

**Merrimack Valley Metropolitan Planning  
Organization (MVMPO)  
Public Participation Plan  
March 2016**



**160 Main Street  
Haverhill, MA 01830**



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Note: the Merrimack Valley Planning Commission Transportation Program Unit staff (a/k/a MVMPO staff) prepared this 2016 PPP under Contracts #75074, MA-80-X008, and MA-80-X009 with MassDOT. All versions of the MVMPO Public Participation Plan have been prepared in cooperation with the Federal Highway Administration, the Federal Transit Administration, and the Merrimack Valley Regional Transit Authority (MVRTA).



# 1. Introduction

The Merrimack Valley Metropolitan Planning Organization (MVMPO) has developed this Public Participation Plan (PPP) to ensure that its transportation decision-making process is inclusive, and accessible, in accordance with state and federal law requirements. The MVMPO uses this Plan to offer the public early, continuous, and meaningful opportunities to help identify social, economic, and environmental impacts of proposed transportation policies, projects and initiatives. This PPP shapes all MVMPO public engagement, from information distribution to formalized public involvement. This Plan also governs public participation requirements that apply to all federally funded transit plans/projects implemented by the Merrimack Valley Regional Transit Authority (MVRTA) – an MVMPO member agency.

This PPP guides the MVMPO's inclusion of populations that may have been underserved by the transportation system and/or have lacked access to the decision-making process. It states the methods that the MVMPO uses to reach out to persons who are low-income, minority, Limited English Proficient (LEP), or have a disability, and other traditionally under-represented populations. It provides a toolbox of public engagement techniques that the MVMPO staff can match to different community contexts and transportation decisions.

This PPP will continue to evolve based on ideas and feedback from community members and the MVMPO staff's evaluation of the effectiveness of its public participation activities in its region. The MVMPO staff will make every effort to comply with the policies and protocols stated, even on occasions where the facts or circumstances may not allow for absolute compliance. Also, it is important to note that some areas have pre-existing and approved policies for public engagement that are unique to the functions they carry out or the targeted audiences served, and in such instances (for example, Disadvantaged Business Enterprise goal setting), there may be departures from this Plan that are legitimate and reasonable.

In order for this PPP to take full effect, the MVMPO requires and will seek public comment, and make such changes and improvements that will improve our ability to provide an equal opportunity for public input in our transportation decision-making processes. Maintaining and

revising/updating this PPP is a continuous process that requires a formal amendment (and MVMPO endorsement) when:

- a complete revision is prepared (approximately every five years), and
- revisions to specific MVMPO policies and/or Federal/Commonwealth regulations governing public participation occur. Other revisions/updates such as adding or revising contact information for Public Participation Stakeholders do not require formal amendment of this Plan. Similarly, any of the individuals or organizations listed in the Stakeholders List (see Appendix B) may request removal from the mailing list and such action does not necessitate a formal PPP amendment.

### 1.1 MVMPO Structure

Under federal transportation legislation, the MVMPO is responsible for completing the planning and programming of all federally funded transportation projects and programs in its respective planning area.

The MVMPO covers the same fifteen-community region that defines the Merrimack Valley Planning Commission (MVPC) and the Merrimack Valley Regional Transit Authority (MVRTA). These communities are shown in Table 1.1 below:

Amesbury	Georgetown	Lawrence	Newbury	Rowley
Andover	Groveland	Merrimac	Newburyport	Salisbury
Boxford	Haverhill	Methuen	North Andover	West Newbury

The MVMPO has 10 voting members. Six members serve permanently while a representative of each sub-region chosen by the communities of a given sub-region fill the other four positions on a rotating basis. MVMPO membership is as follows:

- Massachusetts Department of Transportation, Highway Division; Permanent Member
- Merrimack Valley Planning Commission; Permanent Member
- Merrimack Valley Regional Transit Authority; Permanent Member
- Massachusetts Department of Transportation; Permanent Member
- Mayor of Lawrence (or his/her designee); Permanent Member
- Mayor of Haverhill (or his/her designee); Permanent Member

- One selectman, Mayor or his/her designee from each of the following subregions:
  - Sub-region 1: Amesbury, Newburyport and Salisbury
  - Sub-region 2: Newbury, Rowley and West Newbury
  - Sub-region 3: Boxford, Georgetown, Groveland and Merrimac
  - Sub-region 4: Andover, Methuen and North Andover

The MVMPO is responsible for performing a number of federally mandated transportation planning activities including the development and adoption of its Unified Planning Work Program (UPWP); Regional Transportation Plan (RTP), Transportation Improvement Program (TIP), and Public Participation Plan (PPP). In addition, it is responsible for making air quality conformity determinations for the RTP and the TIP and must certify that it is adhering to the federal transportation planning requirements outlined in the "3C" planning process. Finally, the MVMPO (per a Memorandum of Understanding with the MVRTA) is responsible for administering the MVRTA's public participation process as it pertains to the MVRTA's Program of Projects (PoP) and annual list of obligated transit projects. The MVRTA is in charge of administering its own public participation efforts respective to ongoing operations and service planning, although it engages the MVMPO staff in specific outreach activities (i.e. Coordinated Plan, Active Transportation Plan).

### **MVMPO Advisory Board and Committees**

The MVMPO's advisory board is the Merrimack Valley Transportation Committee (MVTC). The MVMPO staff is responsible for organizing and administering the MVTC. MVTC membership includes agencies and individuals who may already participate in the MVMPO as an official or designee, and representation from non-MVMPO agencies and individuals with interests in transportation. MVTC members include municipal planning directors; transit operators, neighborhood residents, environmental advocates, railroad, and truck freight industry representatives. The MVMPO staff convenes meetings of the MVTC at least once each year, typically at the start of the TIP development process. As the MVMPO region's size works to its advantage in terms of encouraging direct public involvement, the MVTC members report directly to the MVMPO Chair. Accordingly, there is not a separate MVTC Chair, nor Officers. The MVTC may also make requests to the MVMPO Chair to discuss topics relevant to the MVMPO's charge, including sponsoring speakers, to facilitate exchange of information.



The MVTC has established a new Nondiscrimination Working Group that is comprised of up to ten (10) MVTC members. The Working Group's purpose is to focus upon the MVMPO's Title VI and Environmental Justice programs, particularly to:

- advise on issues relevant to the MVMPO's Title VI and EJ responsibilities;
- assist the MVMPO in conducting outreach to Title VI and EJ populations, and
- participate in the MVMPO's work with other protected populations, including elders and persons with disabilities.

The MVMPO staff will encourage MVTC members with affiliations in the following types of organizations to participate in the Committee:

- Civic and Social (Neighborhoods)
- Disabilities
- Education
- Elders
- Employment and Workforce Training
- Faith-Based
- Human Services
- Philanthropic
- Race and Ethnic-Based

MVMPO staff is responsible for administering the MVTC Nondiscrimination Working Group's activities. The MVTC members will self-select Nondiscrimination Working Group members at two-year intervals parallel to the existing timeline used for securing MVMPO sub-region representatives.

Figure 1 on the following page shows the MVMPO's membership and decision-making process.

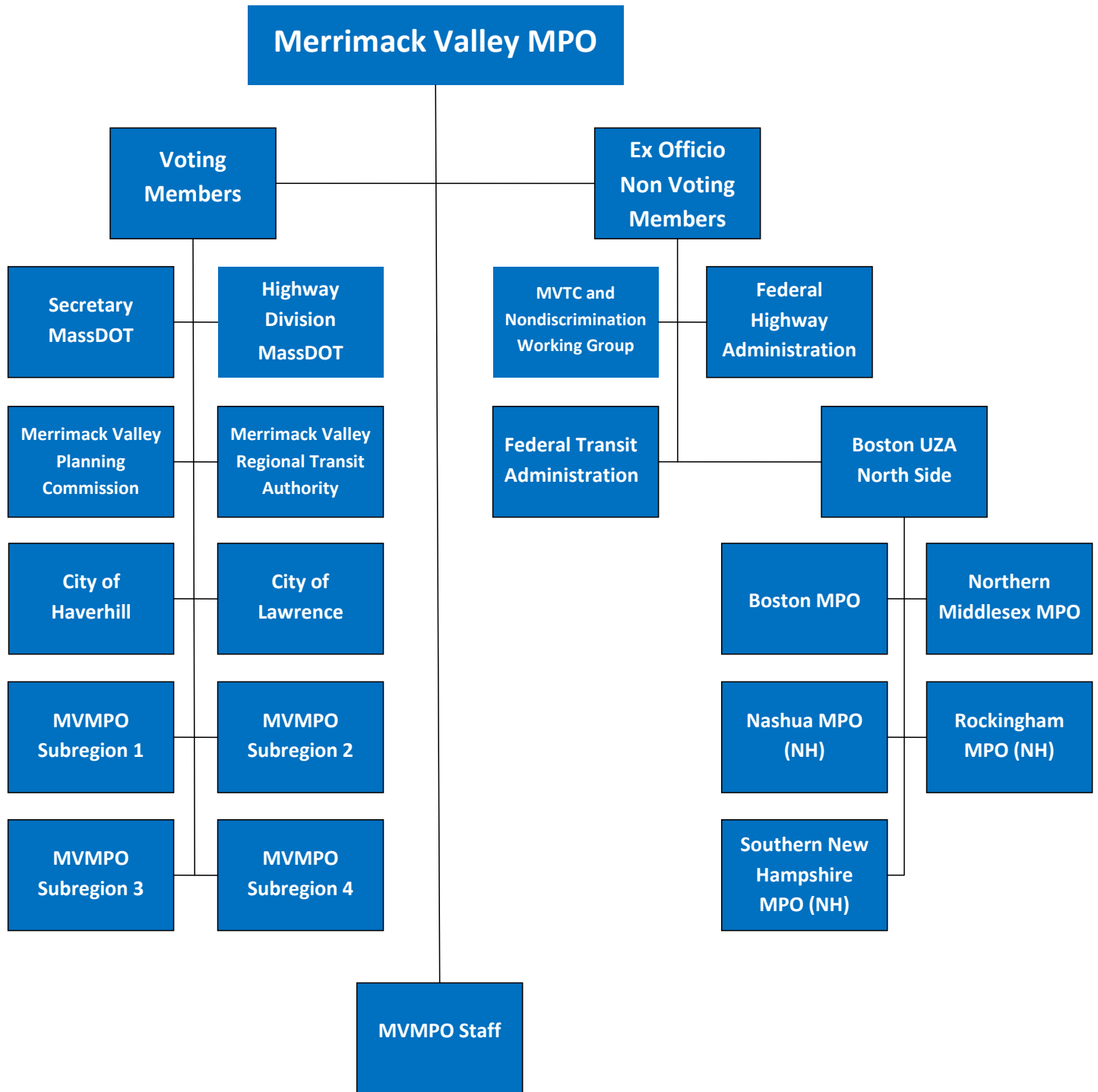


Figure 1: MVMPO Membership Decision-Making Process

## 1.2 MVMPO Public Participation Goals

The MVMPO has adopted the following MassDOT public participation goals for MVMPO representatives and persons working with the MVMPO:

*a. Obtain Quality Input and Participation*

The MVMPO encourages comment and reviews all comments received to the extent they can be useful, relevant, and constructive, and contribute to better plans, projects, programs, and decisions.

