



INTRODUCTION TO INDOT PUBLIC INVOLVEMENT

Two types of public involvement

- **Formal** (required per law/regulation)
- **Non-formal** (not required per law/regulation)

Projects receiving federal funding are subject to public involvement requirements

- The typical funding breakdown for federal-aid projects is 80/20 (federal/state)

100% state funded projects are not subject to public involvement requirements

- Non-formal / proactive public involvement is encouraged

Public involvement is required as part of the National Environmental Policy Act (NEPA) phase of project development:

- Cannot begin until an environmental document is released for public involvement by Environmental Services Division
- Public involvement activities must be completed and requirements satisfied prior to the approval of an environmental document
- Environmental document will not be approved if public involvement requirements have not be satisfied

There are three classifications of environmental documents

- Categorical Exclusion (CE) – low environmental impact
 - Hold public hearing or offer the opportunity to request a hearing
- Environmental Assessment (EA) – significant environmental impact
 - Mandatory public hearing
- Environmental Impact Statement (EIS) – very high environmental impact
 - Mandatory public hearing

Consult Public Involvement Criteria to determine if public involvement activities will be required

- Apply criteria to proposed project to determine if action is required

Activities required prior to start of formal public involvement phase and after an environmental document has been released by Environmental Services

- Check Electronic Records Management System (ERMS) to access preliminary design plans (hearings plans), environmental documents, other materials

- Environmental document can be accessed via ProjectWise or request document be sent directly by Environmental Services
- Project Management and project consultants may acquire environmental documents and design plans by coordinating with INDOT Environmental Services and Consultant Services

INDIANA CODE PERTAINING TO PUBLIC HEARINGS

IC 8-23-2-17 Public Hearing is an Assembly

Sec. 17. (a) As used in this section, “public hearing” means an assembly or a meeting by the department for the purpose of:

- (1) Providing information early in the process of making decisions affecting proposed highway or bridge construction or improvement projects on a county arterial highway system or the state highway system so that the public can have an impact on the decision outcome, including a meeting in which the public is provided information, opportunity for review and comment, and an accounting for the rationale for a proposed project; or
- (2) Complying with 23 U.S.C. 128 and 49 U.S.C. 1602 (d) requirements in considering economic, social, environmental, and other effects of highway projects and proposals.

(b) Whenever the department holds a public hearing, the department shall allow any person an opportunity to be heard in the presence of other who are present to testify and in accordance with subsection (c).

(c) The department through the commissioner or the commissioner’s designee, may limit testimony at a public hearing to a reasonable time stated at the opening of the public hearing. As added by P.> 52-1995, SEC. 3.

In order to ensure compliance with **IC 8-23-2-17 the updated PI procedures seeks to provide clarity related to meeting formats:**

Open Houses (informal sessions where participants visit stations, talk with project team members, informal conversational format)

- Do not require formal presentation
- Must include a public comment station where written comments can be accepted

Public Meetings (held at any time and at INDOT’s sole discretion)

- Should include a formal presentation
- Must include a comment station where written comments can be accepted
- Structure format to incorporate formal presentation with clearly stated presentation time

Public Hearings (held at project decision-making point, required as part of an approval process)

- Must include a formal presentation
- Must include a public comment/testimony session where verbal comments may be accepted
- Must include a comment station where written and verbal comments can be accepted
- Held at project decision-making point

Project Stakeholders Meetings

- Are generally small group meetings where participants are invited to attend
- Indiana Open Door Law – the public has the right to observe meetings and cannot be turned away
- Meeting does not have to be publicized via traditional media but requires posting a notice at the meeting venue at least 48 hours in advance of the meeting