, with substantially the same content as those documents actually presented.

(5) All votes taken during a meeting held pursuant to the terms of this section shall be by roll call vote.

(6) A member participating in a meeting by this means is deemed to be present in person at the meeting for purposes of voting, but not for purposes of determining per diem eligibility. However, a member may be reimbursed expenses of such electronic communication or other means of participation.

(d) Notwithstanding this chapter to the contrary, members of an emergency communications district board of directors may participate in meetings by any electronic means approved by such board. A board member who participates in a meeting electronically under this subsection (d) is present for purposes of creating a quorum and voting on matters presented to the board for consideration during the meeting to the same extent as a board member who is physically present at the meeting. Subdivisions (c)(1), (2), and (3) shall apply to meetings held pursuant to this subsection (d).

HISTORY: Acts 1990, ch. 815, § 1; 1999, ch. 490, § 1; 2005, ch. 82, § 1; 2008, ch. 923, § 1; 2012, ch. 1054, § 3; 2017, ch. 217, § 2; 2020, ch. 692, § 2.

8-44-109. Electronic communication via Internet forum.

(a) A governing body may, but is not required to, allow electronic communication between members by means of a forum over the Internet only if the governing body:

(1) Ensures that the forum through which the electronic communications are conducted is available to the public at all times other than that necessary for technical maintenance or unforeseen technical limitations;

(2) Provides adequate public notice of the governing body's intended use of the electronic communication forum;

(3) Controls who may communicate through the forum;

(4) Controls the archiving of the electronic communications to ensure that the electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to the archived electronic communications is user-friendly for the public; and

(5) Provides reasonable access for members of the public to view the forum at the local public library, the building where the governing body meets or other public building.

(b) Electronic communications posted to a forum shall not substitute for decision making by the governing body in a meeting held in accordance with this part. Communications between members of a governing body posted to a forum complying with this section shall be deemed to be in compliance with the open meetings laws compiled in this part.

(c) Prior to a governing body initially utilizing a forum to allow electronic communications by its members that meets the requirements of this section, including the public notice required in subsection

(a), the governing body shall file a plan with the office of open records counsel. The plan shall describe how the governing body will ensure compliance with subsection (a). Within thirty (30) days of receipt of the plan, the office of open records counsel shall acknowledge receipt of the plan and shall report whether or not the plan and the proposed actions comply with subsection (a). If the office determines that compliance with subsection (a) has not been met, the office shall provide written comments regarding the plan to the governing body. Until such time as the governing body complies with the written comments provided by the office and the office issues a report of compliance, the governing body shall not be allowed to establish or utilize such forum. This subsection (c) shall not apply to any governing body that had established a forum pursuant to this section prior to May 7, 2009.

(d) No member participating in an electronic communication pursuant to this section is deemed to be eligible for per diem for such participation.

(e) As used in this section, "governing body" means the elected governing body of a county, city, metropolitan form of government or school board.

HISTORY: Acts 2008, ch. 923, § 2; 2009, ch. 175, § 2.

8-44-110. [Repealed.]

8-44-111. Open meetings -- Development of educational program required -- Materials.

(a) The municipal technical advisory service (MTAS) for municipalities and the county technical assistance service (CTAS) for counties, in order to provide guidance and direction, shall develop a program for educating their respective public officials about the open meetings laws codified in this chapter, and how to remain in compliance with such laws.

(b) The Tennessee school board association shall develop a program for educating elected school board members about the open meetings laws and how to remain in compliance with such laws.

(c) The utility management review board shall develop a program for board members of water, wastewater and gas authorities created by private act or under the general law and of utility districts, in order to educate the board members about the open meetings laws and how to remain in compliance with such laws.

(d) The state emergency communications board created by § 7-86-302 shall develop a program for educating emergency communications district board members about the open meetings laws and how to remain in compliance with such laws.

(e) The office of open records counsel established in chapter 4, part 6 of this title shall establish educational programs and materials regarding open meetings laws in this state, to be made available to the public and to public officials.

HISTORY: Acts 2008, ch. 1179, § 5.

