



Massachusetts Department of Transportation

Public Involvement Plan

Cape Cod Bridges Program

March 2024



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Introduction and Background:

This Public Involvement Plan (PIP) for the Massachusetts Department of Transportation's (MassDOT's) Cape Cod Bridges Program (Program) details the process of engaging and informing the public and the comprehensive, inclusive, and effective strategies which are used to solicit feedback from key stakeholders and the local community for the successful implementation of the Program. The PIP also provides the latest available Program and public outreach schedule.

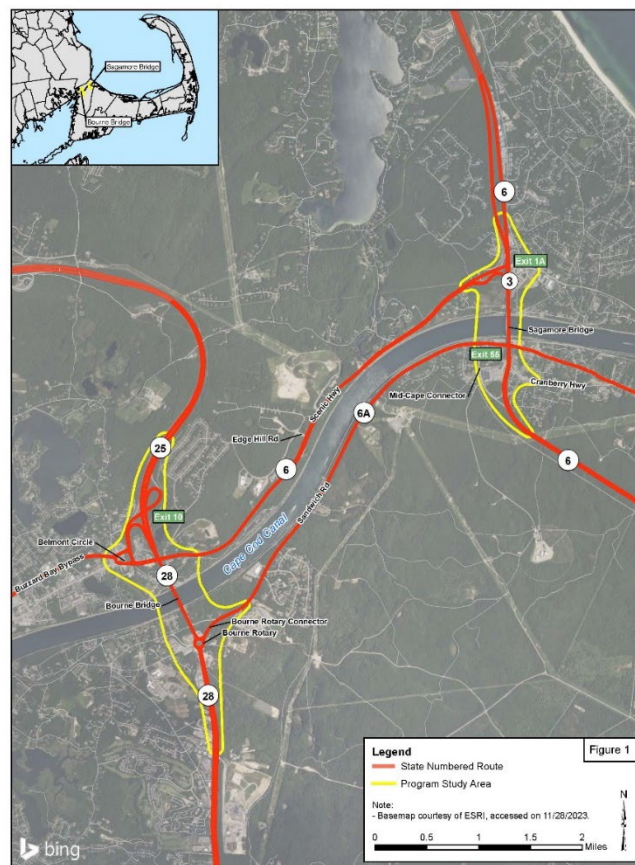
In coordination with the Federal Highway Administration (FHWA) and the U.S. Army Corps of Engineers (USACE), MassDOT is undertaking the Program to address identified transportation-related needs within the town of Bourne, including the structural, geometric, and operational deficiencies of the Cape Cod Canal highway bridges, the immediate mainline approaches and their adjacent interchanges and intersections; severe peak period traffic congestion and higher than average crash rates; and lack of accessible bicycle and pedestrian accommodations and connections between existing facilities.

The purpose of the Program is to improve cross-canal mobility and accessibility between Cape Cod and mainland Massachusetts for all road users and to address the increasing maintenance needs and functional obsolescence of the aging Cape Cod Canal highway bridges.

The Program proposes the following critical transportation infrastructure improvements within the town of Bourne:

- Replacement of the existing Sagamore and Bourne Highway Bridges (collectively referred to as the Cape Cod Canal highway bridges), which are owned, operated, and maintained by the USACE, as part of the Cape Cod Canal Federal Navigation Project (FNP),
- Reconfiguration of the highway approach networks north and south of the Cape Cod Canal to align with the replacement highway bridges, and
- Construction of new accessible pedestrian and bicycle connections to the local roadway network.

Figure 1 shows the Program Study Area, which consists of areas around the Sagamore and Bourne bridges and their immediate highway networks.



The Program draws from prior studies, including the [USACE's March 2020 Cape Cod Canal Highway Bridges Major Rehabilitation Evaluation Report/Environmental Assessment \(MRER/EA\)](#) and [MassDOT's October 2019 Cape Cod Canal Transportation Study](#), for addressing the deteriorating performance of the Bourne and Sagamore Highway Bridges and the multimodal transportation deficiencies of the surrounding approach roadway networks. The MRER/EA is the foundational document for the Program.

On July 7, 2020, a [Memorandum of Understanding](#) (MOU) was executed between MassDOT and the USACE regarding to the replacement of the Cape Cod Canal bridges. Under this MOU, the USACE will continue to own, operate, and maintain the existing Bourne and Sagamore Bridges until the new bridges are placed into service. MassDOT will lead the design and construction efforts with the responsibility to own, operate, and maintain the two new bridges.

[Program Team:](#)

The Program team referenced throughout the PIP is the key decision-making body regarding Program development and public involvement efforts. The team includes representatives from the following groups:

- MassDOT
 - Program Managers
 - Communications Office
 - Legislative Affairs Office
 - Highway Administrator's Office
 - District 5 Office
 - Environmental Services
- Federal Highway Administration
- U.S. Army Corps of Engineers
- Consultant design and public involvement staff

[Current Program Schedule:](#)

The Program will occur in multiple phases due to the complexity of the area and the work required to make substantial improvements to traffic and multimodal accommodations. Phase 1, completed as of December 2022, included the following:

- Data collection – including identifying existing environmental conditions and traffic patterns;
- Initiation of public outreach and involvement efforts.

Phase 1 also included three rounds of public engagement – in June 2021, November 2021, and November 2022, respectively. Each of these rounds included public meetings as well as stakeholder briefings and outreach, which is described in further detail below.

Phase 2, completed in May 2023, included developing and refining bridge and roadway options based on public feedback received during past, ongoing, and upcoming rounds of public engagement. This phase consisted of two rounds of public engagement – the fourth and fifth rounds of the Program – which were held in January and March 2023. It also included an Open House, held in May 2023.

The Program is currently in Phase 3, which includes identifying preferred options, beginning the environmental documentation process, as well as advancing design development.

Additionally, the schedule assumes the following public involvement activities will take place through the initiation of NEPA/MEPA environmental review process:

- Fall 2023 through Winter/Spring 2024: Engage Cooperating Agencies to seek comments and concurrence on Pre-EIS documentation/EIS Scoping
- Fall 2023 through Spring 2024: Continue to engage the Advisory Group

The subsequent phases of the Program include:

- Phase 4: MassDOT completes preliminary design and environmental review/permitting;
- Phase 5: Construction underway;
- Delivery: The Cape Cod Bridges Program is completed.

Purpose of the PIP:

The purpose of this PIP is to guide the public involvement process during all phases of Program development in compliance with the state and federal guidance and policies on public involvement.

Part 771 of Title 23 of the Code of Federal Regulations (CFR), which lays out the policies and procedures for implementing the National Environmental Policy Act (NEPA), states that “public involvement and a systematic interdisciplinary approach be essential parts of the development process for proposed actions.” This PIP recognizes this critical need and therefore places community engagement at the forefront of program design activities.

Due to the regional importance of access to Cape Cod, this transformational Program necessitates an innovative and collaborative approach to public involvement. The public involvement process must be transparent and inclusive, allowing for two-way communication across all demographics and geographies. Having a robust PIP ensures that MassDOT is utilizing effective communication strategies to achieve consensus amongst diverse populations that help inform Program development. Consistent messaging throughout design and construction is critical to the overall success of the Program.

As this PIP is a living document that is continuously updated to provide the most current information on the public outreach program, it also evolves to respond to community needs as they may change throughout the Program. The success of the Program and the PIP with each

round of public engagement will help determine any subsequent updates and specific measures and tools that will be used in accordance with the outreach strategies.

