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Public Comment Period:  
8/22/2022 through 10/6/2022  
Send comments to:  
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# Public Participation Plan

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## Southeast Regional Transportation Planning Organization (SERTPO)

Southeastern New Mexico  
Economic Development District/Council of  
Governments (SNMEDD/COG)

and

Eastern Plains  
Council of Governments (EPCOG)

October/November 2022

## Table of Contents

SERTPO Description and Organizational Structure .....	1
Purpose of Public Participation Plan .....	1
State and Federal Requirements .....	1
Limited English Proficiency (LEP) Plan .....	4
Title VI and Environmental Justice .....	4
Contact Information for the Public .....	4
Communication and Notification to the Public .....	4
Public Participation Plan (PPP) Approval .....	5

## SERTPO Description and Organizational Structure

The Southeast Regional Transportation Planning Organization (SERTPO) is the entity and public forum responsible for transportation planning and other transportation related programs or activities for nonmetropolitan areas within Chaves, Curry, De Baca, Eddy, Guadalupe (southeast corner), Lea, Lincoln, Otero and Roosevelt counties. The New Mexico Department of Transportation (NMDOT) enters into contract with two Councils of Governments for the eight-county region to carry out RTPO functions and tasks: Southeastern New Mexico Economic Development District (SNMEDD)/ Council of Governments (COG) – Roswell, New Mexico and Eastern Plains Council of Governments (EPCOG) – Clovis, New Mexico. SERTPO complies with procedures as outlined in the New Mexico Department of Transportation’s (NMDOT’s) Planning and Procedures Manual (PPM).

SERTPO consists of one committee, whose membership consists of municipal and county representatives appointed by the chief elected officials (Mayors and Chairpersons) within its region.

## Purpose of Public Participation Plan

The purpose of this document is to outline the State and Federal requirements for a Public Participation Plan for use by RTPOs. As an organization receiving Federal financial assistance for transportation planning, it is a requirement of State and Federal law that our organization develop and implement a program to foster continuing, cooperative and comprehensive (3-C) public participation. This program may be general or project specific. In addition to being a regulatory requirement, public participation maximizes the benefits of transportation planning processes and outcomes. Accordingly, our organization recognizes that the travelling public has valuable insight to offer, in addition to a right to contribute to the planning process.

## State and Federal Requirements

RTPOs have numerous responsibilities including the development and contribution to Long Range Plans (LRPs), Regional Transportation Improvement Plan Recommendations (RTIPRs), provision of technical assistance to local officials, coordination of local planning across multiple disciplines, interagency/tribal coordination of local planning, and creating opportunities for public participation. The Federal government defines public participation as “an open process in which the rights of the community to be informed, to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals”.<sup>1</sup>

Our public participation program is an opportunity to provide for this process, considering the limited resources of the RTPO. Pertinent State and Federal requirements are summarized below.

- a) ***Responsibilities early in the process (23 CFR§ 450.210-316)***
  - i) *General*
    - o Establish early and continuous opportunities for the public participation process

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<sup>1</sup> 23 CFR 200.5 (c)

- Provide adequate public notice of opportunities for public comment and at key decision points
- Provide relevant information in a timely fashion
- Provide access to policy and technical information
- Make information, including plans, publicly accessible in electronic format
- Provide adequate public notice of opportunities for public review of plans
- Hold meetings at convenient and accessible times and locations
- Include a process for considering needs of low income and minority families
- Utilize documented process for nonmetropolitan official participation

ii) *Guidelines for meetings per the New Mexico Open Meetings law (NMSA 10-15-1-5)*

- All meetings of public bodies or agencies are to be public (10-15-1 (a-b))
- Activities applicable to Open Meetings Law include any formation of policy, discussion of public business or any action that the body has authority to take
- Public bodies are to determine in public what notice for a public meeting is appropriate for that body and document publicly through FCC licensed broadcast stations and newspapers of general circulation upon written request of said station or newspaper (10-15-1 (d))
- Any reconvention of a meeting must be scheduled prior to recess of that meeting, and date and time of meeting must be posted in writing near the door of the original meeting and only matters scheduled on the agenda of the original meeting may be discussed at the initial meeting may be discussed at the reconvened meeting (10-15-1(e))
- Meeting notices to include agenda of items to be discussed and be made publicly available at least 72 hours prior to the meeting (f)
- Meeting bodies are to keep minutes that document, at minimum, date, time, place, persons in attendance and absent, material considered, a record of decisions and votes according to member. Minutes are to be made public and to be prepared no later than 10 working days after the meeting, subsequently reviewed by quorum, then made official (g)

iii) *Methods*

- Utilize visualization techniques and plan illustrations such as maps, diagrams charts, display boards and slide presentations to clearly illustrate projects, plans and programs developed for committee meetings and public events, as resources permit
- Allow minimum of 45 days for comment prior to adopting, revising or updating plans (23 C.F.R. § 450.210(a)(2))
- Provide opportunity for public comment any time an update or revision to a plan is made
- Social and economic statistics for the region are to be collected, analyzed and processed at regular intervals and results are to be made available to the public (NMSA 3-56-5 (c))
- Provide public access to information on SERTPO programs, activities, services, documents and/or forms online at the weblinks provided in the Contact Information section of this document