Appendix C – Interagency Consultation List

Organization	Title	Address	City	State	Zip
East Tennessee State University	Director of Campus Planning	P.O. Box 70653	Johnson City	TN	37614
Elizabethton Housing Authority	Director	910 Pine Ridge Circle	Elizabethton	TN	37643
Federal Lands – Eastern Division	Division Director	22001 Loudoun County Parkway, Building E2, Suite 200	Ashburn	VA	20147
Greyhound Bus Lines	Logistical Officer	137 W Market St	Johnson City	TN	37601
Johnson City Housing Authority	Director	901 Pardee Street	Johnson City	TN	37601
Milligan University	President	P.O. Box 500	Milligan College	TN	37682
National Park Service – Southeast Region	Regional Director	100 Alabama St SW, 1924 Building	Atlanta	GA	30303
Sycamore Shoals State Park	Park Manager	1651 W Elk Ave	Elizabethton	TN	37643
Tennessee Department of Economic & Community Development	Deputy Commissioner	312 Rosa L. Parks Ave	Nashville	TN	37243
Tennessee Department of Environment & Conservation	Regional Director for External Affairs	2305 Silverdale Rd	Johnson City	TN	37601
Tennessee State Historical Commission	Executive Director	2941 Lebanon Pike	Nashville	TN	37214
Tennessee Valley Authority	Manager NEPA Compliance	400 West Summit Hill Dr, WT 11D	Knoxville	TN	37902
Tennessee Wildlife Resource Agency	Executive Director	440 Hogan Rd	Nashville	TN	37220
U.S. Army Corps of Engineers	District Commander and District Engineer	110 9th Avenue South, Suite A405	Nashville	TN	37203
U.S. EPA Region 4	Regional NEPA Coordinator	61 Forsyth St, SW	Atlanta	GA	30303
U.S. Fish and Wildlife Service	Field Supervisor	446 Neal St	Cookeville	TN	38501
uRidez LLC Taxi	Manager	600 North Broadway St	Johnson City	TN	37601
USDA Forest Service	Forest Supervisor	2800 N Ocoee St	Cleveland	TN	37312
Veterans Affairs Administration	Engineer	P.O. Box 4000	Mountain Home	TN	37684
Veterans Transportation Services	Veterans Transportation Services	P.O. Box 4000	Mountain Home	TN	37684
W W Cab Co.	Manager	321 W Main St	Johnson City	TN	37604

Appendix D – Transportation Glossary

American Association of State Highway and Transportation Officials (AASHTO) — A nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia and Puerto Rico.

Access/Accessibility — The opportunity to reach a given end use within a certain time frame, or without being impeded by physical, social or economic barriers.

Alternative Modes of Transportation — Forms of transportation that provide transportation alternatives to the use of single-occupant automobiles. Examples include: rail, transit, carpools, bicycles and walking.

Americans with Disabilities Act (ADA) — Federal civil rights legislation for persons with disabilities, signed into law in 1990, that prohibits discrimination specifically in the areas of employment, public accommodation, public services, telecommunications and transportation. Transportation requirements include the provision of “comparable paratransit service” that is equivalent to general public fixed-route service for persons who are unable to use regular bus service due to a disability.

Arterial Street — A class of street serving major traffic movements (high-speed, high volume) for travel between major points.

Attainment Area — An area considered to have air quality that meets or exceeds the U.S. Environmental Protection Agency (EPA) health standards used in the Clean Air Act. Nonattainment areas are areas considered not to have met these standards for designated pollutants. An area may be an attainment area for one pollutant and a nonattainment area for others.

Capacity — A transportation facility's ability to accommodate a moving stream of people or vehicles in a given time period. The maximum rate of flow at which persons or vehicles can be reasonably expected to traverse a point or uniform segment of a lane or roadway during a specified time period under prevailing roadway, traffic and control conditions; usually expressed as vehicles per hour or persons per hour.

Capital Improvement Program (CIP) — A plan for future capital infrastructure and program expenditures which identifies each capital project, its anticipated start and completion and allocates existing funds and known revenue sources for a given period of time. Most local governments have a CIP.

Clean Air Act (CAA) — Federal statute established by the United States Congress which set the nation's air quality goals and the process for achieving those goals. The original Clean Air Act was passed in 1963, but the national air pollution control program is actually based on the 1970

version of the law. The 1990 Clean Air Act Amendments are the most recent revisions of the 1970 law.

Code of Federal Regulations (CFR) - The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation.

Congestion — A condition under which the number of vehicles using a facility is great enough to cause reduced speeds and increased travel times.

Congestion Management Process (CMP) — Systematic process for managing congestion. Provides information on transportation system performance and finds alternative ways to alleviate congestion and enhance the mobility of people and goods, to levels that meet state and local needs.