Goals of the PIP:

The goals of this PIP include:

1. Continue to effectively inform and engage a broad base of geographically and demographically diverse stakeholders across Cape Cod and the region about this Program;
2. Ensure that the public process continues to be inclusive and accessible and provides ample opportunity to engage with the Program team, provide feedback, ask questions, and attend public meetings for all those who choose to participate;
3. Maintain effective online and in person communication with stakeholders in Cape Cod and across the region;
4. Provide the public with opportunities to inform the project development process;
5. Remain responsive to stakeholder comments, inquiries, and needs throughout the entirety of the Program;
6. Maintain and update online resources and materials for the public to learn about the status of the Program and ensure materials are accessible for all populations;
7. Continuously adapt outreach strategies, messaging, and communication tactics based on public feedback, and sentiment;
8. Comply with federal and state requirements as identified in the Cape Cod Bridges Program NEPA/MEPA Methodologies Report. These requirements include, but are not limited to:
 - Efficient Environmental Reviews for Project Decision Making, as codified in 23 United States Code (USC) 139;
 - Title VI of the Civil Rights Act of 1964, as codified at 42 USC 2000d(1-7);
 - Council on Environmental Quality (CEQ) NEPA regulations, as codified at 40 CFR 1500 – 1508;
 - 36 CFR Part 800 Protection of Historic Properties;
 - Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
 - Section 4(f) of the U.S. Department of Transportation Act as codified at 23 USC 138 and 49 USC 303 and implementing regulations 23 CFR 774;
 - Massachusetts Environmental Policy Act (MEPA), as codified at Massachusetts General Law (MGL) Chapter 30, Sections 61 - 62I and implementing regulations at 301 Code of Massachusetts Regulations (CMR) 11.00
 - The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)

Strategies

This PIP has been developed and refined as the Program continues to evolve and progress. The strategies described in the next section outline the various methods that are being deployed to engage with the public in an inclusive, transparent, and accessible manner.

Further details on the utilization of these strategies and related deliverables are available in this document in the “Public Involvement Tasks” section.

Stakeholder Engagement

A stakeholder database has been developed to disseminate Program information throughout Program development. The Program database has drawn from the Cape Cod Canal Transportation Study and MRER stakeholder lists. Messaging to the database includes schedule updates, public meeting invites and reminders, Program milestones, and public engagement opportunities.

This database has grown throughout the Program as stakeholders subscribe to updates, submit comments, and attend virtual or in-person meetings. The database is being managed and updated regularly through MassDOT’s Public Involvement Management Application (PIMA).

The database includes over 4,300 stakeholders which include, but are not limited to:

- Local, State, and Congressional Officials
- Abutters
- Residents and local property owners
- Businesses
- Federal, state, and local environmental agencies
- Planning Commissions
- Chambers of Commerce
- Neighborhood associations
- Transit authorities
- Transportation groups
- Community/advocacy groups
- Bike and pedestrian groups
- Tourism sites/groups
- Hospitality groups
- Emergency services
- Education institutions
- Recreation areas
- Tribal councils
- Council on Aging
- Senior Centers
- Members of the public

Communications are distributed regularly via email to the stakeholder database. Specific communication methods and topics are described in the “Program Communications” section below.

Advisory Group

The Program has established an Advisory Group to allow for increased engagement with key stakeholders within the Program Study Area and learn of community feedback, needs, and concerns in a focused setting.

Advisory Group members represent a variety of stakeholder types including, but not limited to, local and elected officials, planning commissions, emergency services representatives, economic development representatives, and chambers of commerce.

The Advisory Group held its first meeting in May 2023 and will continue to hold regular meetings. This group is intended to provide feedback and input on topics such as design alternatives, community and environmental impacts, and the construction schedule. Feedback, concerns, and questions brought up during Advisory Group discussions are used by the Program team to help make informed decisions throughout Program development.

Meetings

Regular outreach meetings with the public and stakeholder groups and organizations have taken place during all four previous rounds of public engagement and will continue throughout the Program.

As of November 27, 2023, all public meetings have taken place virtually, while the Advisory Group meetings were held in a hybrid format, and the May 2023 Open House was held in person. These strategies have allowed for increasingly high levels of attendance and engagement by stakeholders throughout the Program Study Area and the region.

The types of meetings for this Program have and will continue to include:

1. Advisory Group Meetings

Advisory Group meetings will continue to be held regularly and in accordance with key milestones and Program development.

The Program team plans and hosts each of the Advisory Group meetings. Materials utilized at meetings include PowerPoint presentations, maps, and graphics, and meeting times are scheduled based on member availability. In addition to a formal presentation by the Program team, Advisory Group meetings include ample opportunity for questions, comments, and meaningful discussions among all attendees.

Members from the Program team also provide technical assistance and are available to help moderate discussions and take notes at each meeting. Meeting notes are distributed to the Program team and Advisory Group. Meeting materials, including presentations, meeting notes, and attendee lists are also made available on the Program's website page approximately three weeks after each meeting.

2. Legislative Briefings

This Program includes legislative briefings with State and Federal officials to provide Program updates and the opportunity to meet with the Program team before the information is distributed to the broader public.

Legislative briefings have been held with U.S. Senators and Representatives, as well as State Senators and Representatives to ensure they play an active role in the Program and stay up to date on Program activities, decisions, and key milestones.

These briefings are expected to continue regularly as the Program moves forward. The Program team coordinates with MassDOT's Legislative Affairs Office to schedule meetings, identify invitees, and send invites. The Program team also prepares all necessary materials for each briefing, provides technical or in-person meeting support, and takes notes.

3. Targeted Stakeholder Meetings

Targeted stakeholder meetings have and will continue to occur during each phase of the Program. Stakeholders were identified based on their mission, regional roles, membership (if applicable), and involvement in past Cape Cod Canal area transportation planning efforts including [MassDOT's Cape Cod Canal Transportation Study](#) and the USACE's MRER. The purpose of meeting with these stakeholders is to help best anticipate the needs and concerns of the broader public, remain responsive to stakeholder needs and concerns, and support a collaborative Program development process between stakeholders and MassDOT. A robust and inclusive stakeholder engagement process is key to achieving design consensus and successful program delivery. The benefits of this approach include the following:

- Allows for more meaningful engagement as meetings will be discussion-based and focus on specific stakeholder interests and answering their questions and concerns;
- Creates a greater opportunity for stakeholders to engage the Program team and participate in conversations;
- Allows more participants per organization due to the smaller, more individualized group meeting setting;
- Supports the Program team's commitment to engage local and regional interests outside of public information meetings.

The Program team organizes, prepares for, and facilitates each of the stakeholder meetings. Meeting materials have and will continue to include PowerPoint presentations, maps, and graphics. Meeting times are scheduled based on stakeholder availability and interest. Meetings with specific groups may also be combined with others based on interests, information available, and existing community relationships.

During Phase 1, 2, and 3, the Program team met with the following groups:

1. Town of Bourne
2. Boston Region Metropolitan Planning Organization (MPO)
3. Cape Cod Canal Region Chamber of Commerce
4. Cape Cod Chamber of Commerce
5. Cape Cod Commission
6. Cape Cod Regional Transit Authority

7. Nantucket Planning and Economic Development Commission (NP&EDC)
8. Old Colony Planning Council
9. Sandwich Chamber of Commerce
10. Southeastern Regional Planning & Economic Development Commission (SRPEDD)
11. Southeastern Regional Transit Authority
12. The Woods Hole, Martha's Vineyard and Nantucket Steamship Authority
13. Joint Base Cape Cod

The Program team will continue to meet with these stakeholders moving forward, however, it is important to note that this list is subject to change as the team works to accommodate all reasonable community meeting requests and remains responsive to stakeholder communications and inquiries throughout the entirety of the Program. Briefings may also be grouped upon stakeholders, number of requests, and Program team availability.

For example, in future rounds of public engagement, the Program team may engage members of the new Canal Bridges Task Force that was formed by the Cape Cod Commission, the Cape Cod Chamber of Commerce, and the Association to Preserve Cape Cod in December 2022.