*b. Establish Consistent Commitment*

The MVMPO strives to communicate regularly and develop trust with communities, while helping build community capacity to provide public input.

*c. Increase Diversity*

The MVMPO encourages the participation of persons affected by its policies and projects. The MVMPO's intent is to capture a variety of socioeconomic, ethnic, and cultural perspectives. The MVMPO's intent also is to encourage participation by people from low-income and minority neighborhoods, people with limited English proficiency (LEP), and other traditionally underserved people.

*d. Ensure Accessibility*

Every effort should be made to ensure that participation opportunities are physically, geographically, temporally, linguistically, and culturally accessible.

*e. Provide Relevance*

Issues should be framed clearly and simply such that the significance and potential effect may be understood by the greatest number of participants.

*f. Foster Participant Satisfaction*

The MVMPO should encourage the public to participate in project and initiative related discussions, recognizing that people who take the time to participate feel it is worth the effort to join the discussion and provide feedback.

*g. Clearly Define Potential for Influence*

The process should clearly identify and communicate where and how participants can have influence and direct impact on decision-making.

*h. Establish and Maintain Partnerships*

The MVMPO develops and maintains partnerships with communities and community-based organizations through the activities described in the PPP.

*i. Provide Opportunities to Build Trust and Compromise*

The MVMPO facilitates discussions in a manner that creates levels of compromise and consensus while addressing the greatest number of community concerns and objectives. The MVMPO recognizes that processes that foster consensus are critical to enable public support for recommended actions.

*j. Monitor and Evaluate Plan Effectiveness*

The MVMPO periodically reviews the effectiveness of this PPP to ensure it meets the public's needs. It revises the PPP to maintain compliance with new regulations and to incorporate new data, new outreach practices, and results.

## 2. MVMPO Approach to Public Participation

The MVMPO administers a regulated transportation decision-making and project development process and follows procedures that include providing the public with meaningful opportunities to participate. The MVMPO structures its public involvement according to its commitment to civil rights related obligations such as removal of barriers to participation, diversity, and inclusive outreach. This Plan describes participation opportunities generally and includes specific protocols and resources designed to facilitate diverse and inclusive public outreach and involvement. This Plan is a flexible and evolving document. As necessary, the MVMPO will revise the PPP based on recurring assessments of successes and/or challenges associated with outreach, as well as suggestions made and the results of public engagement processes.

The MVMPO describes its general public participation activities in this chapter. Chapter 3 contains the specific civil rights protocols utilized by the MVMPO for all public outreach activities, categorized by types of communication formats, including large group discussions, targeted groups, and one-on-one interactions. Chapter 3 also contains the MVMPO Accessible Meeting Policy. The MVMPO believes that consistent application of these protocols will yield inclusive, accessible discussions and issues resolution.

Subsequent chapters of the PPP highlight specific participation opportunities during development of the following MVMPO documents:

- Regional Transportation Plan (RTP);
- Transportation Improvement Program (TIP);
- Unified Planning Work Program (UPWP);
- modal and corridor studies, and
- certain transit grants administered by MassDOT's Rail and Transit Division.

The PPP also references relevant federal policy guidance, principles, and techniques that enhance the potential for successful public participation processes. This guidance is derived from Appendix 2 of the U.S. DOT's *Public Involvement Techniques for Transportation Decision-Making*.

Table 2.1 below shows the MVMPO's document, grant, and study process:

<b>Table 2.1: MVMPO Development Process for Key Documents, Grants and Studies</b>					
Document	Who Develops	Who Approves	Time Horizon	Content	Update Requirement
RTP	MVMPO	MVMPO / MassDOT/ USDOT	Twenty-five (25) years	Future Goals, Strategies, and Projects	Every five (5) years (four (4) years for nonattainment and maintenance areas)
TIP	MVMPO	MVMPO / MassDOT	Four (4) years	Transportation Investments	Annually
PPP	MVMPO	MVMPO / MassDOT	Continuous	Guide for MVMPO Public Participation Process and Tasks	As needed
UPWP	MVMPO	MVMPO / MassDOT	One (1) year	Planning studies, tasks, and funding allocations	Annually
Modal and Corridor Studies	MVMPO	MVMPO / MassDOT	As needed	Problem identification, analysis and recommended improvements	If needed
MassDOT Rail and Transit Division Grants	MVMPO	MassDOT	Annual	Guidelines, applications, reviews and awards	Annually

Refer to Appendix A of this Plan for additional MVMPO process information.

## **2.1 Public Participation Techniques**

The MVMPO maintains a collaborative relationship with community and municipal stakeholders and has strategically developed this Plan to foster collaboration in an all-inclusive manner. It utilizes multiple communication channels to distribute information to, and solicit input from, affected constituencies. The MVMPO communicates with the public by using one or more of the following tools:

- MVPC website
- public media (including local minority and non-English newspapers, radio stations, and television stations)
- press releases
- posters, display boards, and flyers
- project fact sheets
- brochures
- newsletters
- mailing and email lists
- information stands at local events
- social media, i.e. Facebook, email distribution lists and media venues
- legislative briefings
- presentations, public meetings, public hearings, open houses and workshops
- civic advisory committees and working groups

### *MVMPO Information on MVPC Web Site*

The MVPC website ([www.mvpc.org](http://www.mvpc.org)) contains a Transportation webpage that serves as the MVMPO's landing page for its program, project, and activity information. Staff posts public notices of all MVMPO meetings, public hearings, and public comment periods on this site, along with information about MVMPO programs, projects, and activities. Some programs and projects that have dedicated locations on the MVPC website include:

- information about upcoming meetings;
- plans, studies and project fact sheets/presentations, and
- summary notes for meetings/workshops.

Project websites are important tools for persons who cannot attend

meetings. Accordingly, the MVMPO is now posting its meeting minutes on [www.mvpc.org/transportation](http://www.mvpc.org/transportation) with a look-back period of up to one (1) year. Members of the public can review presentations and meeting summaries – and may email questions or comments to the MVMPO staff at any time.

### *Meeting Notice Content and Distribution*

The MVMPO announces all meetings, public hearings, open houses, workshops, and public comment periods through either press releases, mailings, and/or the distribution of informational meeting flyers as well as placing meeting information on the MVMPO website. It publishes Notices in local English newspapers and in Rumbo, the Merrimack Valley region's newspaper serving its Spanish-speaking population. If the project has an impact on low income or minority populations, staff may place notices in media covering the region's local, minority, and non-English communities. Meeting notices include information about getting to a meeting location using public transportation, when transit is available. The MVMPO Notices let people know they can request foreign language assistance, sign-language interpreters, and other accommodations for persons with disabilities (with timely notification). The Notices also provide staff contact information for questions or concerns. Staff can also have meeting information and handouts translated into languages other than English upon request.

## **Public Meetings, Open Houses and Workshops**

### *Public Meetings*

The MVMPO holds public meetings to present information and obtain input from community residents, business people, and other interested parties. In addition, the MVMPO strives to create discussion and dialogue, which it believes are more productive for all participants. It tailors meetings to specific issues or community groups in an informal or formal style.

### *Open Houses*

MVMPO members and staff participate in Open Houses, most often organized by MassDOT or other larger MPOs. Open Houses are held to raise awareness and stimulate participation in development of a Certification Document (i.e. RTP) or a project of regional or statewide significance. Accordingly, MassDOT might hold an Open House on a policy, plan or document or project in the MVMPO region.

Open Houses do not have formal agendas, discussions, or presentations.



They are informal gatherings where people can obtain information about a plan, program, or project. Attendees receive information informally from exhibits and staff, and are encouraged to give opinions, make comments, and state preferences to staff, orally or in writing. Informal presentations, audio/visual shows, and one-on-one discussions can take place continuously throughout the event. The Open House meeting space usually consists of a reception area, a presentation area for slide shows or short talks, areas for one-on-one discussions between community people and agency staff members, and background information, activities to date, work flow, and anticipated next steps, as well as an array of primary subject panels. Meeting sponsors typically schedule Open Houses for substantial portions of a day or evening, so that people can drop in at their convenience and participate fully.

### *Workshops*

The MVMPO schedules workshops around a particular topic or activity and typically involve a relatively small group of people who want to participate intensively. These events are usually one to three hours in duration, and small groups work on a specific agenda. MVMPO staff members provide information, answer questions, and participate as individuals in workshops. Workshops are inherently participatory and encourage a “working together” atmosphere.

