



For a thriving New England

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Via E-mail to publicinfo@ctps.org and sjordan@ctps.org

Boston Region Metropolitan Planning Organization
Central Transportation Planning Staff
Attn: Stella Jordan, MPO Staff
State Transportation Building, 10 Park Plaza, Suite 2150
Boston, MA 02116

Subject: Comments on Amendment to the MPO's Public Engagement Plan

Dear Members of the Boston Region Metropolitan Planning Organization:

Conservation Law Foundation ("CLF") is pleased to submit these comments on the proposed amendment to the MPO's Public Engagement Plan ("PEP"). CLF is a non-profit, member-supported organization dedicated to conserving natural resources, protecting public health, and promoting thriving communities for all in New England. CLF's mission includes safeguarding the health and quality of life of New England communities facing the adverse effects of air pollution and climate change. We work to ensure that Massachusetts residents have access to the vibrant, welcoming, and healthy neighborhoods we all need to thrive. CLF has a long history of advocating for transportation systems that are accessible, reliable, efficient, affordable, and free of air pollution and greenhouse gas emissions.

CLF reviewed the proposed PEP amendment and is disappointed that the MPO seeks to constrict the number of opportunities that members of the public have to comment on the work of the MPO. By removing the requirement that the public has 21 days to comment on proposed amendments to the Unified Planning Work Program ("UPWP"), the MPO erodes the already-limited opportunities for people to express their desires, ideas, and concerns about their transportation systems. The MPO and CTPS should well know by now, having taken extensive feedback on stakeholder and public engagement in recent years, that transportation planning, and the MPO specifically, are byzantine to many members of the public. The solution to receiving too few comments to meaningfully guide the work of the MPO is not to further restrict opportunities for comment, but instead to expand opportunities and remove barriers to participation.

CLF agrees with the MPO that “[p]ublic engagement improves decision-making by helping to illuminate the social, economic, and environmental benefits and drawbacks of transportation decisions and by supporting a continuous feedback loop in ever changing circumstances.” (PEP Guidebook, page 3). In explaining the decision to reduce opportunities for public input, the CTPS Technical Memorandum of July 21, 2022, states that comment periods are not required by federal guidance. The absence of federal guidance specifying that a 21-day comment period is required for UPWP amendments does not mean the MPO must therefore remove that requirement; federal guidelines provide a floor for minimum engagement required. The MPO should not strive to adhere as closely to the floor as possible; it should deepen outreach to impacted communities, including elected and appointed officials, community-based organizations, transit riders, and cyclists.

The Technical Memorandum and presentation provided little explanation for why this public engagement requirement is being removed beyond that it is allowed under federal guidance, and that it provides flexibility for the MPO. Instances in which the 21-day comment window hindered necessary expediency were not provided as examples for the necessity of this change. Neither did the memorandum or presentation include any examination of alternatives to this amendment, or current processes that could provide the needed flexibility in instances where the comment period might be unduly burdensome.

That members of the public may still provide comment during MPO meetings is likely little consolation to those who have work or school at 10:00 a.m. on Thursdays. That the MPO may, at its discretion, decide to release UPWP amendments for public comment is also little comfort; that an agency may decide when it subjects certain of its plans to public comment is an arrangement that limits, unnecessarily, public comment. The public must routinely have the opportunity to file comments on UPWP amendments to maintain a minimum degree of public engagement.

To help restore confidence in the public engagement processes of the MPO, CLF respectfully recommends that the MPO either further explain the necessity of this removal of public comment opportunity with supporting data or reject this PEP amendment. The MPO should also commit to deepening public engagement.

CLF appreciates the opportunity to submit these comments. You may direct any questions to Johannes Epke at jepke@clf.org and (617) 850-1761.

Sincerely,

A handwritten signature in cursive script that reads "Johannes Epke".

Johannes Epke, Staff Attorney