4. Public Meetings

The Program team has and will continue to regularly hold public meetings to provide updates and the latest available information, highlight key milestones, and allow the public the provide input and feedback on various aspects of the Program.

Three rounds of public meetings took place during Phase 1 to introduce the Program. These meetings were attended by 686 individuals. 565 individuals attended the second round of meetings, where the Program team presented the Draft Purpose and Need, Draft Measures of Effectiveness Criteria, existing conditions, and next steps. The purpose of the third round of meetings was to update the public on the status, bridge types for consideration, and next steps, and these meetings were attended by 1,257 individuals.

A fourth round of public engagement took place in January 2023, in Phase 2 of the Program. This round of meetings allowed the Program team to present the status of the Program, bridge types, proposed bridge lane configurations, potential bridge locations, and next steps. These meetings were attended by a total of 991 individuals.

In Phase 2, the Program team also held the fifth round of public engagement. This round consisted of two public meetings – in March 2023 – with one meeting highlighting interchange alternatives for the Bourne Bridge, and the other highlighting interchange alternatives for the Sagamore Bridges, as well as the status of the Program, and next steps. A total of 694 individuals attended these meetings.

These five rounds of public meetings were therefore attended by a cumulative total of 4,193 individuals.

Each meeting has been and will continue to be open to anyone wishing to attend virtually and consists of a formal presentation by the Program team followed by an opportunity for public questions and comments. Meeting invites and notification materials are posted and distributed at least two weeks before each meeting and have been translated into Spanish and Portuguese.

Interpreters have been made available at every public meeting. This has included:

- Spanish – two translators at each meeting
- Portuguese – two translators at each meeting
- American Sign Language (ASL) – two interpreters at each meeting
- Communication Access Realtime Translation (CART)– at least one CART provider at each meeting

Meeting notification materials have also included information on how the public can request additional language and translation services.

The Program team develops all meeting materials and schedules and distributes meeting invites and reminders. Meeting notes are taken and posted, in an accessible format, on the Program's website.

5. Pop-up Events

The Program team will attend community events to further engage and interact with the public. The purpose of attending these events is to meet the community at existing and convenient public gathering places to inform them of the Program and collect input. These meetings will be announced by the Program team in advance to ensure the community is aware and has an opportunity to engage with the Program team.

Events could include farmers' markets, festivals, parades, art shows, and other community events that are anticipated to be well-attended by members of the public. The Program team will coordinate attendance with the appropriate organizations and prepare Program information for distribution including handouts, maps, website and comment form links, and QR codes to online resources.

6. Open House

An Open House was held in May 2023 to provide the public with an opportunity to meet with the Program team in person, ask questions, and learn about Program updates in an informal setting. This Open House was held at Bourne Veteran's Memorial Community Center and lasted approximately six hours, and over 530 individuals signed into the event.

In addition to highlighting the status of the Program, the Open House contained information on the recently filed MEPA Environmental Notification Form (ENF), as well as graphics on potential bridge and interchange alignments, and included interactive activities for attendees.

This event provided increased flexibility and creativity in offering meaningful experiences for stakeholder participation, and an opportunity for stakeholders to interact with each other and the Program team in an organized and engaging setting. Future open houses may be held at various times throughout the project.

7. Environmental Justice Community Meetings

If throughout the Program, the Program team discovers an Environmental Justice population or localized group that requires increased coordination and attention, the team may host or attend community meetings with these populations. This could include hosting roundtable discussions, listening sessions, pop-up events, or attending prescheduled meetings or events to engage and solicit feedback from these groups.

8. Hearings

The Program team will hold one or more public hearings, in accordance with 23 CFR 771.111(h)(2)(iii) and 301 CMR 11.0. Notification will occur at least two weeks before the date of any public hearing. Such notice will also provide information required to comply with public involvement requirements of other laws, executive orders, and regulations.

The following information will be provided at the hearing, as appropriate:

- The purpose and need for the Cape Cod Bridges Program, and its consistency with the goals and objectives of any local or regional planning documents,
- Cape Cod Bridges Program alternatives and major design features,
- The social, economic, environmental, and other impacts of the Cape Cod Bridges Program,
- The relocation assistance program and the right-of-way acquisition process, and
- The procedures for receiving both oral and written statements from the public.

As required, public hearings also will be conducted as part of the federal and state environmental permitting review and approval process.

Program Website

A [Mass.gov Program website page](#) has been developed and published and will continue to be available throughout the entirety of the Program. The purpose of the website page is to provide a centralized, easily navigable location for the public to access online resources and information on the Program. The Program team works closely with MassDOT's IT Office to ensure information published on the site remains up-to-date and complies with all applicable Title VI accessibility standards.

The website has been heavily utilized and has seen a high number of visitors. As of November 27, 2023, the website has been visited nearly 50,000 times by almost 33,000 different users.

In addition to the Program name and description, the website page has included and will continue to include the following:

1. Online Comment Tool

An [online comment tool](#), managed through the MassDOT Public Involvement Management Application (PIMA) is utilized to gather, evaluate, and respond to public inquiries on the Program. PIMA is a web-based application that incorporates elements of GIS to visualize feedback, measure public sentiment and program favorability, and track the reach of engagement. A customized comment form is available on the Program website page and distributed to stakeholders throughout the duration of the Program.

Stakeholders are required to input specific information to register in the system and submit a comment, including name, zip code, and email. Once registered, PIMA retains the stakeholder information in the system for all future comments submitted. Stakeholders can sign up for project updates and request if and how they would like to receive responses to their comments (by mail, email, or phone call). In addition to the comment, the stakeholder can select specific topic areas related to their comment, pin areas of concern on a map, and rate their favorability of the Program. Stakeholders receive a confirmation email every time they submit a comment and another notification email when a response has been entered by the Program team.

The Program team monitors PIMA regularly and remains responsive to all inquiries that are submitted. With each new comment submitted, an individual dialogue thread is created to promote continued and personalized communication. The Program team uses the information collected through the comment form including the comment, selected topics, pinned locations, and Program favorability to measure the effectiveness of outreach. This process is described in more detail in the “Measures of Effectiveness” section of this PIP. All data collected through PIMA is owned by MassDOT.

Depending on the nature and location of comments received, the Program team may adapt and adjust outreach strategies to reach new geographies and demographics. The comment form will be maintained as the centralized method for the public to communicate with the Program team.

2. Program Subscription Link

In addition to being able to subscribe to project updates through the comment form, there is also a [program subscription link](#) on the website page for the public to sign up for updates without having to submit a comment. The public is prompted to enter basic information, including name, zip code, and email address to be added to the list. This information, which is owned by MassDOT, is stored in PIMA and used to disseminate Program correspondence such as public meeting invites and reminders, Program milestones, and construction updates. This

link is being widely circulated at the onset of the Program through email blasts, social media posts, and Program materials to encourage the public to sign up to receive updates.

In addition to the comment form and subscription link hosted by PIMA, a phone number is also available on the Program website page. This phone number and voicemail are hosted through Google Voice and monitored regularly by the Program team. Follow-up phone calls are being made by identified Program team members promptly.

3. Public Meeting Recordings and Information

As detailed above, five rounds of public engagement have taken place as of November 27, 2023, with two public meetings taking place during each round. At each of these meetings, the Program team provided updates and an opportunity for public comment.

Recordings of these public meetings, as well as associated outreach materials are now contained on the Program website page. This allows the public and stakeholders to rewatch the meetings and have easy access to details regarding the Program.

Additionally, Information about registering for future meetings is regularly posted on the Program website along with an overview of what each meeting entails.

4. Project Materials

The Program team is responsible for the creation of Program materials for outreach purposes. These materials include flyers, maps, pictures and graphics, and presentations. These materials are updated regularly and available on the Program website. All materials meet MassDOT's accessibility requirements to accommodate all users.

