

Alaska Department of Transportation and Public Facilities Non Metropolitan Local Official Consultation Process - Final

DOT&PF has developed the following process to ensure consultation with local officials in non-metropolitan areas for transportation planning programs administered by DOT&PF as required by federal regulation 23 CFR 450.212 (h), (i). This rule requires states to have a documented process for consulting with non-metropolitan local officials for both the statewide transportation improvement program (STIP) and the statewide transportation plan (STP).

This process fulfills *only* the specific requirement in the federal rule to extend consultation to non-metropolitan local officials (as it has been previously extended to *metropolitan* local officials). DOT&PF consultation with federally-recognized tribes is addressed in DOT&PF Policy and Procedure 01.03.010 *Government-to-government relations with the federally-recognized tribes of Alaska* (March 2002), the force of which is not affected or diminished by the process delineated here.

Non-metropolitan local official means elected and appointed officials of general purpose local government, in non-metropolitan areas, with jurisdiction/responsibility for transportation (23 CFR 450.104).

Consultation means that the State informs the identified “non-metropolitan local officials” according to an established process and considers the views of these officials prior to taking action. After taking action, the State informs the officials about the outcome.(23 CFR 450.104)

This process for consultation with local officials is separate and discrete from the public involvement procedure for statewide transportation planning (17 AAC 05.135 for STP and 17 AAC 05.160 for STIP), but there is much in the public involvement procedure that aids in local official consultation. In particular, the public comment periods occurring in the public involvement procedure present local officials with given opportunities for consultation that fit easily into the normal progression of STP and STIP development.

DOT&PF's public involvement procedure for statewide transportation planning was developed and approved in 1996 as required by the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) and successive federal transportation legislation. It was developed with broad input from the Alaska public, and subsequently incorporated into 17 AAC 05. The procedure reflects an Alaska-unique provision (23 USC 118(e)) permitting the state to expend federal highway funds on any public road that receives maintenance, rather than only on a limited roadway network as in other states.

This process is distinct from the process for consulting with local officials from metropolitan areas. In metropolitan areas, as prescribed by federal law (23 USC 134),

transportation plan development is cooperatively administered by the metropolitan planning organizations (MPOs). Alaska has two MPOs: the Anchorage Metropolitan Area Transportation Solutions (AMATS), and the Fairbanks Metropolitan Area Transportation System (FMATS).

Consultation with Local Officials in Non-Metropolitan Areas

DOT&PF will use the following process for consultation with local officials in non-metropolitan areas:

- DOT&PF will directly notify and consult the elected and appointed local official with transportation responsibility in each organized City and Borough regarding major updates to the Statewide Transportation Plan (STP) and major updates of the State Transportation Improvement Program (STIP). Cities and Boroughs impacted by change(s) in STP or its area plan components, STIP updates and major STIP amendments will be informed so that the officials have opportunity to evaluate and comment on the impacts to their community. This notification will give a deadline for comments (usually 45 days from public notice) so that they can be considered prior to approval of the change in the STP or STIP. Additionally, DOT&PF will directly notify the impacted local officials of the approved outcome(s), and in cases where a community's proposal is not accepted make publically available on the DOT&PF website (<http://www.dot.state.ak.us>) reasons for non-acceptance.
- DOT&PF will review and consider resolutions, plans, and project priorities of local governments presented to DOT&PF.
- DOT&PF will assign each community a contact person, and will notify the community when there is a change in their contact person.
- This consultation process is distinct from DOT&PF's public involvement procedures (17 AAC 05.135 and 17 AAC 05.160), which provide for multiple means of input into the planning process and access to documents for all interested organizations, interest groups, and the public at large through appropriate public involvement methods.
- Per 23 CFR 450.212(i), DOT&PF will review and solicit comments from non-metropolitan officials for a period of not less than 60 days on the effectiveness of the consultation process within two (2) years of process implementation and every five (5) years thereafter.