Context Sensitive Solution (CSS) — A collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist.

Design Standards — Standards that are met when a new road is constructed, or when a deficient section is improved. These standards pertain to all relevant geometric and structural features required to provide a desired level of service over the life of the project. The life of the project is generally 20 years beyond its implementation.

Environmental Assessments (EA) — Prepared for federal actions under the National Environmental Policy Act (NEPA) where it is not clearly known how significant the environmental impact might be. If, after preparing an environmental assessment, it is determined that the project impact is significant, an Environmental Impact Statement (EIS) is then prepared. If not, a “finding of no significant impact” (FONSI) is documented.

Environmental Impact Statements (EIS) — Prepared for federal actions that have a significant effect on the human and natural environment. These are disclosure documents prepared under the National Environmental Policy Act (NEPA) that provide a full description of the proposed project, the existing environment and analysis of the anticipated beneficial and adverse environmental effects of all reasonable alternatives. There are various stages — Draft EIS and Final EIS.

Environmental Justice (EJ) — Environmental justice assures that services and benefits allow for meaningful participation and are fairly distributed to avoid discrimination.

Environmental Protection Agency (EPA) — The federal regulatory agency responsible for administering and enforcing federal environmental laws, including the Clean Air Act, the Clean Water Act, the Endangered Species Act and others. EPA is the source agency of air quality control regulations affecting transportation.

Federal Highway Administration (FHWA) — A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads and bridges. The FHWA also administers the Federal Lands Highway Program, including survey, design and construction of forest highway system roads, parkways and park roads, Indian reservation roads, defense access roads and other Federal lands roads.

Federal Transit Administration (FTA) — A branch of the U.S. Department of Transportation that is the principal source of federal financial assistance to America's communities for planning, development and improvement of public or mass transportation systems. FTA provides leadership, technical assistance and financial resources for safe, technologically advanced public transportation to enhance mobility and accessibility, to improve the nation's communities and natural environment and to strengthen the national economy.

Financial Planning — The process of defining and evaluating funding sources, sharing the information and deciding how to allocate the funds.

Financial Programming — A short-term commitment of funds to specific projects identified in the regional Transportation Improvement Program (see TIP).

Fiscal or Financial Constraint — Sufficient financial information must be provided to demonstrate that projects in the metropolitan transportation plan (MTP), TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP and STIP only if funds are “available” or “committed.” Please see http://www.fhwa.dot.gov/planning/guidfinconstr_qa.cfm, for more information.

Geographic Information System (GIS) — Computerized data management and information system designed to capture, store, retrieve, analyze and display geographically referenced information.

High-Occupancy Vehicle (HOV) — Vehicles carrying two or more people. The number that constitutes an HOV for the purposes of HOV highway lanes may be designated differently by different transportation agencies.

Infrastructure Investment and Jobs Act (IIJA) or Bipartisan Infrastructural Law (BIL) — Authorizes the Federal surface transportation programs for highways, highway safety and transit for the five-year federal fiscal year period of 2022-2026.

Intelligent Transportation Systems (ITS) — The application of advanced technologies to improve the efficiency and safety of transportation systems.

Intermodal — The ability to connect and the connections between modes of transportation.

Johnson City Transit (JCT) — The transit agency serving the Johnson City area.

Level of Service (LOS) — A qualitative rating of how well a unit of transportation supply (e.g. street, intersection, bikeway, etc) serves its current or projected demand. LOS A = free-flow condition (32 percent of capacity); B = reasonably free-flow conditions (51percent); C = operation stable but becoming more critical (75 percent); D = lower speed range of stable flow (92 percent); E = unstable flow (100 percent); F = forced flow; >100 percent of capacity, stop-and-go operation.

Limited English Proficiency (LEP) – Limited English Proficiency, requires entities that receive federal funds to make their programs and activities accessible to individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English.

Maintenance Area — Maintenance area is any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

Metropolitan Planning Area (MPA) – The geographic area in which the metropolitan transportation planning process must be carried out. The MPA boundary shall, as a minimum, cover the UZA(s) and the contiguous geographic area(s) likely to become urbanized within the twenty year forecast period covered by the transportation plan. The boundary may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Census Bureau.