5. Survey

Online surveys have been and will continue to be used to solicit feedback from the public throughout the Program. The Program team shared an online survey during the Round 3 meetings on November 15 and 17, 2022, to assess the public's preferences for the proposed bridge types. The survey closed on December 16th, 2022, and a total of 2,206 submissions were recorded.

Program Communications

Consistent and clear communication is essential to effective public outreach. The Program team works closely to develop concise and informative communications content that engages the public and stakeholders and ensures they are aware of key details. All outgoing Program messaging is reviewed and approved by the Program team before distribution.

Communication methods that have been used and will continue to be used are as follows:

- Emails: Sent to stakeholders and interested parties to provide program updates, public meeting notifications, and reminders, meeting invites and coordination, and details on upcoming outreach activities;
- Letters: Notifying individuals of fieldwork and providing formal responses to stakeholder comments or inquiries;
- Phone calls: Responding to stakeholder phone call inquiries and coordinating stakeholder meetings;
- Press releases: Notifying statewide media outlets of important Program milestones, developments, and public meetings;
- Newspaper advertisements: Included in print and digital publications in English and non-English languages to advertise public meetings. Publications used for Round 3 of public meetings have a circulation of nearly 220,000 readers.

Branding

1. Messaging

A Program brand will be developed for uniformity and identity purposes. This brand will include a logo, color scheme, and specific language in compliance with MassDOT Highway Division policies. This brand will be used across all outreach materials to help support consistent and clear messaging to the public. The logo and brand will be reviewed and approved by MassDOT's Secretary and Highway Administrator.

Messaging may evolve and change throughout each Phase of the Program to accommodate schedule changes and community outreach needs. All changes and updates to messaging will be evaluated and reviewed thoroughly by the Program team regularly.

2. Social Media

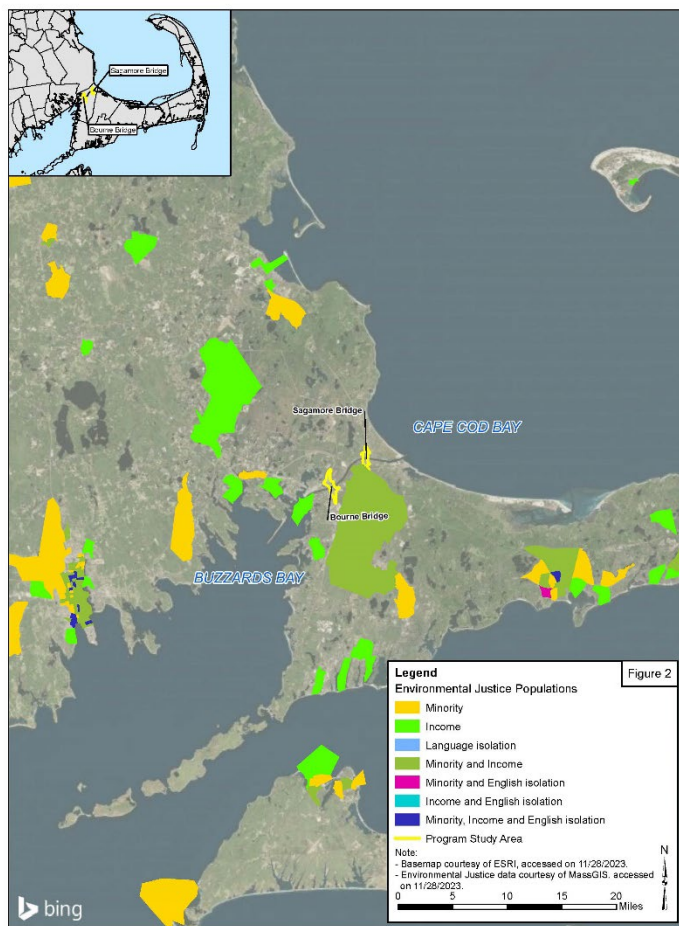
MassDOT's social media accounts are being utilized to disseminate messaging relating to Program milestones, public involvement opportunities, upcoming public meetings, and schedule updates. As of November 27, 2023, MassDOT has posted on social media platforms including Facebook, Twitter, and Instagram at least 50 separate times regarding the CCBP. These social media posts have received nearly 1,200 separate interactions and have been reshared 95 times, helping to further amplify MassDOT's message and spread awareness of the Program.

As the Program continues to move forward, the team will continue to work to develop social media posts and plan campaigns to provide information and engage members of the public.

Environmental Justice (EJ), Title VI, and Other Demographics

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) established an Environmental Justice Policy in 2002 to address the disproportionate share of environmental burdens experienced by low-income persons, minority communities, and non-native English speakers. In addition to ensuring protection against environmental pollution, this policy is designed to promote community engagement in environmental decision-making processes. The policy was most recently updated in June of 2021. Massachusetts defines Environmental Justice populations as neighborhoods that meet one or more of the following criteria¹:

- The annual median household income is not more than 65 percent of the statewide annual median household income;
- Minorities comprise 40 percent or more of the population;
- 25 percent or more of households lack English language proficiency;
- Minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.



Cape Cod and the surrounding region is made up of diverse communities of people. *Figure 2* above demonstrates the location of block groups meeting one or more EJ thresholds in the regions surrounding the Program Study Area. An EJ block group located to the southwest of the Mid-Cape Connector within Joint Base Cape Cod (JBCC) abuts the Sagamore Program Study Area. There are groupings of other EJ populations close to the Program Study area in Wareham, Falmouth, Barnstable, and New Bedford. Due to the diversity and unique character of the overall region and state, all public outreach is being done in a thoughtful, inclusive, and consistent manner so that all stakeholders, regardless of demographic or geography, have equal access to outreach opportunities. MassDOT will continue to work closely with

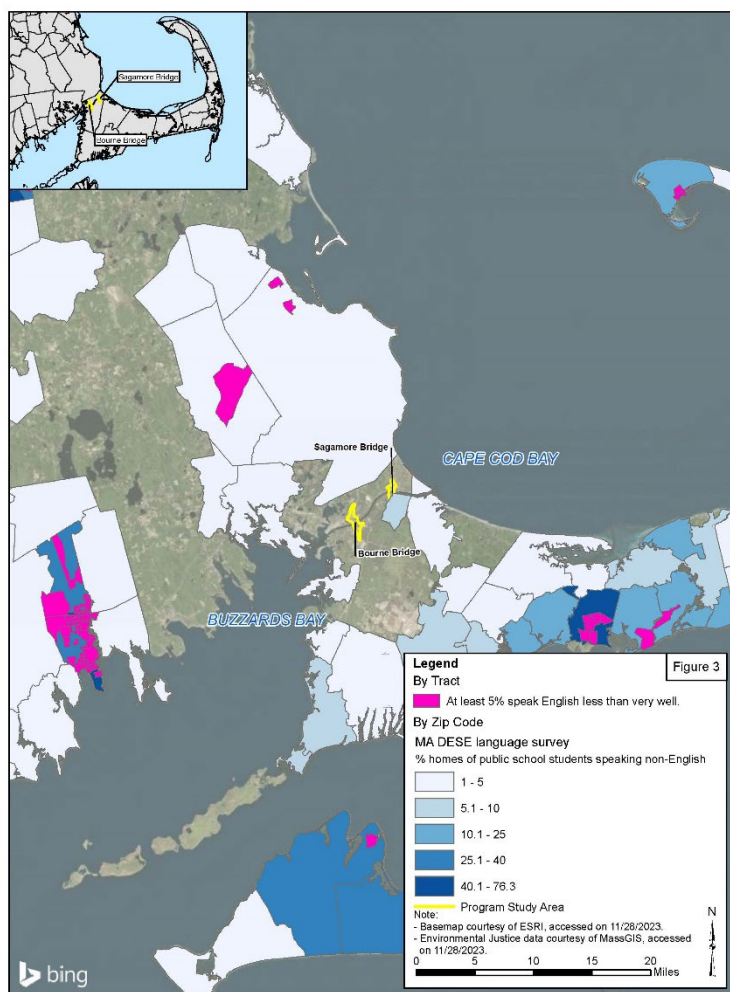
¹ https://www.mass.gov/files/documents/2017/11/29/2017-environmental-justice-policy_0.pdf

community and advocacy organizations to leverage existing communications channels to engage with EJ populations throughout Program development.