*iv) Review*

- Demonstrate explicit consideration of public input
- Document reasons for changes to plans not adopted in public and accessible format
- Periodically review effectiveness of strategies for public participation
- When significant written and oral comments are received, prepare summary analysis of disposition of comments to include in final plan draft
- Periodically review public participation process

**b) *Guidelines for inclusion of affected parties (23 CFR 450.200-316)***

Agencies, organizations and individuals may request to be included in SERTPO's transportation stakeholder email communications, including those that represent low income, minority and disabled populations.

Inclusion of affected parties per 23 CFR 450.200-316:

- Citizens
- Affected public agencies (including but not limited to land management, natural resources, environmental protection, conservation and historic preservation)
- Representatives of public transportation employees
- Freight shippers
- Private providers of transportation
- Representatives of users of public transportation
- Representatives of users of pedestrian walkways and bicycle transportation facilities
- Representatives of the disabled
- Providers of freight transportation services
- Other interested parties
- Coordinate with Tribal governments and US Secretary of Interior regarding areas of the State under Tribal Jurisdiction
- Plans affecting metropolitan areas developed in coordination with MPOs
- Plans affecting nonmetropolitan areas developed in consultation with nonmetropolitan elected officials and relevant land management agencies with responsibility for transportation
- When appropriate, the use of "peer exchange" which Federal regulations define as the exchange of information and best practices between agencies, institutions and firms (public and private) with responsibility for transportation (23 CFR 420.203)
- Cooperation with statewide trade and economic development interests
- Consideration of interstate issues and coordination with appropriate agencies; use of interstate compacts when appropriate
- Coordination with State air quality agencies

## Limited English Proficiency (LEP) Plan

**Limited English Proficiency Policy Statement.** SERTPO assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

Any agency receiving federal funds should develop a Limited English Proficiency (LEP) Plan. LEP is addressed in SNMEDD's and EPCOG's Title VI Plans which are available online at <http://snmedd.com/sertpo-committee> and <http://www.rtponm.org/southeast> or through the respective COG SERTPO staff identified in the Contact Information section of this document.

## Title VI and Environmental Justice

**Title VI Policy Statement.** SERTPO does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services.

**Environmental Justice Policy Statement.** SERTPO is committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations.

Title VI information and Environmental Justice is addressed in SNMEDD's and EPCOG's Title VI Plans, both of which are available online at <http://snmedd.com/sertpo-committee/> and <http://www.rtponm.org/south-east> or through the respective COG SERTPO staff identified in the Contact Information section of this document.

## Contact Information for the Public

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## Communication and Notification to the Public

To ensure open communication with the public, SERTPO will adhere to the following requirements for its meeting activity:

- Postings of meeting date/time/location and agendas on the Southeastern New Mexico Economic Development District website of <http://snmedd.com/sertpo-committee/> and Eastern Plains Council of Governments website at <http://www.rtponm.org/south-east>.
- (SNMEDD) Public meeting notification to City/County Clerks in the region.

- (SNMEDD) Public meeting notification to stakeholders.
- Public notice and meeting agenda availability at the offices of Southeastern New Mexico Economic Development District at 1600 SE Main, Suite D, Roswell, New Mexico; and offices of Eastern Plains Council of Governments at 418 Main Street, Clovis, New Mexico.
- Meeting agendas and additional meeting information are available during public meetings held by SERTPO.
- Opportunity for public comment at each SERTPO Meeting.

## Public Participation Plan (PPP) Approval

The Draft Public Participation Plan was posted online for public comment 45 days prior to the October/November XX [TBD], 2022 SERTPO meeting date. The final, approved Public Participation Plan is available through the contact information provided above and the weblinks provided below.

<http://snmedd.com/sertpo-committee/>  
<http://www.rtponm.org/south-east>

The signature below represents SERTPO approval of the Public Participation Plan, as it may have been amended during public meeting.

\_\_\_\_\_  
SERTPO Chair/Vice-Chair

\_\_\_\_\_  
Date