Metropolitan Planning Organization (MPO) — An MPO is a planning agency established by federal law to assure a continuing, cooperative and comprehensive transportation planning process takes place that results in the development of plans, programs and projects that consider all transportation modes and supports the goals of the community. Any urbanized area or contiguous urbanized areas, as defined by the U.S. Census Bureau, containing a population of greater than 50,000 are required to have an MPO. [See Metropolitan Transportation Planning Organization.

Metropolitan Transportation Plan (MTP) — A document resulting from regional or statewide collaboration and consensus on a region or state's transportation system and serving as the defining vision for the region's or state's transportation systems and services. In metropolitan areas, the plan indicates all of the transportation improvements scheduled for funding over a minimum of the next 20 years.

Metropolitan Transportation Planning Organization – The same as MPO. The Johnson City MPO decided to add the word “Transportation” to its title which more accurately reflects the nature of the organization and to eliminate confusion with other regional planning commissions and agencies.

Mode, Intermodal, Multimodal — Form of transportation, such as automobile, transit, bicycle and walking. Intermodal refers to the connections between modes and multimodal refers to the availability of transportation options within a system or corridor.

Moving Ahead for Progress in the 21st Century Act (MAP-21) – Authorizes the Federal surface transportation programs for highways, highway safety and transit for the two-year period 2012-2014, which was extended by several continuing resolutions.

National Ambient Air Quality Standard (NAAQS) – Standards established pursuant to Section 109 of the Clean Air Act.

National Environmental Policy Act of 1969 (NEPA) — An established national environmental policy requiring that any project using federal funding or requiring federal approval, including transportation projects, examine the effects of proposed and alternative choices on the environment before a federal decision is made.

National Historic Preservation Act (NHPA) — Law requiring federal agencies to consider the potential effect of a project on a property that is registered on or eligible for the National Register of Historic Places. If effects are identified, federal and state agencies and the public must identify means to mitigate the harm.

Non-attainment — Any geographic area that has not met the requirements for clean air as set out in the Clean Air Act Amendments of 1990. An area can at the same time be classified as in attainment for one or more air pollutants and as a non-attainment area for another air pollutant.

Paratransit — Alternative known as "special or specialized" transportation, which often includes flexibly scheduled and routed transportation services. These services use low capacity vehicles such as vans to operate within normal urban transit corridors or rural areas. Services usually cater to the needs of persons whom standard mass transit services would serve with difficulty, or not at all. Common patrons are the elderly and persons with disabilities.

Planning Funds (PL) — Primary source of funding for metropolitan planning designated by the FHWA.

Right-of-Way (ROW) — Public space legally established for the use of pedestrians, vehicles or utilities. Right-of-way typically includes the street, sidewalk and buffer strip areas.

Rural Planning Organization (RPO) — An organization similar to an MPO, composed of representatives of rural local governments and appointed representatives from the geographic area covered by the organization with the purpose of involving local officials in multi-modal transportation planning through a structured process.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – Authorized the Federal surface transportation programs for highways, highway safety and transit for the five-year period 2005-2009, and extended by several continuing resolutions until 2012.

Stakeholders — Individuals and organizations involved in or affected by the transportation planning process. Include federal/state/local officials, MPOs, transit operators, freight companies, shippers and the general public.

State Implementation Plan (SIP) – As defined in section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA.

Surface Transportation Program (STP) — Federal-aid highway funding program that funds a broad range of surface transportation capital needs, including many roads, transit, sea and airport access, vanpool, bike and pedestrian facilities.

Tennessee Department of Environment and Conservation (TDEC) — Agency created to protect and improve the quality of Tennessee’s land, air, water and recreation resources. It administers a variety of programs to safeguard human health and the environment while ensuring natural resources meet healthful, regulatory standards.

Tennessee Department of Transportation (TDOT) — The State agency that manages the highway system within Tennessee. TDOT’s mission is to plan, implement, maintain and manage an integrated transportation system for the movement of people and products, with emphasis on quality, safety, efficiency and the environment for Tennesseans. TDOT is the administrative agency that responds to policy set by the Tennessee Legislation.

Title VI — Title VI of the Civil Rights Act establishes that no person in the U.S. shall, on the basis of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Transportation Conformity — Process to assess the compliance of any transportation plan, program, or project with air quality implementation plans. The conformity process is defined by the Clean Air Act.

Transportation Control Measures (TCM) — Transportation strategies that affect traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include HOV lanes, provision of bicycle facilities, ridesharing, telecommuting, etc. Such actions may be included in a State Implementation Plan (SIP) if needed to demonstrate attainment of the National Ambient Air Quality Standards (NAAQS).