According to MassDOT's Engage Tool,² the non-English languages spoken in census tracts directly abutting the project area are Spanish, Greek, and Chinese. However, as *Figure 3* conveys, the percentages of the census tract populations that only speak non-English languages are relatively low. Due to the regional nature of this project, it is important to consider the larger regional area of impact to assess potential translation service needs as a matter of course.

Figure 3 shows languages spoken in the regions surrounding the Program Study Area to guide the translation of written materials for limited English proficiency (LEP) populations. There are no Census Tracts meeting the "safe harbor" threshold, where at least 5 percent of the population has speakers who report they do not speak English "very well" or 1,000 persons of the total population qualified to be served. However, due to the language information provided by MassDOT's Engage Tool, and the regional significance of this Program, Spanish and Portuguese translations of specific Program materials have been and will be made available throughout the Program. These are the top two languages spoken in the state. Translated materials include the Program's comment form, presentations, flyers, public notices, and newspaper advertisements. All material translations are reviewed thoroughly by appropriate parties to ensure accuracy.

Translation services and translations of specific Program materials in other languages beyond Spanish and Portuguese are also made available upon request. All Program messaging, including public meeting notification materials, provide language on how members of the public can request additional accessibility and accommodation services are available in English, Spanish, and Portuguese. All meeting notification materials are distributed at least



² <https://gis.massdot.state.ma.us/engage/>

two weeks before each meeting to provide the public adequate time to plan to attend and make any requests for translation and accommodations services. The Program team is required to fulfill all reasonable translation and accessibility requests made by the public.

In addition to regional EJ and language considerations, this public involvement effort recognizes the diversity in age demographics on Cape Cod. According to the most recent census data from Barnstable County on age demographics (2022), 31.8 percent of the population is 65 years and over.³ This is nearly double the state percentage of persons 65 years and over.⁴ The table below outlines the differences in population demographics in Barnstable County compared to statewide demographic data. Due to the significance in older populations, all engagement materials are provided well in advance of the public meetings to accommodate different mobility and technology needs. The Program team provides call-in options for all virtual meetings and as previously detailed, will conduct in-person outreach with printed engagement materials to accommodate populations with limited internet and technology access.

Area	Persons under 5 years (%)	Persons under 18 years (%)	Persons 65 years and over, (%)
Barnstable County	3.5%	14.4 %	31.8 %
Massachusetts	5.0%	19.5%	17.4%

Source: US Census Bureau

The Program team verifies that all materials posted on the project website including presentations, graphics, handouts, and maps are made accessible in compliance with Section 508 of the Rehabilitation Act.⁵ This Act applies to government agencies and requires that all electronic and information technology is accessible to employees and members of the public with disabilities.

The Program team has worked closely with the MassDOT Information Technology (IT) Office to develop and deploy PIMA in an accessible format. PIMA has passed multiple MassDOT accessibility audits. Therefore, all PIMA materials on the Program website page including the comment form, Program subscription link, and virtual meeting are being maintained in accordance with all applicable accessibility guidelines.

³ <https://www.census.gov/quickfacts/fact/table/barnstablecountymassachusetts/PST045219#>

⁴ <https://www.census.gov/quickfacts/MA>

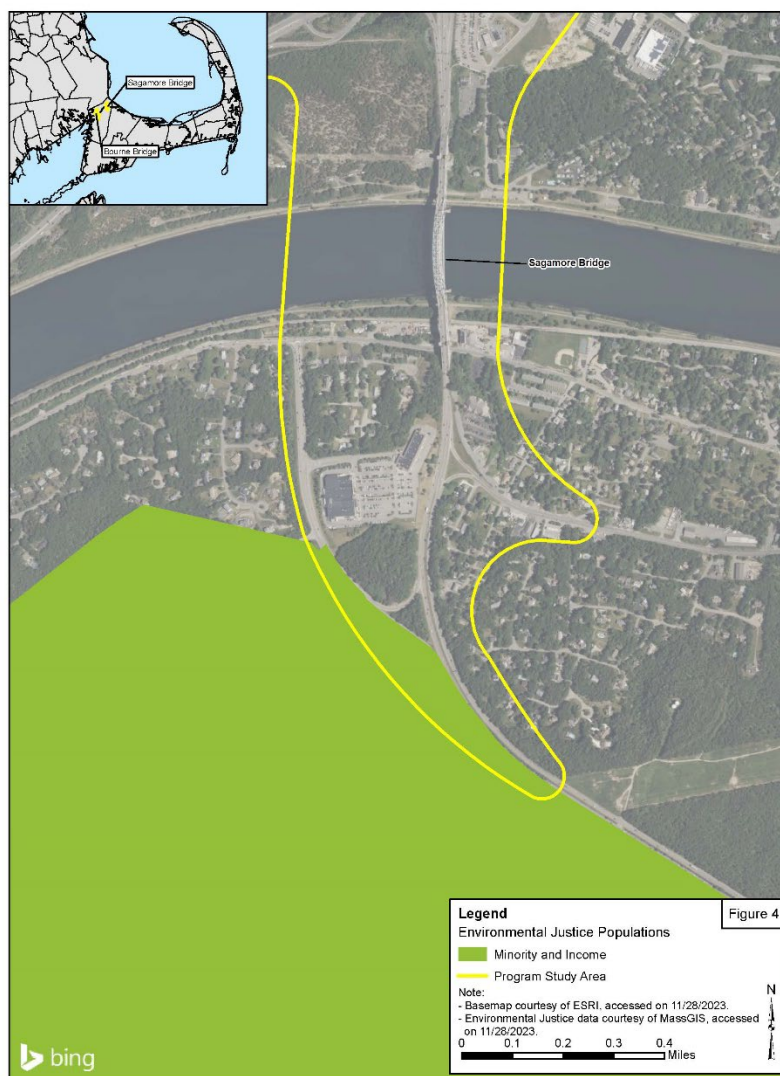
⁵ <https://www.access-board.gov/the-board/laws/rehabilitation-act-of-1973#508>

EJ Update

U.S. Census Bureau update

This PIP utilizes the latest Massachusetts Executive Office of Energy and Environmental Affairs (MA EEA) EJ Populations in Massachusetts data to ensure the public involvement team is sufficiently reaching all EJ communities in Cape Cod and the surrounding region.

In November 2022, MA EEA updated the data layers used to determine EJ populations in Massachusetts. The source of minority data changed from the 2019 American Community Survey (ACS) five-year data (2015-2019) to 2020 U.S. Census Redistricting data. The source of low income and LEP data was updated from 2019 ACS five-year data (2015-2019) to 2020 ACS five-year data (2016-2020). Additionally, geographic areas were updated (e.g., Census Tracts, and block groups) from 2010 to 2020.



Due to this latest U.S. Census update, there is only one area designated as EJ for Minority and Income within the southwestern portion of Sagamore Program Study area. This area is part of JBCC and comprised of undeveloped, forested land. This location is shown in *Figure 4*.

To verify this updated data from the U.S. Census Bureau and comply with FHWA guidance to identify any small clusters or dispersed populations of low-income households in the Program Study Areas, the Program team will develop a tailored approach to engage EJ populations in the Program. As part of this tailored approach, the Program team will conduct dedicated engagement activities in future rounds of outreach such as the following:

- **Coordinate with churches and faith-based organizations:**
 - The Program team will identify churches and faith-based organizations in the Project area.

