



Delaware Department of Transportation (DelDOT)

Consultation Process for Non-Metropolitan Area Officials



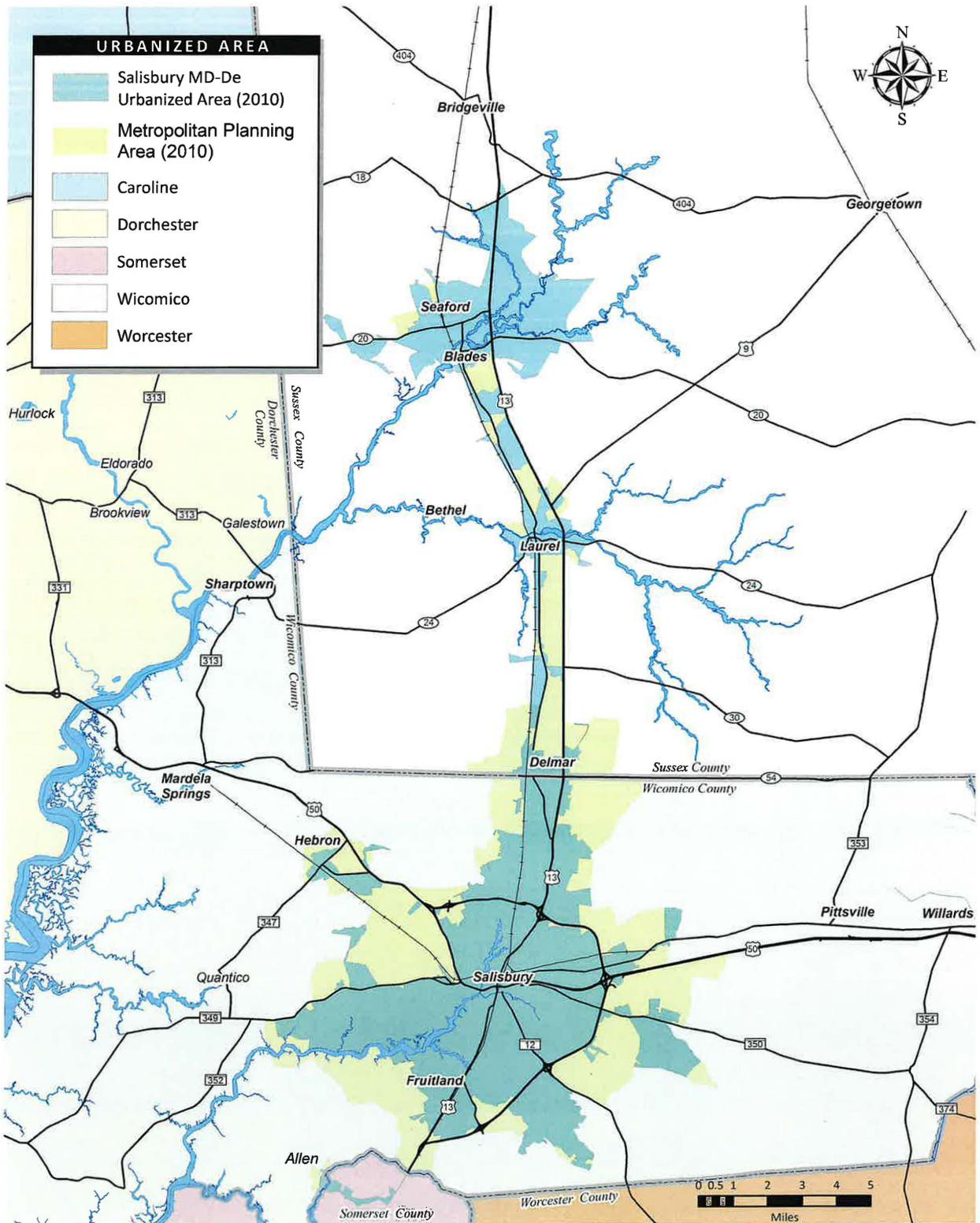
Updated: September 2021

Background & Purpose

A significant portion of transportation infrastructure funding in Delaware comes from federal surface transportation programs. DelDOT coordinates with federal transportation agencies to ensure compliance with the federal transportation planning and programming regulations. One of these regulations is known as the Local Official Consultation Rule (23 CFR § 450.210(b)). This rule requires a state to have a documented process for consulting with non-metropolitan area officials when making transportation decisions. The consultation process must be updated every 5 years. This rule further stipulates that the participation of non-metropolitan area officials is separate and discreet from public involvement efforts.