Transportation Demand Management (TDM) — “Demand-based” techniques that are designed to change travel behavior in order to improve the performance of transportation facilities and to reduce the need for additional road capacity. Methods include the use of alternative modes, ride-sharing and vanpool programs and trip-reduction programs and/or ordinances.

Transportation Improvement Program (TIP) — A staged, multiyear (typically four years) listing of surface transportation projects proposed for federal, state and local funding within a metropolitan area. MPOs are required to prepare a TIP as a short-range programming document to complement its long-range transportation plan. TIPs contain projects with committed funds over a multiyear period.

Transportation Management Area (TMA) — All urbanized areas over 200,000 in population and any other area that requests such designation. The MPO is responsible for transportation planning with a TMA.

Transportation Planning Process — A collaborative process of examining demographic characteristics and travel patterns for a given area. This process shows how these characteristics will change over a given period of time and evaluates alternatives for the transportation system of the area and the most expeditious use of local, state and federal transportation funding. Long-range planning is typically done over a period of 20 years; short-range programming of specific projects usually covers a period of 4 years.

Unified Planning Work Program (UPWP) — The management plan for the (metropolitan) planning program. Its purpose is to coordinate the planning activities of all participants in the planning process.

Urbanized Area — Area that contains a city of 50,000 or more population plus incorporated surrounding areas meeting size or density criteria as defined by the U.S. Census.

Vehicle Miles of Travel (VMT) — The sum of distances traveled by all motor vehicles in a specified region.

Appendix F –Performance Evaluation of the Johnson City MTPO Public Participation Plan

2015 Review

The Johnson City MTPO staff has reviewed past records of public participation and outreach methods for performance and make the following recommendations for updating the Public Participation Plan:

1. *Recommend the removal of eight of the nine locations currently listed as Appendix C – Locations for review of MTPO and Transit Documents:*
 - a. For the past three years (as far back as 2008), no comments have ever been received from the public using this outreach method;
 - b. Staff will continue to have copies of the documents available to the public at the Johnson City MTPO office located at the Johnson City Transit Center; and
 - c. Documents will continue to be available online, on the Johnson City MTPO website at www.jcmpo.org; all area libraries and city/town halls have internet access in which the public can access the documents available online.
2. *Recommend continuing the public hearings held during document public comment review periods:*
 - a. Very few participants attend these hearings; however, the Johnson City MTPO will continue to hold these hearings in addition to the meetings of the Executive Board to adopt these documents.
3. *Recommend using Google Analytics to begin tracking website statistics for the Johnson City MTPO website:*
 - a. The host service for the Johnson City MTPO website, www.jcmpo.org, ended its service to provide website statistics in 2014;
 - b. Google Analytics is a free web analytics service that provides statistics and basic analytical tools for data visualization and custom reports; and
 - c. Staff has begun an account with Google Analytics and is now tracking website statistics through this method.

2021 Review

The Johnson City MTPO staff has reviewed past records of public participation and outreach methods for performance and make the following recommendation for updating the Public Participation Plan:

1. *Recommend discontinuing the public hearings held during document public comment review periods:*
 - a. Very few participants attend these hearings; therefore, the Johnson City MTPO will discontinue holding these formal public hearings in addition to the meetings of the Executive Board to adopt these documents. Information is well publicized online, on social media, along with notices published in the newspaper.

Appendix G – Summary of Public Comments

Public comments that are received during the public comment period of the update of this Public Participation Plan will be summarized and attached in this section, along with being addressed and incorporated as appropriate into this plan.

Amendment #1 Comments:

Public Comment # 1

From: Jaylon; c9d2bouo@yahoo.com
Received: Monday, July 18, 2016 4:30 AM
Comment: What a plrsauce to find someone who thinks through the issues

Response: No response necessary.

Public Comment # 2

From: Tim Higgs; timothy.a.higg@usace.army.mil
Received: Tuesday, August 9, 2016 12:15 PM
Comment: Just to note an address change for the Corps of Engineers (refer to list in Appendix C), new address is:

Lieutenant Colonel Stephen F. Murphy
District Commander
U.S. Army Corps of Engineers, Nashville District
110 9th Avenue S Ste A405
Nashville, TN 37203

Response: The address has been updated in Appendix C.