### *Public Hearings*

The public hearing is a formal opportunity for members of the public to make recorded statements of their views before decisions on a given plan or project. Public hearings are a specific, observable administrative benchmark for public involvement and are required by the federal government for many transportation projects. Such meetings often have specific legal requirements.

Transportation and other government agencies hold public hearings at one or more stages of a plan or project’s development. Most often, they are held near the end of a project development process or if required by state or federal law, prior to a decision point, to gather community comments and hear the positions of all interested parties for the public record and input into decisions. The MVMPO holds public hearings during development of its PPP, RTP, TIP, and UPWP – once drafts of these documents are developed.

## **2.2 Meeting Facilities and Accessibility**

The MVMPO is required to hold public meetings, open houses, workshops, and public hearings in accessible facilities that are at locations close to or directly served by fixed-route transit service. MVMPO staff makes every effort to match meeting locations with anticipated audience size, information it will present, and type of engagement required. The MVMPO holds most of its meetings in the MVPC Conference Room, which accommodates up to 25 persons. MVMPO staff also hosts meetings in the region's municipal buildings, particularly when additional seating capacity is needed. MassDOT, the MBTA, and the MVRTA sometimes consult with the MVMPO staff when scheduling and choosing locations for project meetings they host in the MVMPO region.

The MVMPO prepares for the meetings it sponsors by analyzing a project area's demographics to determine whether it should translate notices into languages other than English. The MVMPO then circulates a meeting notice advising that:

- its meeting location is accessible;
- its handout materials can be made available in alternative formats, i.e. Braille, large print, and/or other audio format (i.e. MP3);
- its handout materials can be made available in languages other than English, and
- language interpreters, sign language interpreters, CART translators, etc. can be requested, with specific information on how to request these accommodations.

## **2.3 Tailoring MVMPO Outreach to Underserved People**

The MVMPO staff schedules a room, posts notices, and ensures that accommodations are in place to generate well-attended meetings. It also conducts outreach to encourage attendance, particularly among groups protected by the anti-discrimination laws with which the MVMPO commits to comply.

Traditionally, conventional outreach methods have not engaged many people in minority and low-income communities, as well as those with low literacy and/or limited English proficiency. Outreach to traditionally underserved groups helps ensure that all constituents have opportunities to affect the decision-making process. It sets the tone for subsequent project activities and promotes a spirit of inclusion. The greater the consensus among all community members, the more likely the position agreed upon will aid in

decision making for the plan, program, or project. Inclusive outreach efforts are particularly useful because they:

- provide fresh perspectives to project planners and developers;
- give the MVMPO firsthand information about community-specific issues and concerns;
- allow the MVMPO to understand potential controversies;
- provide feedback to the MVMPO on how to get these communities involved, and
- ensure that decisions will best meet all of the communities' needs.

The MVMPO staff endeavors to understand the full range of a community's needs in order to create more responsive and innovative plans. By interacting with community members, MVMPO staff gains insight into the reasons why community members agree or disagree with proposed plans or projects. The perspective of traditionally underserved people can inform the goals and outcomes of planning and project development, and ignoring this input can jeopardize a project's approval. Such individuals can suggest fresh approaches to transportation issues that otherwise might not be raised.

The MVMPO staff continuously researches, reviews and incorporates public participation best practices into its work. Below is a reference for a MassDOT-recommended document used by the MVMPO:

1. Federal Highway Administration, Public Involvement Techniques for Transportation Decision-Making  
(<http://www.fhwa.dot.gov/reports/pittd/cover.htm>)

### **3. Title VI and ADA Protocols, Policies, and Resources**

The MVMPO follows the civil rights protocols set forth in this Chapter, which contains two primary sections. Section 3.1 contains protocols and resources for ensuring diversity and inclusivity in public engagement. Section 3.2 contains protocols and resources for ensuring the accessibility of the MVMPO's public activities.

#### **3.1 Civil Rights Protocols for Ensuring Diversity and Inclusivity in Public Engagement**

These protocols provide links, resources, and contacts to achieve public engagement that is compliant with civil rights law. These Protocols support but do not replace existing MVMPO protocols for public engagement, particularly in the conduct and participation in meetings, hearings and other interactions. The MVMPO staff incorporates these Protocols by reference into other MVMPO documents where relevant.

These protocols include steps and strategies to implement prior to holding a public meeting or other such activity and during the course of the public process. Due to the varied nature of the MVMPO's engagement with the public, it is not the intention within these Protocols to include all required actions specific to varying stages of the planning process, or varying departmental standard operation procedures. MVMPO Project Managers or other MVPC staff members should contact the MassDOT Title VI Team to identify strategies and alternatives when encountering a difficult public involvement situation.

The MVMPO intends flexible application of these Protocols to every meeting/hearing. Its staff strives to plan meetings according to a community's individual needs, the meeting's content, and/or the target audience. Effective public participation from a civil rights perspective includes awareness of the local population (demographics) or individuals to be engaged, i.e. languages spoken, represented cultural groups, community organizations, and leaders and key players. Equally critical to an effective meeting are well communicated (effectively circulated across types of media, and translated when needed) and timely notices, early response, and coordination on requests for language assistance for limited English proficient individuals or reasonable accommodation for persons with disabilities.

The obligation to comply with these Protocols begins with the person(s) responsible for organizing and/or conducting a meeting or hearing, and as the MVMPO staff is also MVPC staff, compliance is a shared responsibility.

Federal nondiscrimination obligations, through Title VI of the Civil Rights Act of 1964, Sections 504 and 508 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), reach the categories of race, color, national origin (including LEP), age, sex, and disability. These protocols are designed to ensure that the MVMPO's public engagement procedures address federal and Commonwealth-level nondiscrimination obligations.

While the following protocols highlight specific resources, the MVMPO staff uses its valuable experience with the public to identify individual and community needs, including civil rights related considerations such as language assistance needs, accessibility accommodations, and inclusive public participation.

### **3.1.1 Civil Rights Protocols by Type of Public Engagement**

MVMPO members and staff most commonly organize or participate in the following four types of direct public engagement:

- Public Meetings and Hearings;
- Open Houses;
- Targeted outreach gatherings, and
- One-on-one interactions.

Below is an introduction to each of these four types of public engagement.

#### **Public Meetings and Hearings**

Public meetings and hearings, both at the project level and more broadly, are opportunities for members of the public to engage in the transportation decision-making process. The civil rights considerations described in this Section are designed to inform and guide all MVMPO staff involved in planning and conducting such events. Incorporation of these processes and utilization of these resources when planning or participating in public meetings/hearings will help ensure that these events are Title VI compliant.

#### **Open Houses**

MassDOT and certain larger Massachusetts MPOs organize and hold Open Houses prior to a public meeting or hearing. An open house is one method of providing the public with an opportunity to view project concepts and designs discussed at a subsequent formal public outreach event. The MVMPO is chiefly a participant, not an organizer of, such Open Houses as its planning efforts are well served by holding focused plan or

project meetings in the region, or by bringing such plans or project discussions to stakeholder meetings outside the MVMPO office.

At Open Houses, MassDOT or MPO staff and/or consultants (Designers, Planners, Right of Way Agents, Environmental Agents, etc.) are present to discuss particular details of interest with members of the public. Staff / public interactions during these sessions are informal; however, critical issues are often raised. Staff and consultants strive to address these issues accurately and effectively during these sessions. *[Practice Tip: Some attendees choose to forego the meeting or hearing if they are satisfied with the information gained or with the opportunity to express concerns at the open house session.]* Due to the direct nature of interaction with members of the public at these open houses, there exist civil rights risk factors that can be mitigated by adhering to the principles outlined in this Section.

### **Targeted Outreach Gatherings**

At times, the complexity of a project, controversial issues, or the reality of having multiple large Title VI groups to address may require engaging targeted audiences of stakeholders. Similarly, the MVMPO may at times convene selected people within advisory committees, research efforts, focus groups, or other venues. The MVMPO staff still must prepare for such outreach by understanding the demographics of people in a locality or project area and determining what Title VI groups are impacted by an initiative. In addition, staff may identify strong and possibly visible community leaders within Title VI populations. This work can be more subtle, time intensive, and challenging.

### **One-on-One Interactions**

MVMPO staff members most frequently interact directly with individual members of the public. Interactions can include planned meetings, such as those with property and business owners directly impacted by transportation projects, and spontaneous interactions with members of the public. These interactions, whether in person, over the phone, or electronic, present particular civil rights related risk factors that can be mitigated through the strategies articulated in this Section.

### 3.1.2 Public Meetings and Hearings

#### Initial and Ongoing MVMPO staff tasks:

- 1) Identify the population and composition of the individuals/communities impacted by an MVMPO policy, program, plan, or project (“activity”) by considering the following:
  - a. activity parameters, i.e. location, construction impact areas, and project benefit /burden areas once a project is completed
  - b. activity purpose, content and responsibility (is it connected to the project development process? Is it statewide, regional or local?)
- 2) Determine the Title VI features of the community that the MVMPO will engage by referring to the MVMPO Title VI maps, which include the region’s limited English proficient (LEP) and minority populations.
- 2) Consult maps and additional resources such as:
  - MassDOT LEP Maps  
[http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/TitleVI/fta\\_lap/FTA\\_LAP\\_AppendixB.pdf](http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/TitleVI/fta_lap/FTA_LAP_AppendixB.pdf). These maps show the particular languages present in the region;
  - US Census Language Mapper  
[http://www.census.gov/hhes/socdemo/language/data/language\\_map.html?eml=gd](http://www.census.gov/hhes/socdemo/language/data/language_map.html?eml=gd)
  - MassDOT Public Engagement Online Tool  
<http://mass.gov/massdot/map/languagetracts> (in development)
- 3) Identify key Title VI-related and other community based organizations and community leaders. *[Practice Tip: You may already have well-established connections with individuals and groups throughout the region. You are encouraged to continue reaching out to those. These instructions provide you with steps to identify previously unknown points of contact to diversify outreach.]* There are several approaches meeting planners can take to accomplish this step:
  - a) Use Constant Contact, MailChimp, or “GovDelivery” database;
  - b) Consult other MVMPO staff for a list of organizations by county and key leaders;
  - c) Consult the MVMPO’s MassDOT Office of Transportation Planning (OTP) MPO Liaison, who can support the effort to identify groups and

- individuals, and
- d) Consult MassDOT's Office of Public Affairs. They have conducted a variety of meeting outreach efforts across the Commonwealth and can identify key groups and individuals in every municipality.