A metropolitan area is an urbanized area of 50,000 residents or more as defined by The Census Bureau. Federal regulations require these areas to participate in the metropolitan planning process under the direction of a Metropolitan Planning Organization (MPO) (23 CFR § 450.310). Any area outside of an MPO is considered a non-metropolitan area for transportation planning purposes. In Delaware, all areas are covered by an MPO except for the majority of Sussex County that lies outside of the planning area for the Salisbury/Wicomico MPO (see Map 1).

The Local Official Consultation Rule requires states to actively engage local elected and/or appointed officials in non-metropolitan areas during the development of the statewide long-range transportation plan and capital transportation program. The intent of this provision is to ensure that areas of states not represented by MPOs are given **fair and equal access to the transportation planning** and capital programming processes. The purpose of this document is to outline the current process, highlight recent enhancements, and solicit public comment.



DeIDOT's Consultation Process

DeIDOT coordinates with its local government partners through the development of the Long-Range Transportation Plan and the six-year Capital Transportation Program (CTP). The consultation process for each of these products is described in detail below.

Long Range Transportation Plan (LRTP)

The purpose of the LRTP is to set goals, objectives, and strategies DeIDOT will use to maintain, manage, and build the transportation system over a 20-year period. The plan describes all of DeIDOT's business functions and provides overarching policy guidance that its employees, contractors, and partners will use to meet its mission of **Excellence in Transportation**. The plan influences the work of the entire department and is updated every five years.

The most recent version of DeIDOT's LRTP was published in 2019 and is titled "**Innovation in Motion**" and can be found here: plan.deldot.gov

One of DeIDOT's long-range goals is "Customer Service and Communication." Local government staff and elected officials are key stakeholders (customers) and participants in the LRTP update process. DeIDOT specifically engages stakeholders in the non-metropolitan areas of Sussex County. Although the approach and level of participation varies slightly each time the plan is updated, the following outreach activities are conducted at a minimum:

- Introductory letters are mailed directly to locally elected and appointed officials at the county and municipal levels. The purpose of these mailings is to keep officials informed during the development process, to distribute draft products for review, and to let them know when and how they can provide comments.
- Stakeholder interviews and educational briefings for locally elected and appointed officials are conducted. This includes interviews and/or briefings with the Sussex County Administrator, the Sussex County Council, and with managers, Mayors, and councils of local governments throughout the County. The purpose of these interviews and briefings is to solicit comments on the current LRTP and how it should be updated to reflect new or changing needs within the county or municipality.
- Mailings are sent to other agencies and organizations. These may include social service agencies, public libraries, association of towns (e.g., the Sussex County Association of Towns and the Association of Coastal Towns), and other agencies and organizations engaged with local government officials in the decision-making process.

- The LRTP website is updated with the annual progress reports, video content, and opportunities for input. Contact information is always available for local officials and the public to provide frequent input during the planning process and the implementation years.

DelDOT also maintains a separate long-range transportation plan for Sussex County. This plan is more than a policy document and goes beyond goals, objectives, and strategies. The **Sussex County LRTP** discusses capital project priorities and lists proposed projects to be programmed over the planning horizon. There is no federal or state mandate to maintain this plan for Sussex County, but DelDOT does it as a means of providing the county with the same level of planning afforded to Kent and New Castle Counties through their respective Metropolitan Planning Organizations (MPOs).