Amendment #2 Comments:

Public Comment # 1

From: Candace Long, NET Trans Director
Received: Thursday, April 28, 2022
Comment: Please consider including NET Trans in the section on Program of Projects.

Response: This section, Public Transportation Program of Projects, has been modified to include all transit agencies operating in the Johnson City Urbanized Area.

Public Comment # 2

From: Lian Li, FHWA-Eastern Federal Lands Highway Division
Received: Tuesday May 17, 2022

Comment: Thank you for reaching out to us for our input on the Johnson City MTPO's draft Public Participation Plan. During our review of the draft plan, we noticed the plan doesn't describe in detail the process of how the MTPO involves Federal land management agencies in the development of the MTP and TIP, for example, a process that outlines the roles, responsibilities, and key decision points for the MTPO to consult with Federal land management agencies. Does the MTPO have the process documented elsewhere, in an agreement perhaps?

Response: The MPO Manager responded to Ms. Li that page 25 of the document explains the process to reach out to the agencies listed in the Interagency Consultation List.

Appendix H – Public Notice of Public Comment Period

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204 W. Main Street
Johnson City, TN 37604
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7-1-2016
● Jonesborough Town Hall, 123 Boone Street, Jonesborough, TN 37659
● Washington Co./Jonesborough Library, 200 Sabin Drive, Jonesborough, TN 37659
● Building Dept, Elizabethton City Hall, 136 Sycamore Street, Elizabethton, TN 37643
● Elizabethton Housing Authority, 910 Pine Ridge Circle, Elizabethton, TN 37643
● Town of Unicoi, 3600 Unicoi Drive, Unicoi, TN 37692
Aviso de la opinión pública y audiencia pública
La organización metropolitana del planeamiento de transporte de la ciudad de Johnson (MTPO) está actualizando el plan público de la

State of Tennessee)
Carter County)
Washington County)

Teresa Hicks makes the oath that she is a Representative of The Johnson City Press, a daily newspaper published in Johnson City, in said County and State, and that the advertisement was published in said paper for 1 insertion (s) commencing on 7-1-2016 and ending on 7-1-2016.

Teresa Hicks
Teresa Hicks

Sworn to and Subscribed before me this 7 8 2016
Month Day Year



Connie N. Guinn
Connie N. Guinn
Notary Public

My commission expires on 03/28/2017

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AFFIDAVIT OF PUBLICATION

AD# 1310041

DATES: 7-1-2016

State of Tennessee)
Carter County)
Washington County)

Teresa Hicks makes the oath
daily newspaper published in
advertisement was published

7-1-2016

Sworn to and Subscribed before me



Notice of Public Review and Public Hearing

The Johnson City Metropolitan Transportation Planning Organization (MTPO) is updating the Public Participation Plan (PPP). The draft plan is up for public review and comment for 45 calendar days, until Monday, August 15, 2016. The document may be viewed at www.jcmpto.org or at the locations below, with comment forms provided. A public hearing will be held Thursday, July 21, 2016 at 3:00 p.m. at the Johnson City Transit Center, 137 West Market Street. For more information or to request accommodations, please call (423) 434-6272.

- Johnson City MTPO, 137 West Market Street, Johnson City, TN 37604
- Planning Dept, Johnson City Municipal Building, 601 East Main Street, Johnson City, TN 37601
- Carver Recreational Center, 322 West Watauga Avenue, Johnson City, TN 37604
- Johnson City Public Library, 100 West Millard Street, Johnson City, TN 37604
- Jonesborough Town Hall, 123 Boone Street, Jonesborough, TN 37659
- Washington Co/Jonesborough Library, 200 Sabin Drive, Jonesborough, TN 37659
- Building Dept, Elizabethton City Hall, 136 Sycamore Street, Elizabethton, TN 37643
- Elizabethton Housing Authority, 910 Pine Ridge Circle, Elizabethton, TN 37643
- Town of Unicoi, 3600 Unicoi Drive, Unicoi, TN 37692

Aviso de la opinión pública y audiencia pública

La organización metropolitana del planeamiento de transporte de la ciudad de Johnson (MTPO) está actualizando el plan público de la participación (PPP). La enmienda está para arriba para la revisión pública y el comentario por 45 días, hasta el lunes, 15 de agosto de, el año 2016. La enmienda se puede ver en www.jcmpto.org o en las localizaciones abajo, con formularios de comentarios proporcionados. Una audiencia pública se llevará a cabo el jueves, 21 de julio de, 2016 a 15:00 en el Centro de Tránsito de Johnson City, 137 West Market Street. Para obtener más información o para solicitar adaptaciones, por favor llame al (423) 434 a 6272.