## Meeting Location and Time

### 1) Title VI Considerations

- a. Consult with community leaders and community-based organizations to identify any critical factors that affect setting the time and location of the public engagement activity [*Practice Tip: these individuals can help you understand the cultural, ethnic, religious, gender, and political histories/experiences of the demographic groups in the locale to better inform meeting planning*].
- b. Consider factors such as cultural sensitivities and/or professional and academic commitments in setting the number of meetings. Hold multiple meetings at various locations and times if doing so promotes meaningful access to the public engagement opportunity.
- c. Where possible, select a meeting location near public transportation options (up to a ½ mile walking distance is reasonable)

### 2) ADA Considerations

- a. Identify a public meeting venue that is ADA compliant and accessible to persons with disabilities.
  - i. MassDOT maintains an Accessible Facilities Database that contains updated information for venues that have been previously assessed for ADA compliance. Note: the database is currently being incorporated into MassDOT's Public Engagement Online Tool (<http://mass.gov/massdot/map/languagetracts>)
  - ii. If MVMPO staff cannot identify an appropriate venue in the database, check the following additional resources to identify public meeting venues that may be accessible:
    - a) The Massachusetts Office on Disability <http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>
    - b. Municipal Disability Commissions
    - c. The Northeast Independent Living Program [www.nilp.org](http://www.nilp.org)
- b. Take the opportunity afforded by early communication with venue staff to identify pre-existing accessibility accommodations, such as assistive



listening devices and Communication Access Real-Time Translation (CART) equipment. The need for these accommodations will be addressed in Section 2.1.4, below.

- c. For a full treatment regarding ADA obligations in the public outreach context, consult the MassDOT Accessible Meeting Policy in Section 3.2 below or online at:  
[http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment\\_13.pdf](http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment_13.pdf). The policy enumerates ADA obligations in the public meeting context and provides a checklist for holding an ADA accessible public meeting.

### **Public Notice Production and Circulation**

- 1) Draft the public meeting notice document with a template that ensures that the following civil rights related components are included: (Note: the MVMPO is using a standard public meeting/hearing notice template).
  - a. Notice of Nondiscrimination;
  - b. Availability of language services and reasonable accommodations;
  - c. Contact information and procedures for requesting the above services, additional information, or to express a concern, and
  - d. International Symbol of Accessibility  
[http://en.wikipedia.org/wiki/International\\_Symbol\\_of\\_Access](http://en.wikipedia.org/wiki/International_Symbol_of_Access)
- 2) Public meeting notices must be accessible. *[Practice Tip: Since public meeting notices are disseminated in a variety of ways, including physical postings, website postings, and email blasts, it is important that the appropriate font and font size be used and that the electronic document be compatible for use with screen readers. See Appendix.]*
- 3) Address language needs and utilize non-English language outreach resources in the dissemination area if individuals who have limited proficiency in English are present, by:
  - a. Identifying non-English language media (print, TV, radio, online, etc.) and sites with a strong presence of individuals who have limited proficiency in English (transportation facilities, community centers, libraries, commercial/employment/educational establishments, places of worship, cultural centers, etc.) that may be effective in communicating notice to individuals who have limited proficiency in English. Consider consulting the following resources:

- MassDOT Office of Diversity and Civil Rights  
<http://www.massdot.state.ma.us/OfficeofCivilRights.aspx> ;
  - MassDOT Public Affairs Office;
  - community leaders;
  - Merrimack Valley Regional Transit Authority (MVRTA),  
[www.mvrta.com](http://www.mvrta.com);
  - public libraries;
  - schools/universities;  
[http://en.wikipedia.org/wiki/List\\_of\\_colleges\\_and\\_universities\\_in\\_Massachusetts](http://en.wikipedia.org/wiki/List_of_colleges_and_universities_in_Massachusetts)
  - Merrimack Valley region Chambers of Commerce  
<http://masshome.com/cofc.html> , and
  - local legislators.
- b. Developing translated version(s) of the notice document or other related announcements, as needed, based on the extent of **limited** English proficiency needed and available media sources. *[Practice Tip: If you've identified a large population of individuals who are LEP in the meeting or project locale, consider translating the meeting notice in full. If you are less likely to encounter individuals who are LEP, you can consider including the single line of text into the languages other than English you may encounter.]*  
This could include:
- i. Full translation of the notice into the languages indicated;
  - ii. The inclusion of the following statement translated into the appropriate languages into the English language version of the notice:  
  
*"This notice describes the date, time, and location of a public meeting or hearing on a transportation project in this area. If you need this notice translated, contact the MVMPO Title VI Specialist at (978) 374-0519, extension 29."*
  - iii. Translated versions of print, TV, radio and online announcements related to the meeting, as applicable.
- c. Consult the following resources for translation needs:
- i. UMass Translation Center. The request procedure link is: <http://www.umasstranslation.com/services/request-an-estimate/>. Rates are available at:  
<http://www.umasstranslation.com/services/rates/>

- ii. Statewide Language Services Contract. Search COMMBUYS website <https://www.commbuys.com/bsol/> for contract "PRF48" and determine if the contract authorizes the MVMPO to make use of it under "Cities, towns, districts, counties and other political subdivisions.
- 4) The final dissemination of public notice should incorporate the following:
  - a. The dissemination of public notice has occurred sufficiently in advance of meeting to ensure adequate processing time for language and accessibility accommodation requests. The MVMPO will distribute notices two weeks in advance of a public engagement opportunity.
  - b. The public notice/announcement materials have been delivered to non-English language outreach resources and sites identified in Section 2.1.3 §§ 3; a.
  - c. The public notice has been delivered directly to individuals, organizations, and other stakeholders that represent Title VI populations in the region. The MVMPO will consider sending notice to the entities below with the instruction that they forward the notice to persons and organizations in their own distribution lists and/or post it.
    - i. MassDOT Office of Diversity and Civil Rights  
<http://www.massdot.state.ma.us/OfficeofCivilRights.aspx>
    - ii. MassDOT Public Affairs
    - iii. Community Leaders
    - iv. Boston Urbanized Zone Area (UZA) North Side Metropolitan Planning Organizations (MPOs) and Regional Transit Agencies (RTAs)
    - vi. Public Libraries  
<http://www.publiclibraries.com/massachusetts.htm>
    - vii. Schools/Universities\_  
[http://en.wikipedia.org/wiki/List\\_of\\_colleges\\_and\\_universities\\_in\\_Massachusetts](http://en.wikipedia.org/wiki/List_of_colleges_and_universities_in_Massachusetts)
    - viii. Chambers of Commerce  
<http://masshome.com/cofc.html>
    - ix. Local Legislators

## Preparing for the Meeting

While preparing for the meeting, consider the following questions:

- are there civil rights implications in the background/history of the project?
- what public involvement has already been accomplished and did it illuminate civil rights concerns, and
- what are the known benefits and burdens of the MVMPO program, service or activity on Title VI populations? Consult the following resources:
  - Public meeting/hearing transcripts
  - Written public comments
  - MVMPO staff involved in planning and/or conducting prior related meetings
  - Public meeting demographics surveys

Meeting planners should maintain an ongoing dialogue with the individuals and organizations identified in Sections 2.1.3 §§ 3; a; i and 2.1.3 §§ 3; c; i in order to remain well informed on the level of community interest and likely involvement in the public outreach event.

The subject matter of transportation-related public engagement often consists of highly technical studies, project designs that address difficult engineering requirements, multi-faceted long-range plans, and other complex documents. In such instances, project managers and meeting planners should create summary documents to present complex information in as simple and clear a manner as possible to members of the public who have widely varying backgrounds, including varied education levels. The following guidance document gives pointers on writing effective executive summaries of highly technical documents [http://www.med.navy.mil/sites/nmcphc/Documents/environmental-programs/risk-communication/Appendix\\_E\\_AGuideToWritingAnEffectiveExecutiveSummary.pdf](http://www.med.navy.mil/sites/nmcphc/Documents/environmental-programs/risk-communication/Appendix_E_AGuideToWritingAnEffectiveExecutiveSummary.pdf). The key points and tips, such as avoiding industry jargon, replacing complex words with simple words, and using acronyms carefully apply to the development of executive summaries and documents that effectively convey information to the public.

Any spoken presentation of complex topics should be as simple as possible to effectively communicate the subject matter across the varying

background of meeting attendees. The guidance document below describes good strategies for presenting technical information to nontechnical audiences: [http://www.cedma-europe.org/newsletter%20articles/WorkplaceXpert/Presenting%20Technical%20Information%20to%20Nontechnical%20Audiences%20\(Aug%2008\).pdf](http://www.cedma-europe.org/newsletter%20articles/WorkplaceXpert/Presenting%20Technical%20Information%20to%20Nontechnical%20Audiences%20(Aug%2008).pdf).