DelDOT works with Sussex County and attends all public outreach events as part of the comprehensive plan update process. DelDOT then expands upon the Mobility Element and develops a separate Sussex County LRTP. Although DelDOT provides the resources and manages the effort to update the LRTP, the plan belongs to the County and is adopted as a companion to the Mobility Element of the Sussex County Comprehensive Plan.

DelDOT kicked-off the latest update to the Sussex County LRTP in the spring of 2021. Although the 2021 update is still in its early stages, DelDOT has a detailed plan to engage stakeholders and the public. At a minimum, the activities will include:

- Sussex County Planning & Zoning staff will be engaged frequently during the development process.
- County Council briefings will be conducted at key milestones of plan development.
- Listening Sessions will be scheduled with municipal officials.
- Public Workshops will be conducted.

Capital Transportation Program (CTP)

The Capital Transportation Program (CTP) is Delaware's six-year program of capital expenditures for transportation infrastructure maintenance and improvements. The Council on Transportation (COT) is a nine-member council appointed by the Governor to advise on issues related to transportation and to adopt the CTP every two years. The COT plays a key role in the consultation process with non-metropolitan local officials in Sussex County in two very important ways.

First, in appointing and maintaining the membership of the COT, the Governor must maintain equal representation among the three counties in the State. The Governor endeavors to ensure that the interest of people living in incorporated and unincorporated areas in Sussex County are well represented. Second, the COT members seek feedback from their constituents, which include local officials, as they consider the projects proposed for each update to the CTP.

Every two years, Sussex County officials actively participate with DeIDOT in the CTP development process, which advances the CTP for the next six-year period. More details about the CTP consultation process follow:

- Sussex County conducts an official call for projects from the public, usually through their website. The project submission form is available for 30 days. Once the deadline has passed, County shares and discusses the submissions with DeIDOT in preparation for the upcoming CTP candidate selection process.
- The County Administrator, as spokesman for the Sussex County Council, compiles the county's biennial CTP request document. This document is a coordinated list of priorities that is generated through its own outreach campaign and public input process. Municipal officials are also key participants in this process. This request is delivered to DeIDOT and it provides valuable feedback to be considered for the next CTP update.
- DeIDOT works with Sussex County staff and elected officials to schedule a Project Candidate Selection (PCS) Workshop. The purpose of this event is to review the priorities of Sussex County and its municipalities, and to review DeIDOT's investment strategies in the LRTP. Together, participants select a list of project candidates to be considered by DeIDOT and the COT for the next CTP.
- After project candidates are programmed into a draft CTP, the COT releases the draft for public comment and DeIDOT works with Sussex County to schedule a public workshop. This workshop is a crucial step in the process. Sussex County officials work with DeIDOT to educate the public on the purpose and need for the projects. All comments received are reviewed by DeIDOT and Sussex County officials.

In addition to the biennial CTP coordination, DeIDOT provides regular updates to the COT, Sussex County officials, and municipal officials in the following ways:

- The COT holds quarterly meetings. DeIDOT facilitates these meetings and provides regular updates on CTP funding and the status of projects.

- Annually, DeIDOT briefs Sussex County Council and the Planning & Zoning Commission on the status of future CTP development and key project milestones for current CTP projects. Local officials actively participate by asking questions and providing insight into future capital needs.
- As requested, DeIDOT meets with municipal officials to provides project updates and discuss any future infrastructure needs in their communities. DeIDOT also educates local officials about the CTP process to ensure they remain engaged during the update process.

The recently updated DeIDOT CTP website can be found here: ctp.deldot.gov

Questions or Comments

DeIDOT is committed to meeting the provisions of this rule and to the pursuit of opportunities to improve the consultation process. DeIDOT will continue to make this document available, monitor the process, and make improvements in partnership with Sussex County. Please contact DeIDOT if you have any questions or suggestions on how to improve this process.

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DeIDOT's Non-Metropolitan Consultation Process Update for 2021 was developed under Federal Regulation:

Local Official Consultation Rule (23 CFR § 450.210(b))

The public comment period for this update was announced the week of September 27, 2021 and remained open through November 30, 2021. To allow for postal mail receipt, the public comment deadline was extended until December 15, 2021.