- Recreacionales Del Carver, 322 West Watauga Avenue, Johnson City, TN 37604
- Edificio Municipales Del Departamento Del Planeamiento, 601 East Main Street, Johnson City, TN 37601
- La Organización de Planificación Johnson City Metropolitana de Transporte (MTPO), 137 West Market Street, Johnson City, TN 37604
- Johnson City De la Biblioteca Pública, 100 West Millard Street, Johnson City, TN 37604
- Del Departamento Del Planeamiento, Elizabethton De Pasillo De Ciudad, 136 Sycamore Street, Elizabethton, TN 37643
- Autoridad de Vivienda de Elizabethton, 910 Pine Ridge Circle, Elizabethton, TN 37643
- Jonesborough De Pasillo De Ciudad, 123 Boone Street, Jonesborough, TN 37659
- Washington Co/Jonesborough De la Biblioteca, 200 Sabin Drive, Jonesborough, TN 37659
- Town of Unicoi, 3600 Unicoi Drive, Unicoi, TN 37692

My commission expires on 03/28/2017

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THE JOHNSON CITY PRESS
204 W. Main Street
Johnson City, TN 37604

AFFIDAVIT OF PUBLICATION

AD# 1593170

DATES: 4-20-2022

Notice of Public Review and Public Hearing

The Johnson City Metropolitan Transportation Planning Organization (MTPO) is updating the Public Participation Plan (PPP). The draft plan is up for public review and comment for 45 calendar days, until Monday, June 6, 2022. The document and a list of revisions may be viewed at www.jcmtpo.org with a comment form provided. A public hearing will be held Thursday, June 2, 2022 at 3:00 p.m. at the Johnson City Transit Center, 137 West Market Street. For more information or to request accommodations, please call (423) 434-6272.

Aviso de la opinión pública y audiencia pública

La organización metropolitana del planeamiento de transporte de la

State of Tennessee)
Carter County)
Washington County)

Teresa Hicks makes the oath that she is a Representative of The Johnson City Press , a daily newspaper published in Johnson City, in said County and State, and that the advertisement was published in said paper for 1 insertion (s) commencing on 4-20-2022 and ending on 4-20-2022.

Teresa Hicks
Teresa Hicks

Sworn to and Subscribed before me this 4 20 2022
Month Day Year



Marsha McNalley
Marsha McNalley
Notary Public

My commission expires on 11/30/2024

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THE JOHNSON CITY PRESS
204 W. Main Street
Johnson City, TN 37604

AFFIDAVIT OF PUBLICATION

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DATES: 4-20-2022

Notice of Public Review and Public Hearing

The Johnson City Metropolitan Transportation Planning Organization (MTPO) is updating the Public Participation Plan (PPP). The draft plan is up for public review and comment for 45 calendar days, until Monday, June 6, 2022. The document and a list of revisions may be viewed at www.jcmtpo.org with a comment form provided. A public hearing will be held Thursday, June 2, 2022 at 3:00 p.m. at the Johnson City Transit Center, 137 West Market Street. For more information or to request accommodations, please call (423) 434-6272.

Aviso de la opinión pública y audiencia pública

La organización metropolitana del planeamiento de transporte de la ciudad de Johnson (MTPO) está actualizando el plan público de la participación (PPP). La enmienda está para arriba para la revisión pública y el comentario por 45 días, hasta el lunes, 6 de junio de, el año 2022. El documento y una lista de revisiones se pueden ver en www.jcmtpo.org, con formulario de comentarios proporcionados. Una audiencia pública se llevará a cabo el jueves, 2 de de junio de, 2022 a 15:00 en el Centro de Tránsito de Johnson City, 137 West Market Street. Para obtener más información o para solicitar adaptaciones, por favor llame al (423) 434 a 6272.

State of Tennessee)
Carter County)
Washington County)

Teresa Hicks makes the oath th

daily newspaper published in J

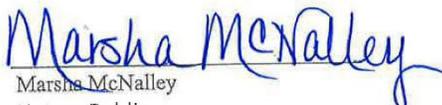
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Teresa Hicks

Sworn to and Subscribed before me this 4 20 2022
Month Day Year




Marsha McNalley
Notary Public

My commission expires on 11/30/2024

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