- Program information will be shared with leaders and their members, and they will be provided with opportunities to connect directly with the Program team.
- **Host pop-up events:**
 - The Program team may attend community pop-up events to meet members of the community during public gatherings and inform them of the Program and solicit feedback.
 - Events include those previously detailed as well as additional concerts, farmers markets, art festivals, and other community events.
 - These events will be specifically targeted toward EJ communities, and the Program team may partner and work with organizations that serve those constituencies.
 - At these events, the Program team will specifically seek feedback on EJ communities within the local area.
- **Launch new surveys and polls at public meetings:**
 - A survey that includes demographic data will be developed and distributed in person or online. This optional survey seeks to solicit data that will enable the Program team to better understand the individuals they engage.
 - A survey or poll has been and will continue to be used at public meetings in English, Spanish, and Portuguese prompting the public to provide additional feedback on the translation services provided during the public meetings. This will allow the team to collect data on the utilization of these services.
 - For example, the results of the surveys used at the Round 4 public meetings indicated that at the meeting on January 24, 2023, one individual utilized ASL services, and one individual utilized Spanish translation services. At the January 26, 2023, public meeting, one individual utilized ASL services, and another individual utilized Portuguese translation services.
- **Increase coordination with community-based organizations (CBOs) and EJ-focused groups:**
 - In Phase 1 of the Program, the Program team provided information and translated materials to groups that address and assist Environmental Justice communities, including, but not limited to those with low income and limited English proficiency. This helped to help spread awareness of public meetings and milestones.
 - By increasing coordination with CBOs and EJ-focused groups, and offering additional outreach such as personalized briefings, the Program team will be able to concentrate their efforts on fostering relationships with community members who may otherwise be excluded in the public process. This will also help the Program team ascertain the reach and membership of these organizations.

MEPA Requirement for the Program's EJ Study Area

The EJ study area includes EJ populations within a one-mile radius (the Designated Geographic Area [DGA]) and a five-mile radius of the Program Study Areas, in accordance with the Final MEPA Interim Protocol for Analysis of Project Impacts on Environmental Justice Populations. As shown previously in *Figure 2*, the Program Study Areas are located within one mile of an EJ population characterized as Minority and Income, which spans the town of Bourne and the town of Sandwich (Census Block Group [BG] 1, Census Tract [CT]141), which is part of JBCC. The Program Study Areas are located within five miles of two EJ populations characterized as Income within the town of Bourne (BG 1, CT 139 and BG 3, CT 140.02) and two EJ populations characterized as Minority and Income within the town of Wareham (BG 1, CT 5452 and BG 1, CT 5453). BG 1, CT 139 is outside of, but proximate to, the one mile DGA.

As directed in the Secretary of the EEA's Certificate on the ENF, issued on July 7, 2023, the one-mile EJ study area for the Program (the DGA) will expand slightly to include the following geographic areas: BG 1 CT 141 and BG 1, CT 139.

Public Involvement Tasks

The table below outlines public involvement strategies as well as the tasks and deliverables associated with each strategy. It is important to note that many of these items are ongoing or concurrent with other items.

The purpose of this table is to provide a general guide of outreach activities that may take place as the Program moves forward. Additionally, this table will be adjusted as the Program progresses to reflect updates to schedule, approach, and stakeholder engagement strategies.

Strategies	Tasks
Public Involvement Plan	<ul style="list-style-type: none">• Continue to update PIP<ul style="list-style-type: none">◦ Evaluate effectiveness and make continuous updates as needed
Outreach Schedule	<ul style="list-style-type: none">• Implement current outreach schedule<ul style="list-style-type: none">◦ Carry out identified meetings• Further develop schedule of outreach activities as the Program moves forward
Branding	<ul style="list-style-type: none">• Develop logo• Draft, review, and finalize messaging• Create project video in alignment with approved messaging• Coordinate with Program team to create social media campaign<ul style="list-style-type: none">◦ Develop content and messaging◦ Draft posting schedule
Website	<ul style="list-style-type: none">• Continue to update and refine website based on Program developments and public feedback

Strategies	Tasks
	<ul style="list-style-type: none"> • Add information on Program milestones to the website as it becomes available • Ensure public meeting recordings and materials are available on the website
Advisory Group Meetings	<ul style="list-style-type: none"> • Assist with planning and hosting Advisory Group meetings and allowing members to provide input and feedback for the Program
Legislative Briefings	<ul style="list-style-type: none"> • Continue to host regular elected official briefings throughout the duration of the Program
Stakeholder Meetings	<ul style="list-style-type: none"> • Schedule and conduct stakeholder meetings with specific individuals, groups, and organizations • Targeted meetings are being hosted in coordination with public meetings.
Public Meetings	<ul style="list-style-type: none"> • Continue to host meetings throughout the Program • These meetings will provide updates on the Program and opportunities for the public to engage and provide feedback
Open House	<ul style="list-style-type: none"> • Potentially host future Open House events as an additional method to interact and engage with stakeholder groups and gather feedback
Community Pop-Up Events	<ul style="list-style-type: none"> • Continue identifying potential local community events • Attend community events to better engage with local members of the community, EJ populations, and stakeholders
Churches	<ul style="list-style-type: none"> • Identify churches and local religious organizations in the Program Study Area • Conduct outreach to these entities to better share information with their leadership and members
EJ-Focused Groups Coordination	<ul style="list-style-type: none"> • Continue identifying groups and organization focused on supporting EJ populations • Increase coordination and outreach to these groups
Manage Messaging and respond to stakeholder Inquiries	<ul style="list-style-type: none"> • Track, record, and respond to comments in PIMA on a regular basis • Develop PIMA comment summaries on a weekly basis to be reviewed and approved by the Program Team

PIP Measures of Effectiveness:

Throughout the Program there has been a high level of public engagement and interest. For example, as detailed above, the five rounds of public meetings and the Open House event

were attended by a cumulative total of 4,725 individuals. Additionally, as of November 27, 2023, the Program team has received nearly 1,300 comments and questions from the online comment form, emails, phone calls, and public meetings. This has included feedback on a wide variety of topics including construction, cost, traffic impacts, bridge design, right of way, and numerous others.

The steps described below will continue to be taken by the Program team to measure the effectiveness of outreach. Measures of effectiveness for public involvement are important in evaluating the efficacy of outreach efforts to verify the goals and objectives outlined in this plan are being adequately met. Strategies may be adjusted and adapted to better fit the needs of community feedback.

Step 1: Continue conducting outreach

- Manage and update the stakeholder database for Program communication
- Distribute communications to stakeholders and the public
- Respond to all stakeholder comments, inquiries, and requests in a timely manner
- Regularly post on MassDOT's social media accounts
- Host public and stakeholder meetings with adequate notification materials and timelines

Step 2: Regularly evaluate public response and perception

- Monitor the public's level of engagement with the Program
 - Number of inquiries received through PIMA, email, letter, and phone call
 - Number of public meeting attendees
- Determine the level of support for the Program
 - Nature of comments, inquiries, and requests
- Assess the geographies and demographics of collected comments and inquiries, and meeting attendees
 - Utilize PIMA's mapping and analytics tools to evaluate stakeholder and comment information

Step 3: Reflect on the Program team's outreach efforts

- Are elected officials being properly notified of the Program?
- Are EJ populations being effectively engaged?
- Are all translation and accessibility requirements and requests being met?
- Are regional stakeholders being engaged?
- Are comments, inquiries, and requests being responded to in a timely manner?
- Are diverse and widespread stakeholder individuals, groups and organizations being engaged?
- Are abutters and local property owners aware of Program outreach and communication opportunities?