Ensure that electronic documents related to the subject of the public meeting and intended for public dissemination and review are accessible, in compliance with the Americans with Disabilities Act and Section 508 of The Rehabilitation Act of 1973. *[Practice Tip: Adobe Acrobat Professional and Microsoft Word have built-in "accessibility checkers"]*. This applies to documents produced by the MVMPO staff and its consultants. Consult the following for instructions on developing accessible documents:

- best practices for text and color contrast considerations when preparing hardcopy and electronic visual aids (such as maps, posters, plans, PowerPoint templates/graphics, charts, graphs, etc.)  
<http://www.lighthouse.org/accessibility/design/accessible-print-design/>
- creating accessible Word documents: <http://office.microsoft.com/en-us/word-help/creating-accessible-word-documents-HA101999993.aspx>
- creating accessible Excel workbooks:  
<http://office.microsoft.com/en-us/excel-help/creating-accessible-excel-workbooks-HA102013545.aspx?CTT=3>
- creating accessible PowerPoint presentations:  
<http://office.microsoft.com/en-us/powerpoint-help/creating-accessible-powerpoint-presentations-HA102013555.aspx?CTT=3>
- creating accessible PDFs with Microsoft Office products through "Tagging": <http://office.microsoft.com/en-us/excel-help/create-accessible-pdfs-HA102478227.aspx?CTT=3>
- general information on accessibility from Adobe:  
<http://www.adobe.com/accessibility/>
- Adobe Acrobat X Accessibility Guide:  
[http://www.adobe.com/content/dam/Adobe/en/accessibility/products/a\\_crobat/pdfs/acrobat-x-accessible-pdf-from-word.pdf](http://www.adobe.com/content/dam/Adobe/en/accessibility/products/a_crobat/pdfs/acrobat-x-accessible-pdf-from-word.pdf)
- Adobe Acrobat 9 Pro Accessibility Guide:  
[http://www.adobe.com/content/dam/Adobe/en/accessibility/products/a\\_crobat/pdfs/A9-accessible-pdf-from-word.pdf](http://www.adobe.com/content/dam/Adobe/en/accessibility/products/a_crobat/pdfs/A9-accessible-pdf-from-word.pdf)

- video on preparing accessible InDesign files:  
<http://tv.adobe.com/watch/accessibility-adobe/preparing-indesign-files-for-accessibility/>

The period between notice dissemination and the meeting date should be used to identify and arrange accommodations and produce meeting materials in alternate languages and formats (such as Braille and large-print), if requested. Alternate formats can be obtained by contacting MassDOT ODCR, or the Massachusetts Office on Disability <http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>. The nature and extent of accommodations that may be needed can be identified through the following:

- direct requests;
- past experiences within the community and at specific meeting locations that can include previously encountered reasonable accommodation and language service requests;
- an understanding of community demographics;
- feedback from community leaders, CBOs, stakeholders, advocacy groups, etc., and
- completion of the MVMPO Accessible Meeting Checklist.

MVMPO meeting coordinators are expected to track demographic and accommodation requests and provide summaries of such requests to ODCR in annual and triennial reports.

To obtain accessibility accommodations not provided by the venue, contact the MVMPO Title VI Coordinator at (978) 374-0519, extension 29 or the Massachusetts Office on Disability at <http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>. If unsure how to provide a particular accommodation or for guidance on recommended accommodations, consult:

- MassDOT Office of Diversity and Civil Rights  
<http://www.massdot.state.ma.us/OfficeofCivilRights.aspx>
- The Massachusetts Office on Disability  
<http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>
- The Disability Commissions
- The Northeast Independent Living Program ([www.nilp.org](http://www.nilp.org))

## Funding Considerations

The MVMPO provides all accommodations to the public free of charge.

For public outreach events necessitated by the project development process, each project contains an administration budget that should be utilized, if available. For all other requests, contact the MVPC Transportation Program Manager at (978) 374-0519, extension 15.

## Meeting Set-Up

ADA considerations in public outreach are fully articulated in the MassDOT Accessible Meeting Policy in Section 3.2 below and online at: [http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment\\_13.pdf](http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment_13.pdf).

Meeting setup is addressed in the "Accessibility Checklist for Meeting Planners", which should be used in order to verify the following:

- if the main entrance to the building is not accessible, is the accessible entrance unlocked?
- are there integrated seating areas for individuals who use a wheeled mobility device in the meeting room? *[Practice Tip: Seating areas for individuals with disabilities should not be segregated from the rest of the audience or limited to just one area.]*
- is there seating available for attendees who are deaf or hard of hearing, and have requested an accommodation, near the front of the meeting room so that attendees may see the interpreter/captioner, or lip read?
- is the space allotted to sign language interpreters and/or the CART screen or monitor clearly visible?
- are the aisles at least three feet wide and clear of obstacles or tripping hazards?
- if microphones are used during the public meeting, are adjustable microphone stands available for attendees? Can staff function as floaters with microphones as an alternative?
- if the main entrance to the building is not accessible, is there directional signage towards the accessible entrance?
- is the accessible entrance unlocked and able to be used independently? If the meeting is taking place at night, is the path leading to the alternate entrance well lit?
- if a stage or platform will be used during the public meeting, is it

accessible?

- if a podium will be used during the public meeting, is the podium height adjustable? If not, is there a small table (between 28 and 34 inches in height) provided to the side of the podium?
- have assistive devices been tested for full functionality immediately prior to the start of the event?
- is there directional signage for accessible restrooms and/or emergency exits, if applicable?

The meeting planner can address Title VI considerations by:

- posting signage in other languages on identified or likely-to-be-encountered language needs;
- allotting space to foreign language interpreters to sit with individuals needing language assistance that is clearly visible to the entire audience, and
- making Title VI related materials available at the welcome desk and/or in the meeting packet [*Practice Tip: assistance is provided at the welcome desk, paying special attention to indications that meeting attendees may have literacy or non-English speaking issues.*] This should include:
  - providing “I speak” language cards  
<http://www.lep.gov/ISpeakCards2004.pdf> Translated versions of the written comment form, as applicable, and
  - circulating an MVMPO demographics survey.

## **During the Meeting**

1. In the event that an Open House precedes this public meeting/hearing, please refer to Section 2.2 regarding civil rights considerations in that setting.
2. At the official start of the meeting, the Chair should make the following statements (if a foreign language translator(s) is present, instruct them to repeat):
  - a general statement regarding nondiscrimination and availability of language and accessibility accommodations, including assistance in providing written comments and/or filing in forms such as the demographics survey;
  - instructions on site-specific accessibility considerations, such as accessible emergency exits, and



- encourage attendees to complete the Demographics Survey, which can be either turned in during the event or mailed to the MVMPO after the fact.
3. The MVMPO is required to “demonstrate explicit consideration and response to public input” (<https://www.law.cornell.edu/cft/text/23/450.316>). During a public outreach event, this requires affording attendees with opportunities to voice comments, questions and concerns and provide an adequate response at the event or by following up in writing (see Section 2.1.7) or at subsequent public outreach opportunities. *[Practice Tip: All MVMPO staff in attendance at open houses and similar informal meetings should take written note of any oral comments made by the public during the meeting and during one-on-one interactions and give this information to the Transportation Program Manager as part of post-meeting follow up.]*

### **Post-Meeting Tasks**

1. MVMPO staff at the public outreach event gather/document all public comments (written and oral), testimonials and sentiments expressed and gives them to the MVMPO Transportation Program Manager (or designee) *[Practice Tip: staff can accomplish this task by holding in-person debriefing sessions following the meeting or reviewing the meeting transcript, if available].*
2. Once received, the Transportation Program Manager (or designee) catalogues all public comments.
3. The Transportation Program Manager is responsible for coordinating responses to public comments *[Practice Tip: Remember: direct impacts require direct communication* (<https://www.law.cornell.edu/cft/text/23/450.316>).
  - a. Response Methods can include:
    - i. individualized written responses
    - ii. general distribution written statements (web, email, newsletter, newspaper, etc.)
    - iii. postings to project specific website, if available
    - iv. in-person or telephonic follow-ups with individuals/organizations regarding the topics of discussion at the public outreach event. *[Practice Tip: The protocols and tips found in Section 2.4 regarding one-on-one interactions can help you eliminate communication barriers you may encounter.]*

- b. the Transportation Program Manager (or his/her designee) reviews the public comments to determine which MVMPO staff or other stakeholder should be consulted with or assigned the responsibility of drafting a response that “demonstrate[s] explicit consideration... to public input” ([23 CFR 450.210](#)).
4. In instances where the MVMPO will draft a written response to a public comment, the content of the response itself can “demonstrate explicit consideration” by:
  - a. describing changes to the recommended design prompted/requested by the comment and how they will be considered;
  - b. describing alternate designs prompted/requested by the comment and how they will be considered;
  - c. describing mitigation measures prompted/requested by the comment and how they will be considered;
  - d. describing what agencies were consulted during formulating the response;
  - e. noting whether the comment is novel or previously encountered, and
  - f. noting whether the comment has been received from a multitude of sources.
5. Responses should also contain:
  - a. contact information for additional information and follow up, and
  - b. notice of upcoming related public engagement opportunities.
6. The MVMPO Title VI Coordinator will track all civil rights considerations encountered through the planning and conducting of the outreach event, such as translation requests or foreign languages encountered.
7. Thank the community leaders for their assistance/efforts with a call or written correspondence.

### **3.1.3 Open Houses**

#### **Title VI Considerations**

1. Provide “I Speak” language cards at the welcome desk.  
<http://www.lep.gov/ISpeakCards2004.pdf>
2. If the MVMPO is providing interpretive services at the public meeting/hearing session, these services should also be available during the Open House session prior to the public meeting and their availability

should be made clear through signage and/or announcements [*Practice Tip: Those running the meeting should ask interpreters to announce their presence and the availability of their services several times during the Open House*].

3. After the session, MVMPO staff and consultants in attendance should relay the nature of questions and concerns identified through interaction with the public to the Project Manager (or designee) [*Practice Tip: It is important for MVMPO staff working on all stages of project development to know community concerns. Sometimes these are made evident during informal Open House interactions and the MVMPO staff is obligated to be aware of them and respond accordingly*].
4. The MVMPO staff may need to translate written descriptions of items on display depending on requests received and/or the anticipated level of LEP participation.

