

**Southeastern Regional Planning & Economic Development District
Annual update - 2006 Title VI - Program-specific requirements
Updated September 2008**

SRPEDD's Public Participation Program

The Public Participation Program (PPP) is the document that defines all public notification and involvement techniques that must be done in creation of the Transportation Improvement Program (TIP), Regional Transportation Plan (T-Plan), transportation studies and Federal Transit Administration Section 5307 grants to GATRA and SRTA. It is the policy of the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO), in its role as the designated Metropolitan Planning Organization for the SRPEDD region, to support and encourage early and continuous public participation and input to the planning process and to adhere to the principles of Environmental Justice and Title VI of the Civil Rights Act as part of the metropolitan "3-C" planning process relating to transportation systems and facilities. The MPO's public participation program is designed to ensure opportunities for the public to express its views on transportation issues and become active participants in the regional planning and transportation "3-C" metropolitan decision-making process.

Assessment of Planning Efforts

Transit projects in the TIP include vehicle and related equipment purchases, operating assistance and capital facility and maintenance items. Within the two RTAs that operate in SRPEDD, transit service is focused on the populations who are most likely to use transit. Fixed-routes operate in the most densely populated neighborhoods and serve the largest employment areas and other key destinations such as hospitals, colleges and intermodal connections. Demand-response services are provided for the elderly, persons with disabilities and agency clients. Transit projects in the TIP are programmed based on the need to maintain the current level of service.

Capital facility projects are focused on existing facility locations where improvements or replacements are required. New capital facility projects are planned based on future transportation needs and community plans.

Transportation needs are identified through consumer advisory meetings, community-identified needs and through transportation studies. Studies include observation of travel patterns, surveys of current transit users and public housing residents, municipal plans and development patterns, local meetings, and GIS analysis of demographics (e.g., population density, low income, minority, elderly, youths) and land use.

When transit cuts are being considered, impacts upon low income and minority populations are assessed using GIS analysis at the block group level since census tracts in this region are deemed to be too large to be meaningful for this purpose.

Title VI Activity Monitoring

Barring significant changes in the transit system, SRPEDD conducts a Title VI quality of service analysis for both SRTA and GATRA at least once every three years. Following the instructions in Circular 4702.1A, SRPEDD evaluates the consistency of quality of service among minority and non-minority census tracts. Tables of minority population by tract are included in each RTA's Title VI program.

With each new U.S. Census, SRPEDD creates GIS data and maps of low income and minority populations, as well as elders, youths and population density using block group Census data. This data is overlaid with the existing bus routes to identify areas that are underserved and to ensure that those areas with the greatest need for transit are served, including the locations of socioeconomic groups and low-income populations. These maps appear in SRPEDD's 2003 Title VI Assessment.

For service analyses, key destinations including employment centers, medical facilities, shopping plazas, public housing, intermodal facilities, colleges and human service agencies are placed on a GIS map of the study area. These maps highlighting demographic and land use information are consulted when route changes, additions or deletions are being considered.

SRPEDD utilizes the most recent Census data to identify the locations of socioeconomic groups, including low-income and minority populations and their needs. SRPEDD regularly reviews the level of amenities and services provided throughout each regional transit service area by conducting a survey. A study measuring wait time, cost and cost per mile for minority and non-minority tracts is then conducted to identify any imbalance and then provide a report of those findings to each transit authority to rectify the imbalance, if necessary.

Information Dissemination

Information dissemination efforts include:

- the SRPEDD website, which includes contact information for people wanting information translated into Portuguese or wanting to speak with someone in Portuguese.
- The "Babel Fish" icon and feature on the SRPEDD website, which allows for the translation of the website into 8 languages.
- SRPEDD's quarterly newsletter, *The Regional Review*.
- a regular feature article in *The South Coast Insider*, a free monthly magazine that is widely distributed.
- the JTPG is the public forum for all citizens to get involved in transportation plans and programs at the local level. Meeting notices are sent to all of the major newspapers, posted on the SRPEDD website and mailed to all citizen groups and agencies that serve the minority and low-income residents in the region. Individuals may be placed on the mailing list by a request in writing, and are sent notice of regular meetings.

- SRPEDD hosted a Transportation Open House at its office on Wednesday October 26, 2005 from 3:00 PM to 7:00 PM. The purpose of the Open House was to provide an opportunity for members of the public to come to our office and see what we do, meet with staff, ask questions, and receive information about various transportation projects and issues in the region. Flyers advertising the Open House were posted in English and Portuguese around the region at bus terminals, rail stations and at cultural centers.
- SRPEDD hosted a Transportation Open House on July 30, 2008 to present to the public information on the potential station locations for the pending commuter rail extension / commuter bus enhancement for the region.
- contributions to other agency newsletters, such as Councils on Aging.
- the GATRA and SRTA Consumer Advisory Committee monthly meetings and mailing lists. Public service announcements of CAC meeting times are sent to local cable networks and local papers. GATRA has established Wareham and Plymouth Subcommittees to allow direct communication with consumers and agencies in those areas. The Consumer Advisory Committee mailing lists for GATRA and SRTA are sent to consumers as well as many cultural and human service agencies that work with minority and low income populations.
- SRPEDD places ads in six daily newspapers announcing the public comment periods on the Public Participation Program updates, the Regional Transportation Plan and Transportation Improvement Program as well as information about public meetings on the development of the TIP and T-Plan.
- SRPEDD places ads in various local foreign language newspapers, including Portuguese, Hispanic and Cambodian, as relevant.
- SRPEDD staff attends meetings with outside agencies to share information. Examples include: the Greater Taunton Health and Human Services Coalition, Wareham Human Services Collaborative, New Bedford youth groups, WSAR radio interviews, the Greater Southeastern Massachusetts Labor Council.
- Staff is available to speak to any group on transportation issues.
- Press releases on transportation studies and transportation issues are sent to the daily and weekly local newspapers.
- SRPEDD employees take time to educate local newspaper reporters on transportation issues and strive to get those issues into the headlines.
- Direct contact through one-on-one or small group discussions at the transit terminals, on the buses, and at local group meetings—such as a lunch at a senior center.
- SRPEDD maintains a comprehensive Environmental Justice mailing list. One purpose of this list is to solicit Commission at-large members to represent low income and minority populations in the region.
- Updates to the PPP and notices of the draft T-Plan availability are sent to all main public libraries and the updated Environmental Justice mailing list in addition to a comprehensive list of contacts.
- In accordance with the Planning Rule and Circular C 9030 1B, the public involvement process for the development of the TIP satisfies the public hearing requirements for SRTA and GATRA's routine 5307 grants. For FTA projects that are not routine, additional public involvement is required.