- Is the Program in compliance with state and federal regulations regarding property acquisitions?
- Is the public being adequately notified of all public meetings and outreach activities to give them ample opportunity to participate?

Step 4: Alter or adapt outreach strategies during subsequent Program phases (if necessary)

- Target specific stakeholder groups or geographic areas where engagement may be lacking
- Offer individual briefings with specific individuals, groups, or organizations to disseminate information and collect feedback
- Update messaging to address inquiries, concerns and keep information relevant to stakeholders
- Create supplemental information and materials to assist outreach purposes and goals

As noted previously, this PIP will remain flexible throughout the Program and strategies will continually be evaluated and updated to best fit the needs of the Program, communities, and public participation levels. Measuring the effectiveness of outreach will aid the Program team in facilitating a robust public process where everyone is given ample and equal opportunity to participate and provide feedback on Program development.

Challenges and Solutions

Throughout the Program, several current and future challenges to the public involvement and outreach process have been identified. While these issues are not necessarily critical, it is nonetheless important for the Program team to enact mitigation measures and solutions to ensure effective outreach. These challenges and the solutions are described below.

Challenge	Mitigation Measures/Solutions
Desire for increased engagement and input from local community stakeholders	<ul style="list-style-type: none"> • Establishing Program Advisory Group to allow local stakeholders to directly provide input and feedback in a close setting • Continuously updating Program website and ensuring the availability of Program documents and resources • Regular briefings and engagement with local organizations, officials, and stakeholders
Evaluating effectiveness of engagement strategies and accessibility measures	<ul style="list-style-type: none"> • Utilizing surveys to better understand usage of translation services • Increasing coordination with local community groups and organizations • Conducting in-person outreach to allow for more conversations and engagement with the public

Challenge	Mitigation Measures/Solutions
Frequent public meetings	<ul style="list-style-type: none"> • Ensuring timely distribution of meeting notification materials to the public • Increased coordination among the Program team to ensure the appropriate development of meeting and notification materials
Demonstrating coordination with elected officials	<ul style="list-style-type: none"> • Refining messaging to underscore collaboration and coordination with elected officials • Highlighting elected officials briefing and outreach to clarify that these officials are aware of an in support of the Program
Responding to high levels of comments and questions in public meetings	<ul style="list-style-type: none"> • Adding additional time to public meetings to accommodate high levels of comments and questions • Providing answers via email to all questions not answered or addressed within public meetings
Accommodating requests for additional information	<ul style="list-style-type: none"> • Developing FAQ which will be distributed to the public • Providing timely responses to all incoming questions and comments over email, PIMA, and through phone calls
Large amount of information being conveyed to the public	<ul style="list-style-type: none"> • Revamping website to include more comprehensive information regarding the Program • Adding a "Latest Updates" section to the Program website where the public can easily see the most recent updates and information

Federal and State Environmental Review Process

MassDOT, in cooperation with FHWA and USACE, is initiating the environmental review and documentation process for the Program in compliance with NEPA and MEPA. A comprehensive public involvement campaign is essential to successfully completing environmental reviews required under NEPA and MEPA. Successful public involvement helps mitigate Program risk by involving the public and stakeholders in the project development process early and often. The outreach strategies discussed in this PIP provide the public with the opportunity to communicate support or objection to the proposed Program scope. The input collected will determine what level of controversy exists, and therefore be considered in the final NEPA and MEPA decisions.

The following sections give an overview of public involvement processes for the NEPA and MEPA reviews, as well as a summary of the Agency Coordination Plan, which establishes federal and state agency consultation and coordination and public engagement milestones.

National Environmental Policy Act (NEPA)

On August 11, 2023, FHWA, serving as the lead Federal Agency for the Cape Cod Bridges Program, issued a determination that the program will require the preparation of an Environmental Impact Statement (EIS) under NEPA. As part of the preparation of the EIS, NEPA requires that there be an early and open process for determining the scope of the issues to be addressed by a study.

On February 29, 2024, a Notice of Intent (NOI) to prepare an EIS was published by FHWA in the Federal Register, initiating the NEPA Scoping process for the Cape Cod Bridges Program. The following information was provided in the NOI and complemented with more detail in a Supplemental NOI document that was made available for public review in the Federal Register:

- Background information on the Cape Cod Bridges Program,
- Preliminary Purpose and Need for the proposed action,
- Description of the proposed action and alternatives that will be considered in the EIS,
- Summary of expected impacts,
- Anticipated permits and authorizations,
- Information on the public and agency scoping process, including plans for possible public scoping meetings, and
- Contact information for Agency staff who can answer questions regarding the proposal and the EIS.

The NOI publication established a 30-day review period for the public to comment on any element of the study including the preliminary Purpose and Need for proposed action; alternatives to be considered; and environmental impacts to be evaluated in the EIS. The NOI provided instructions for submitting public comments to FHWA and MassDOT during the scoping period via the project website, U.S. mail or email. There will be at least one public scoping meeting as part of the public scoping process for the EIS. MassDOT will announce the location, date, and time of public scoping meeting(s) through Program website postings and/or news releases to the local media. Public input received during the Scoping process will be considered in the development of the Draft EIS (DEIS).

Once the DEIS has been prepared, FHWA will publish a Notice of Availability (NOA) in the Federal Register to notify the public that the DEIS is available for review and comment. A minimum 45-day public comment period, including at least one public hearing, will be held, during which the public may comment on the DEIS.

MassDOT will provide the public with reasonable notice of the public hearing on the DEIS at least two weeks prior to the date of the public hearing. Such notice will also provide information required to comply with public involvement requirements of other laws, executive

orders, and regulations. Per 23 CFR 771.111(h)(2)(v), MassDOT will explain at the public hearing of the following information, as appropriate:

- The Purpose and Need for the proposed action, and its consistency with the goals and objectives of any local or regional planning documents,
- Alternatives to the proposed action, including major design features,
- The social, economic, environmental, and other impacts of the proposed action,
- The relocation assistance program and the right-of-way acquisition process, and
- The procedures for receiving both oral and written statements from the public.

MassDOT will submit to FHWA a copy of the transcript of each public hearing and certification that a required hearing or hearing opportunity was offered. The transcript will be accompanied by copies of all written statements from the public, both submitted at the public hearing or during an announced period after the public hearing.

Whenever a public hearing is held, the DEIS will be made available at the public hearing and for a minimum of 15 days in advance of the public hearing. MassDOT will publish a notice of the public hearing in the official local newspaper(s) that announces where the DEIS is available for review, how copies may be obtained, and instructions for submitting comments.

Following completion of the DEIS public review period and consideration of comments received, MassDOT will prepare a combined Final EIS (FEIS) and Record of Decision (ROD) for the Cape Cod Bridges Program, in cooperation with FHWA. The FEIS/ROD will further detail the preferred alternative previously identified in the DEIS. The FEIS/ROD will also discuss substantive comments received on the DEIS and responses thereto, summarize public involvement, and describe the mitigation measures that are to be incorporated into the proposed action. FHWA will publish a NOA in the Federal Register, announcing the availability of the FEIS/ROD to the public. FHWA's publication of the FEIS/ROD in the Federal Register will initiate a 30-day waiting period, which is not a formal public comment period. Following the waiting period, FHWA's decision will be considered final and NEPA will be complete. No action will be taken on the Cape Cod Bridges Program until the FEIS/ROD is made publicly available.

It is critical that feedback received throughout the entirety of this Program be carefully tracked and readily available for inclusion in any required environmental documentation. Therefore, PIMA is being utilized as a centralized management system to track and record comments, responses, favorability, stakeholder demographics, and other engagement analytics. PIMA is used to evaluate public sentiment and the level of support that may exist among stakeholders and the surrounding communities. Data is being stored to provide a complete catalog of comments and quantitatively demonstrate changes in public sentiment throughout project development. All information collected in the system can be easily

exported to an accessible format that can be incorporated into subsequent environmental documentation.