### **ADA Considerations**

1. The open house should be set up in an ADA compliant manner. Please see the MassDOT Accessible Meeting Policy in Section 3.2 below or online at:  
[http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment\\_13.pdf](http://www.massdot.state.ma.us/Portals/0/docs/CivilRights/ADA/Attachment_13.pdf)
2. Consider the following when setting up the open house venue:
  - a. Consult the following guide on best practices for text and color contrast considerations when preparing hardcopy and electronic visual aids (such as maps, posters, plans, PowerPoint templates/graphics, charts, graphs, etc.)  
<http://www.lighthouse.org/accessibility/design/accessible-print-design/> [*practice tip: choose color schemes that are least likely to be problematic for individuals with common types of color blindness and visual impairments*].
  - b. Pathways that guide attendees to display materials or MVMPO staff and consultants should be clear of obstructions [*practice tip: remove tripping hazards (such as electrical cords) and keep the pathway at least 3' wide*].
  - c. Proper heights and viewing angles of display materials to make them accessible [*practice tip: display materials mounted on the wall should be no higher than 48" from the floor and provide clear floor space 30"*

*wide and 48" wide. For tabletop displays, the table should be between 28 and 34" inches in height and there should be at least 27" of knee space from the floor to the underside of the table].*

- d. Horizontal surfaces used for display should be at a height accessible to individuals that are short of stature and/or rely on assistive mobility devices.
  - e. Similarly, materials displayed vertically should not be at an excessive height nor at an angle that makes them difficult to view.
3. MVMPO staff and consultants should be prepared to describe displays to blind or visually impaired attendees.
  4. Alternate versions (Braille, large print, etc.) of public documents (such as informational packets) should be available if requested.

### **3.1.4 Targeted Outreach Gatherings**

#### **Conducting Strategic Planning for Title VI Group and Individual Inclusion**

Strategic planning for Title VI constituent involvement in special purpose meeting groups or committees is essential to an inclusive and successful effort.

Preliminary Steps:

1. Identify and analyze the location affected by the project or initiative at issue to quantify the Title VI populations in the area.
2. Establish a clear objective and role for the envisioned targeted group, including the nature of community involvement and particular skills that they may need to participate effectively.
3. Create an outline or public participation matrix to identify the different types of community representation and interests that reflect the community affected by a project or initiative with careful attention to Title VI populations. Types of organizations or interests that may include representatives of Title VI populations:
  - a. transit dependent community
  - b. affected businesses
  - c. civic organizations (women, seniors, youth, people with disabilities)
  - d. freight interests

- e. the disability community
  - f. neighborhood associations
  - g. schools
  - h. faith-based communities
4. Consider answers to the following questions in addition to use of demographic data and quantification of Title VI related groups or individuals in the community:
- a. Who can represent diverse groups and constituencies in a credible and responsible way?
  - b. Who needs to be at the table to accomplish the work required?
  - c. What is the history of relationships between stakeholder representatives and groups? Is there any past tension that may be a deterrent to participation? If so, are there other community leaders who could help mediate to encourage participation despite differences?
  - d. Are there critical stakeholders whom the staff believes (based on past interaction) may be reluctant to participate? How can staff reduce or eliminate their reluctance? How would their refusal to participate impact the process? Are there alternatives to their participation?
  - e. What commitments from participants are desired?
  - f. Are there other individuals or groups not in the immediate project area, and/or not otherwise represented in the outreach strategy, who may have an interest in the issue, plan or project?
5. Are there natural allies and/or adversaries on a particular issue?

### **Consult MassDOT/MBTA Resources**

Certain MassDOT and MBTA department staffs (cited below) have significant knowledge of local groups, key individuals and community issues or concerns relevant to nondiscrimination:

- Office of Diversity and Civil Rights (conducts a wide range of outreach efforts across the Commonwealth, responds to complaints and works with key Title VI leadership on transportation matters in contracting and employment)
- Office of Transportation Planning (conducts significant long-range studies that engage the public and builds knowledge of communities)
- Government and Public Affairs (can reach out to state legislators and their aides for suggestions)
- Design (works directly with project proponents, especially in instances

of municipally proposed projects, although there can be a risk of bias in favor of suggestions that support the project)

- Environmental, Right of Way, Registry or Aeronautics may have had experience with a particular location and its community representatives.

In addition, the MassDOT Title VI interactive mapping tool (currently under development) will be available to identify community organizations that are associated with Title VI community members and interests.

### **Consult Commonwealth of Massachusetts Resources**

Reach out at the state level for help in identifying and possibly supporting our outreach to potential Title VI related groups and individuals to contact. These resources may also have particular information that is important to know about the locality, its history and community challenges or controversies that may be critical to support your outreach:

- a. Executive Office of Administration and Finance

Office of Access and Opportunity

State House, Room 373, Boston, MA 02133

Phone: (617) 727-2040

<http://www.mass.gov/anf/employment-equal-access-disability/>

- b. Massachusetts Office on Disability

One Ashburton Place #1305

Boston, MA 02108

(617) 727-7440 or (800) 322-2020 toll free (both V/TTY) E-mail:

<http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>

### **Conduct Targeted Research on the Leads you Gather**

The MVMPO staff person can conduct a Google-type search on the communities involved and groups/individuals it has identified. This effort is potentially time consuming, but will both educate the meeting convener and potentially identify "landmines" that could complicate the effort to organize a group.

If a meeting planner is unaware of the racial, ethnic or national origin background of the individual or group being engaged, he/she can research Title VI groups individually using query strings to the group or individuals

and Massachusetts, the regional area, or the locality where the group or individual is based. This information is useful in gaining a basic understanding of traditions and holidays that may impact participation.

### **Reaching out to Potential Title VI Group Members—Anticipating Potential Participation Obstacles**

Outreach approaches:

- look for formal and informal opportunities to engage, collaborate and build relationships, including calls of introduction made by volunteers you identify who are trusted in the community;
- use multiple outreach methods and do not rely on e-mail or websites alone;
- tailor materials to the audience, including translations;
- identify existing channels of communication through communities, and
- experiment and reflect on the effectiveness of new approaches.

Individuals and groups in all MVMPO communities, whether or not Title VI populations are present, may be reluctant to participate in a transportation planning or development process. For example, many times natural leaders are either the heads or well placed leaders of agencies or community groups. Their ability to participate may be limited as there are many demands on their time and resources.

Think through and identify factors that may encourage participation and involvement before reaching out, in order to be in the best position to explain how it is important for this individual or group to participate. If there is a possibility of grant funding to support participating groups, this can certainly provide an incentive for participation, but such ideas should only be shared if the possibility is real.

The following are some common barriers to participation and reasonable responses that a meeting planner should anticipate, understand, and be able to articulate to encourage potential participants to get involved:

- a. **Limited English language skills and/or limited literacy** – it is first important to inform the contact that the MVMPO has the ability and obligation to fund translation and interpretation support. It would be ideal to have a colleague or staff person who speaks the language or is of the culture in question to support the outreach effort, or to use a translator as an intermediary.
- b. **Lack of trust from past experiences.** Be able to provide information to show that participation and project are honestly and openly addressed.

- c. **Lack of experience with transportation decision-making processes.**  
An MVMPO staff member can explain the process if it is not well understood.
- d. **Economic barriers (such as transportation costs and work schedules).** Meetings should be sited in the community to avoid cost factors and should be timed to meet the schedule of the majority of participants, after due consideration of all schedules, alternatives and needs.
- e. **Cultural barriers.** There may be intergroup dynamics that make bringing groups together problematic due to class, racial ethnic or political differences. Early research will help build understanding of this possibility, and suggest whether a mediated way of bringing the groups together is an option, or there is a need to have separate meetings.
- f. **Common barriers** – time, other demands. Ensure that the importance of an effort is clear and well stated to the candidate, including the benefit to an individual or group representative being recruited.

### **Responding to a Refusal to Participate from a Potential Title VI Participant**

If a person or group declines to participate in a particular effort, it is important not to get frustrated but instead to handle the refusal diplomatically because that same group might be the subject of an outreach effort in the future, and may wish to participate on another occasion.

The MVMPO members and staff would, in responding to a decision not to participate, thank the person or group for considering the invitation and suggest that they might accept an invitation for a different opportunity in the future. In this way, no feelings are hurt, doors are left open and the person or group remains feeling that they are valued in the future.

Consider sending the individual or organization updates on the effort that are sent to others. This effort could be informative and demonstrate a good faith effort to be inclusive.



## **Documenting the Effort to Achieve Diversity and Next Steps**

It may be impossible to achieve a perfectly diverse committee for purposes of transportation planning, given the difficulty of recruitment and obstacles to participation. Diversity in transportation planning is elastic. It will change based on the geographic location, the issue under study or discussion or the nature of the need for input. Nonetheless, for Title VI purposes the MVMPO must document its outreach work for:

- Internal performance monitoring;
- USDOT and MassDOT reporting, and
- Complaints, if they occur.

The MVMPO staff person (acting as convener or planner) should:

- 1) Keep a file on available resources and methods used to identify individuals and groups, the nature of the outreach effort, the people invited, and the results of a recruitment effort. Possible resources include:
  - a. lists of potential invitees who were considered and/or accepted;
  - b. samples of research conducted and/or consultations made for recruitment;
  - c. copies of invitation e-mails or other correspondence;
  - d. group membership lists, with indications of the Title VI communities represented;
  - e. meeting sign-in-sheets, and
  - f. correspondence from invited individuals.
- 2) Make the list of actual participants easily available and strive to secure a means for the public to reach out to these individuals should they have questions, comments or concerns.
- 3) Discuss with the members of the group that is ultimately recruited the efforts made to reach out and recruit individuals, including the potential need that may remain after the fact for additional participation by certain Title VI group members or related organizations.
- 4) Document MVMPO relationships with the Title VI community and MVMPO efforts to maintain the productivity and longevity of those relationships.
- 5) Demonstrate that the MVMPO has considered Title VI community input and/or that such input has added value to MVMPO policies, plans, studies and projects.