Minority Participation in the Decision-Making Process

SRPEDD's governing body is comprised of representatives from each member community. The representative is the community's chief elected official, a designee, a planning board member, or a planning board designee. Six at-large positions are designated to represent low income and minority populations. The At-large Commissioners also serve as members on the JTPG, which serves as the advisory committee to the MPO. All six at-large slots are currently filled.

The JTPG usually meets monthly at SRPEDD, to allow public participation in the transportation planning process. The public is invited to attend and participate in all JTPG meetings. Before the Transportation Improvement Program, Unified Work Program or Regional Transportation Plan are sent to the MPO requesting approval, advertisements are placed in local papers covering the entire SRPEDD region asking for public comment within the proper comment period. Comments received during the comment period are addressed at JTPG meetings.

Minority views on transportation issues are sought through staff's participation at transit consumer advisory committees, attendance at local collaborative meetings such as the Greater Taunton Health and Human Services Collaborative, the Wareham Human Services Collaborative and the New Bedford youth groups. Direct contact with transit users is also part of every route service analysis.

Minority Representation on Decision-Making Bodies

In addition to the two delegates from each of the SRPEDD communities, the Commission that governs SRPEDD is made up of six at-large Commissioners who are to provide representation to low-income and minority groups. SRPEDD solicits at-large members by contacting a list of over 120 agencies and community groups. The at-large commissioners have a special role because they are the only commissioners who are also members of the Joint Transportation Planning Group.

Regional Transportation System and Regional Benefit and Burden Distribution

The MPO reviews all projects with an appreciation for the benefits and burdens they provide to individual communities, low-income residents and minority populations. Where there is a change to the way services are provided, there has been a major effort by the RTA's to reach out to the business community, political establishment, civic groups, social service agencies, economic development stakeholders and residents to generate feedback so as to develop a cost-benefit analysis for the specific change being proposed. MPO staff located proposed projects on a map in relation to the low-income and minority populations and provides additional analysis on the benefits and burdens to these populations as a result of the proposed projects.

Complaint Process

Although SRPEDD has had no complaints, SRPEDD does have a complaint procedure that was adopted by the MPO in August 2007 as follows:

Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) Title VI Complaint Process

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance. As a sub-recipient of the Massachusetts Executive Office of Transportation, the SMMPO has adopted a Title VI complaint procedure as part of its Title VI Program.

The purpose of Title VI is to prevent the denial, reduction or delay of benefits to minority and low income populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the MPO should avoid disproportionately negative effects on minority and low income populations.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination by the SMMPO's programs or activities on the basis of race, color, or national origin may file a complaint.

Filing of Complaints

Complainants, or their representative, may file a written complaint with the MPO's Title VI Specialist at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act.

Complaints shall state the name and address of the person and, if applicable, the name of the representative filing on behalf of the complainant, the name and address of the entity alleged to have committed the act of discrimination, and shall set forth the particulars of that action and contain such other information as shall be required by the Title VI Specialist.

All complaints will include the following information:

- Name, address, and phone number of the Complainant
- Name, address, phone number and relationship of Representative to Complainant, (if applicable)
- Basis of complaint (i.e., race, color, national origin)
- Date of alleged discriminatory act(s)
- Date complaint received by the MPO
- A statement of the complaint, including specific details, relevant facts and documentation

Processing of Complaints

Within five (5) calendar days, the MPO's Title VI Specialist will advise EOT's Civil Rights Director of receipt of the allegations.

Within ten (10) calendar days, the MPO's Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available.

Within sixty (60) calendar days, the MPO's Title VI Specialist will conduct and complete an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, the Title VI Specialist will render a recommendation for action in a report of findings to the SRPEDD Transportation Planning Manager, who is staff to the MPO.

Within ninety (90) calendar days, the Transportation Planning Manager will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right of an appeal before the MPO at their next meeting. The Complainant may file a formal complaint with the EOT's Civil Rights Director, if they are dissatisfied with the final decision rendered by the MPO.

The MPO's Title VI Specialist will maintain a log of all complaints received by the MPO.

Resolution

If a probable cause of a discriminatory practice based on race, color, or national origin is found to exist, the MPO shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Plan shall include: a list of all corrective actions accepted by the agency; description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Transit Administration or the Secretary of Transportation as cited in Circular FTA C 4702.1 Chapter VII – Title VI Discrimination Complaints.

Notification of Protection Under Title IV

In order to comply with 49 CFR Section 21.9 (b) SRPEDD has posted information for the public regarding the MPO's Title VI obligations and protections against discrimination afforded to the public by Title VI on the website. A copy of the notice is attached.