Massachusetts Environmental Policy Act (MEPA)

MEPA requires State agencies to study the environmental consequences of their actions when MEPA review thresholds are triggered, and a State agency action is required, such as a permit, financial assistance, or land transfer from State agencies. In accordance with 301 CMR 11.00 (as amended January 6, 2023), the Program is subject to review under MEPA due to the requirement for State agency actions and exceedance of ENF and Environmental Impact Report (EIR) thresholds. Like the NEPA process, MEPA requires State agencies to study alternatives of the proposed Program and examine all feasible means to avoid damage to the environment or, to the extent damage to the environment cannot be avoided, to minimize and mitigate damage to the environment, to the maximum extent practicable, identify avoidance and minimization measures, and develop mitigation commitments for environmental impacts that cannot be avoided.

To initiate MEPA review of the Program, MassDOT filed an ENF with the Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs (EEA) on April 28, 2023. With the filing, MassDOT requested an extension of the 30-day public review period to 45 days. The ENF was published in the Environmental Monitor on May 10, 2023, which started the public comment period. Additionally, a Public Notice of Environmental Review was sent to the following newspapers for publication on April 27th/April 28th: Cape Cod Times, Cape Cod Chronicle, The Barnstable Patriot, El Planeta, Vocero Hispano, Provincetown Independent, and Bourne Enterprise.

MassDOT conducted two open house sessions on May 17, 2023, in the town of Bourne to provide the public with an opportunity to review the Program alternatives and potential environmental and social impacts and to provide oral and written comments on the ENF. MEPA conducted an agency site visit on June 6, 2023, and held a virtual public consultation session on June 7, 2023 to provide an additional opportunity for review and comment on the ENF.

Following the close of the public comment period on June 27, 2023, the Secretary of the EEA reviewed all comments received and issued a Certificate on the ENF on July 7, 2023. The Secretary's Certificate on the ENF includes a scope of work for the Draft EIR (DEIR).

The MEPA public involvement process will mirror that of the NEPA process. To the greatest extent possible, MassDOT will align the NEPA and MEPA public review and comment periods.

Agency Coordination Plan

In coordination with FHWA, MassDOT prepared an Agency Coordination Plan in compliance with 23 USC 139 to define the process for coordinating agency and public participation, including comment, during the environmental review process for the Program. The Agency

Coordination Plan guides the communication among all the agencies involved in the NEPA and MEPA environmental review processes, including establishing agency review and concurrence points (milestones) for environmental reviews and authorizations required for the Program's implementation. Like the PIP, the Agency Coordination Plan is a living document that can be amended as needed during Program development.

The Agency Coordination Plan identifies the roles and responsibilities of the federal and state agencies involved in the Program's environmental review process. These include:

- **Lead Agencies:** FHWA and MassDOT are the designated lead agencies and are responsible for identifying, inviting, and involving Cooperating and Participating Agencies; providing opportunities for public and agency involvement in defining the Program's purpose and need and determining the range of alternatives; collaborating with Cooperating and Participating agencies in determining impact analysis methodologies and the level of detail for the analysis of alternatives and identification of mitigation measures; and managing and resolving issues.
- **Cooperating Agencies:** Cooperating Agencies for this Program include Federal and state agencies which have jurisdiction by law or special expertise with respect to any environmental impact involved in the Program. In coordination with MassDOT, in April 2023, FHWA invited six federal agencies and five state agencies to participate in the Program's NEPA environmental review process as Cooperating Agencies.
- **Participating Agencies:** Participating Agencies are identified as any federal, state, regional, or local agencies, or tribal government that may have an interest in the Program because of their jurisdictional authority, special expertise and/or statewide interest. In coordination with MassDOT, FHWA intends to invite agencies to participate in the Program's NEPA environmental review process as Participating Agencies.

Section 106 of the National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR part 800) require Federal agencies to consider the effects of their undertakings on historic properties, and when applicable, provide other consulting parties and the public an opportunity to comment on such undertakings prior to the expenditure of any Federal funds or prior to the issuance of any Federal permit, license, or approval. MassDOT, as FHWA's delegate under Section 106, is responsible for ensuring that public involvement efforts under Section 106 are consistent with FHWA requirements.

MassDOT's Cultural Resources Unit (CRU) initiates the Section 106 process by establishing that a proposed Federal action is an undertaking as defined in 36 CFR 800.16 and providing early notification of the undertaking to the Massachusetts State Historic Preservation Officer (MA SHPO), local historical commissions, Tribal Historic Preservation Officers (THPOs), Federal and State Agencies, and any other interested parties about impacts on historic properties, as applicable.

MassDOT implements requirements for submitting early project notification letters to the MA SHPO, local historical commissions, THPOs, government entities and other interested parties in the Section 106 process through the procedures outlined in an Engineering Directive titled *Early Environmental Coordination for Design Projects* and through its existing public participation program.

As part of the Section 106 process, MassDOT will engage MA SHPO, THPOs and other individuals, agencies, and organizations likely to have knowledge of, or concerns with, historic properties in the direct and indirect Area of Potential Effect (APE) established for the Cape Cod Bridges Program and identify issues relating to the undertaking's potential effects on any identified historic properties.

If MassDOT CRU's review suggests that the Cape Cod Bridges Program may affect historic properties within the APE, MassDOT CRU will apply the criteria of adverse effect in 36 CFR 800.5(a) to determine if the effect will be adverse. MassDOT CRU also considers any views concerning such effects, provided by any consulting parties and the public.

In the event the Cape Cod Bridges Program is found to have an adverse effect on any historic property, FHWA will notify the Advisory Council on Historic Preservation (ACHP) of the adverse effect and continue consultation with the SHPO and other consulting parties, as appropriate. The views of the public will also be considered at this stage in the process. The goal of the ongoing consultation and public involvement is to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties.

If the adverse effect cannot be avoided, FHWA and MassDOT will enter a Memorandum of Agreement (MOA) with the SHPO, ACHP and other consulting parties, as warranted. The MOA will be a legally binding document that records the terms and conditions agreed upon to minimize or mitigate the adverse effects of the Cape Cod Bridges Program upon historic properties. Once an MOA is executed among all consulting parties, the Section 106 process is complete.

[Section 4\(f\) of the Department of Transportation Act](#)

Section 4(f) refers to the original section within the U.S. Department of Transportation Act (US DOT) of 1966, which established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites during the transportation project development process. The law, now codified in 49 USC 303 and 23 USC 138, is implemented by FHWA through regulation [23 CFR Part 774](#). Section 4(f) applies to all transportation projects that require funding or other approvals from an agency of the USDOT.

MassDOT, in consultation with FHWA and in coordination with the owner and/or representative agency of the park, recreation area, refuge, or historic site (the officials with jurisdiction), will provide for public notice and an opportunity for public review and comment

on any transportation use of a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic site.

Environmental Permitting Activities

Concurrent with the NEPA and MEPA environmental review processes, in Phase 4 of the Program, MassDOT will apply for applicable federal, and state permits and approvals. As part of their review of permit applications, agencies will solicit public review and comment, which could include public hearings.

This section of the PIP may be expanded in future updates, as federal and agency requirements for public input are further defined in the NEPA and MEPA processes for the Program.

Conclusion

A comprehensive and thoughtful public involvement process is essential to building community consensus for a successful Program. The strategies outlined in this PIP are assisting MassDOT in providing a transparent and inclusive public process for all stakeholders, regardless of demographic or geography. While this PIP discusses the public involvement strategies specific to the next several months, many of these strategies will be utilized throughout subsequent phases of the Program to promote continuity in messaging and approach. This PIP will be evaluated regularly and will be updated to reflect changes in Program delivery, schedule, and outreach strategies.