### 3.1.5 One-on-One Interactions

#### 3.1.5.1 Communicating with Individuals with Limited English Proficiency (LEP)

If a member of the public is attempting to interact with you but there is a language barrier, the following procedures are recommended based on the types of interactions.

##### 1) In-person (such as MVPC offices)

- a. The first step is to identify the preferred language of the individual. The following resources are available:
  - i. "I Speak" cards, <http://www.lep.gov/ISpeakCards2004.pdf>.
  - ii. Google Translate (<http://translate.google.com/>) or a similar real-time free online language translator can be used to identify the language. *[Practice Tip: If the member of the public is directed to type (or speak into the computer's microphone, if available) on the webpage in a language other than English, the software can "Auto-Detect" which language is being used, and provide real-time translations. In 2015, Google Translate also introduced a smart phone-based instant translation feature that lets you point your camera at something written in another language and it'll translate into your language very close to real-time. This feature now translates into 27 languages: English, French, German, Italian, Portuguese, Russian, Spanish, Bulgarian, Catalan, Croatian, Czech, Danish, Dutch, Filipino, Finnish, Hungarian, Indonesian, Lithuanian, Norwegian, Polish, Romanian, Slovak, Swedish, Turkish, and Ukrainian. The update is rolling out over both iOS and Android. Please note that the accuracy and effectiveness of these translation systems is not complete and should not be relied on as an exclusive means of providing language access to LEP individuals.*
  - iii. Assistance from co-workers in your unit that may be able to identify the language.
  - iv. Interpretive services (Note: MassDOT is currently procuring the services of a firm that will be providing telephonic real-time interpretation. When finalized, that information will be included here for use in this context.)
- b. Once the language has been identified, the methods you use to address the needs of the individual will change depending on the

circumstances.

- i. You may be able to address simple inquires informally on-the-spot with the aid of multi-lingual staff or Google Translate (<http://translate.google.com/>) or a similar product. *[Example: providing directions around the building/office to an LEP individual.]*
  1. An employee and an LEP individual can type or speak into Google Translate software and carry out a rudimentary conversation. This should remain limited to incidental interactions.
- ii. If the conversation turns to complex issues or you have reached the limitations of the technology or your knowledge of the subject at issue, the MVMPO staffer providing informal translations or Google Translate should inform them that professional language services are available that may be better suited to meeting their need. Complex issues may require professional translators/ interpreters. Complex issues are those that affect the legal rights of the individual and therefore depend on the accuracy of translations/interpretations. The following services are available in those instances:
  1. MassDOT is currently procuring telephonic real-time interpretation services. When finalized, that information will be included here for use in this context.)
  2. Statewide Language Services Contract
    - a. Search COMMBUYS website <https://www.commbuys.com/bs/> for contract "PRF48"
- iii. Should you require time to secure professional language services (such as scheduling a meeting with an interpreter or sending out documents to be translated) then you should try to make this clear to the individual on-the-spot with the aid of multi-lingual staff, or Google Translate. *[Practice Tip: Using Google Translate to convey this information allows you to include details such as expected turnaround times, meeting dates and locations, and contact information.]*

## 2) Over the Phone

- a. The MVMPO staff is proficient in English only. In the event that the MVMPO staff receives a call in a language other than English, staff will transfer a caller to MVPC's voice mail system so that the caller's request can be recorded and replayed by persons with language skills other than English.
- b. The staff has the ability to request language identification and translation services through several agencies and/or professional translation services. The MVRTA staff can assist with modest requests. The MVMPO staff is also considering how it may work with local organizations, i.e. CAI, the Immigration and Education Association, Groundwork Lawrence or others to access these services).

## 3) Electronically (includes email, website comment form, etc.)

- a. If you receive such correspondence in a language other than English, use Google Translate (<http://translate.google.com/>) or similar product to determine the language and nature of the interaction.
- b. Once the language and the nature of the interaction has been identified, the methods you use to address the needs of the individual will change depending on the circumstances.
  - i. You may be able to address simple inquires informally with the aid of Google Translate (<http://translate.google.com/>) or a similar product (*example: emailing a link to requested web content*).
  - ii. If the conversation turns to more complex issues or you have reached the limitations of the technology or your knowledge of the subject at issue, the MVMPO staffer providing informal translations or Google Translate should inform them that professional language services are available that may be better suited to meeting their need. More complex issues may require professional translators/interpreters. *[Practice tip: complex issues are those that affect the legal rights of the individual and therefore depend on the accuracy of translations/interpretations.]* *[Example: An LEP individual who needs assistance to engage in the complaint resolution process.]* The following services are available in those instances:
    1. (Note: MassDOT is currently procuring the services of a

firm that will be providing telephonic real-time interpretation. When finalized, that information will be included here for use in this context.)

2. Statewide Language Services Contract a. Search COMMBUYSwebsite <https://www.commbuys.com/bs/> for contract "PRF48"

### **3.1.5.2 Communicating with Persons with Disabilities**

1.) Outlined below are tips to help in communicating with persons with disabilities. *[Practice Tip: For more information, visit: <http://www.labor.state.ny.us/workforcenypartners/forms/communication.pdf>.]*

a. General Tips:

- i. When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands. (Shaking hands with the left hand is an acceptable greeting.)
- ii. If you offer assistance, wait until the offer is accepted. Then listen to or ask for instructions.
- iii. Relax. Don't be embarrassed if you happen to use common expressions such as "See you later," or "Did you hear about that?" that seem to relate to a person's disability.
- iv. Don't be afraid to ask questions when you're unsure of what to do.

b. Tips for Communicating with Individuals who are Blind or Visually Impaired:

- i. Speak to the individual when you approach him or her.
- ii. State clearly who you are and speak in a normal tone of voice.
- iii. When conversing in a group, remember to identify yourself and the person to whom you are speaking.
- iv. Never touch or distract a service dog without first asking the owner.
- v. Tell the individual when you are leaving.
- vi. Do not attempt to lead the individual without first asking. Allow the person to hold your arm and control her or his own movements.
- vii. Be descriptive when giving directions. Verbally give the person information that is visually obvious to individuals who can see. For example, if you are approaching steps, mention how many steps

there are.

- viii. If you are offering a seat, gently place the individual's hand on the back or arm of the chair so that the person can locate the seat.

c. Tips for Communicating with Individuals who are Deaf or Hard of Hearing:

- i. Gain the person's attention before starting a conversation (i.e., tap the person gently on the shoulder or arm).
- ii. Look directly at the individual, face the light, speak clearly, in a normal tone of voice, and keep your hands away from your face. Use short, simple sentences.
- iii. If the individual uses a sign language interpreter, speak directly to the person, not the interpreter.
- iv. If you telephone an individual who is hard of hearing, let the phone ring longer than usual. Speak clearly and be prepared to repeat the reason for the call and who you are.

d. Tips for Communicating with Individuals with Mobility Impairments:

- i. If possible, put yourself at the wheelchair user's eye level.
- ii. Do not lean on a wheelchair or any other assistive device.
- iii. Never patronize people who use wheelchairs by patting them on the head or shoulder.
- iv. Do not assume the individual wants to be pushed. Ask first.
- v. Offer assistance if the individual appears to be having difficulty opening a door.
- vi. If you telephone the individual, allow the phone to ring longer than usual to allow extra time for the person to reach the telephone.

e. Tips for Communicating with Individuals with Speech Impairments:

- i. If you do not understand something the individual says, do not pretend that you do. Ask the individual to repeat what he or she said and then repeat it back.
- ii. Be patient. Take as much time as is necessary.
- iii. Concentrate on what the individual is saying.
- iv. Do not speak for the individual or attempt to finish her or his sentences.
- v. If you are having difficulty understanding the individual, consider writing as an alternative means of communicating, but first ask the individual if this is acceptable.

f. Tips for Communicating with Individuals with Cognitive Disabilities:

- i. If you are in a public area with many distractions, consider moving

- to a quiet or private location.
- ii. Offer assistance completing forms or understanding written instructions and provide extra time for decision-making. Wait for the individual to accept the offer of assistance; do not "over-assist" or be patronizing.
  - iii. Be patient, flexible and supportive. Take time to understand the individual and make sure the individual understands you.
- 2) The following organizations can provide additional information:
- a. MassDOT Office of Diversity and Civil Rights  
<http://www.massdot.state.ma.us/OfficeofCivilRights.aspx>
  - b. MBTA System Wide Accessibility  
[http://www.mbta.com/riding\\_the\\_t/accessible\\_services/default.asp?id=16901](http://www.mbta.com/riding_the_t/accessible_services/default.asp?id=16901)
  - c. Massachusetts Office on Disability  
<http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>
  - d. Commonwealth of Massachusetts - Office of Access and Opportunity  
<http://www.mass.gov/anf/employment-equal-access-disability/diversity-access-and-opportunity/access-and-opportunities/>

## **3.2 MVMPO Accessible Meeting Policy**

### **3.2.1. Purpose**

This policy outlines criteria that the MVMPO must fulfill to ensure that all of its public meetings are fully accessible to persons with disabilities. This document also addresses issues related to meeting attendees with limited English proficiency.

The ability to access and participate in state government, including participating in public meetings, is a fundamental right protected by both State and Federal law. The Massachusetts Public Accommodation Law and the Americans with Disabilities Act (ADA) mandate that persons with disabilities are not denied participation in public meetings, and that reasonable accommodation requests made by attendees shall be honored. For these reasons, when planning and executing public meetings, MVMPO staff must ensure that all aspects of the meeting are accessible to persons with disabilities.

The MVMPO, pursuant to Title VI of the Civil Rights Act of 1964 and

Commonwealth Executive Order 526, must also ensure that programs and activities do not discriminate based on race, color or national origin, age, disability and sex, among other protected categories. MassDOT has developed an Accessible Meeting Policy and a public participation plan for Title VI purposes, which the MVMPO staff should consult to ensure inclusion of Title VI constituencies in transportation programs and activities. The method for determining whether and/or which non-English languages require translation or interpretation is called a “four factor analysis” (see Section 2.1.6). The MVMPO staff analyzes the number of limited English proficiency persons (LEP) by language group where a meeting is to be held, the frequency of contacts with the program, the importance of the program and cost factors.

This MVMPO Policy contains guidelines for ensuring that its public meetings are accessible. It addresses meeting components such as the location, room setup, alternate formats, translations of handouts, and the requirement to provide Computer Assisted Real-Time Transcription (CART) and/or sign language and/or foreign language interpreters upon request. It is applicable to all public meetings hosted by, or on behalf of, the MVMPO. *Note that the MVMPO is not responsible for ensuring the accessibility of meetings it attends, but does not organize or sponsor. The MVMPO staff is responsible for completing the “Accessibility Checklist for Meeting Planners” (see Appendix B) for those meetings that it is organizing, to ensure the space is accessible prior to the meeting.*

### **3.2.2 Definitions Relevant to Accessibility**

*American Sign Language (ASL) Interpreter:* an individual trained to facilitate communication between a deaf American Sign Language user and hearing individuals via American Sign Language.

*Attendee:* An individual attending a public meeting

*Assistive Listening Device:* an electronic device used by individuals who are hard of hearing to amplify sound. The assistive listening device is typically a system component designed to receive a wireless audio broadcast over an FM frequency. The listener may use a small FM [Receiver](#) to tune into the signal and listen at their preferred volume. There are other forms of Assistive Listening Devices that can be used as alternatives.

*Clear Floor Space:* The minimum unobstructed floor or ground space required to accommodate a single, stationary wheelchair and occupant.



*Closed Captioning:* A term describing several systems developed to display [text](#) on a [television](#), computer, or [video screen](#) to provide additional or interpretive information to viewers/listeners who wish to access it. Closed captions typically display a [transcription](#) of the [audio](#) portion of a [program](#) (either [verbatim](#) or in edited form), sometimes including non-speech elements.

*CART (Computer Assisted Real-Time Transcription):* A trained operator uses a keyboard or stenography methods to transcribe spoken speech into written text. Transcription occurs on-site or remotely using a voice connection such as a telephone, cell phone, or computer microphone to send the voice to the operator. Real-time text is transmitted back to the meeting participant over an Internet connection. For meeting rooms without an internet connection, it is possible to establish connectivity via a WiFi router connection or by using a wireless "hot spot."

*Descriptive Video/Described Narration:* a feature that makes television programs, videos, films, and other visual media accessible to blind or visually impaired persons by providing a descriptive voice narration of key visual elements. Actions and gestures are a few of the elements that, when described, engage the blind or visually impaired viewer with the story.

*Four Factor Analysis:* Federal DOT guidance outlines four factors that the MVMPO staff should use to assess language needs and decide what steps they should take to ensure meaningful access for LEP persons:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a recipient or grantee's program, activity or service.
- 2) The frequency with which LEP individuals come in contact with the program.
- 3) The nature and importance of the program, activity, or service provided by the recipient to the LEP community.
- 4) The MVMPO staff's technical and fiscal resources, and overall cost.

In each instance, this analysis will enable the MVMPO staff to determine the extent of language assistance that it must provide to enable LEP individuals to participate in a program or activity. For further information, MVMPO staff should consult the MVMPO Title VI/Nondiscrimination Coordinator, the MVMPO Language Access Plan, or MassDOT's Title VI Team.

*Language Access Plan (LAP):* Federal Executive Order Executive Order 13166 requires each Federal agency to prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each LAP must be consistent with standards set forth in related guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities. Accordingly, MassDOT and the MVMPO, as recipients and sub-recipients of Federal funds, prepare LAPs to comply with Title VI and LEP requirements, including the provision of language assistance, as needed.

*Limited English Proficient (LEP):* individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient (LEP). These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. The MVMPO, consistent with federal and MassDOT oversight, considers individuals who report that they speak English 'less than very well' as LEP persons.

*Path of Travel:* a continuous, unobstructed way of pedestrian passage by means of which a pedestrian can approach, enter, and exit an area.

*Public Meeting:* any meeting open to the general public, hosted by or on behalf of the MVMPO, during which information is shared.

*Reasonable Accommodation:* any reasonable service, aid, modification, or adjustment to the public meeting that gives a person with a disability the opportunity to be an active participant in the meeting process.

*Telecommunications Relay Service (TRS):* a telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. TRS uses operators, called communications assistants (CAs), to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A TRS call may be initiated by a person who does, or does not, have with a hearing or speech disability. When a person with a hearing or speech disability initiates a TRS call, the person uses a teletypewriter (TTY) or other text input device to call the TRS relay center, and gives a CA the number of the party that he or she wants to call. The CA in turn places an outbound traditional voice call to that person. The CA then serves as a link for the call, relaying the text of the calling party in voice to the called party, and converting to text what the called party voices back to the calling party. The Federal Communications Commission has

oversight duties for VRS and TRS. The private contractors who perform the intermediary communication service are reimbursed for this service.

*TTY (Text Telephone):* an electronic device for text communication via a [telephone](#) line, used when one or more of the parties has a hearing or speech-related disability. Public payphones equipped with TTY have a small keyboard that pulls out underneath the phone. Note: TTYs are gradually phasing out for many people due to the increased use of voice and video relay, but they will remain in use for some period into the future.

*Video Remote Interpreting:* a contracted video service that allows deaf individuals to communicate over webcams/video phones with hearing people in real-time by a sign language interpreter.

*Video and Telecommunication (Voice) Relay Services:* Video Relay Service (VRS) is a form of Telecommunications Relay Service (TRS) that enables persons with hearing disabilities who use American Sign Language (ASL) to communicate with voice telephone users through video equipment, rather than through typed text. Video equipment links the VRS user with a TRS operator – called a “communications assistant” (CA) – so that the VRS user and the CA can see and communicate with each other in signed conversation. The VRS caller, using a television or a computer with a video camera device and a broadband (high-speed) Internet connection, contacts a VRS CA, who is a qualified sign language interpreter. They communicate with each other in sign language through a video link. The VRS CA then places a telephone call to the party the VRS user wishes to call. The VRS CA relays the conversation back and forth between the parties – in sign language with the VRS user, and by voice with the called party. No typing or text is involved.

*Vital Document:* a vital document is determined by the context of a program, service or activity, and can include but not be limited to an application, notice, complaint form, legal contract, and outreach material published by a covered entity in a tangible format that informs individuals about their rights or eligibility requirements for benefits and participation.

*Wheeled mobility device:* means by which some individuals with physical disabilities travel throughout their environment. This term commonly refers to such devices as wheelchairs (manual and motorized) and scooters.

### **3.2.3 General Considerations**

- **MVMPO Staff Person Responsible for Meeting Accessibility:** the MVMPO public meeting planner shall identify at least one person who is responsible for ensuring that the public meeting is accessible for all attendees. This individual shall serve as the contact for attendees requesting reasonable accommodations. See Attachment B to review a sample Checklist for Meeting Planners.
- **Planning/Notifying Public of Meeting:** the MVMPO will plan and publicize public meetings as early as possible. An ideal planning/publicizing period is at least twenty-one (21) calendar days, but no less than fourteen (14) days in advance. Meeting notices include a date by which attendees should request reasonable accommodations. The MVMPO requests that attendees make such requests at least fourteen (14) days before the meeting. Note: After the cutoff date, staff must still try to provide an accommodation but cannot guarantee provision of the requested accommodation. Since it is so difficult to schedule CART and/or sign language interpreters with less than 2-3 weeks' notice, the MVMPO will endeavor to publicize meetings with 21 days' notice.
- **Costs for Provision of Reasonable Accommodations:** attendees are not charged for any reasonable accommodation provided.

### **3.2.4 Choosing a Meeting Location**

- **Access to nearby transportation:** All public meetings shall be within ¼ mile of an accessible bus stop or rail station, where feasible. The path of travel from the transit stop to the meeting location shall be accessible. Specifically, it should be at least three (3) feet wide, unobstructed (not blocked by trash cans, light poles, etc.), and free of steps, drop-offs or curbs
- **Parking:** if parking is available to meeting attendees, meeting planners shall ensure that the number of accessible parking spaces available complies with state and Federal regulations.
- **Path of travel:** the path of travel from accessible parking to the meeting location shall be accessible. Specifically, it shall be at least three (3) feet wide, unobstructed (no trash cans, light poles, etc.), and free of steps, drop-offs or curbs.

### **3.2.5 Identifying the Accessible Entrance**

If a building's main entrance is not the accessible entrance, a sign shall be posted at that entrance containing the universal accessibility symbol with an arrow pointing to the accessible entrance.

### **3.2.6 Alternate Accessible Entrance**

Ensure that the alternate accessible entrance is unlocked, can be used independently, and that the path of travel to the alternate entrance is well lit. If the door is locked and intercom service or another device is used to gain access, an attendant must be at the door to accommodate deaf or hard of hearing individuals, as well as others with disabilities.

### **3.2.7 Accessible Restrooms**

If restrooms are available for use by the public then all public meetings shall have at least one accessible restroom for men and one accessible restroom for women, or one accessible gender-neutral restroom. The accessible restrooms shall be within reasonable proximity to the meeting room.

### **3.2.8 Accessible Telephones**

If two or more public payphones are available at the meeting facility, at least one should be equipped with TTY and mounted no higher than 48" from the floor and provide clear floor space 30" wide and 48" wide (so that attendees using wheeled mobility can properly access the phone). *Note: the MVMPO provides a telephone for use in the MVPC Conference Room that is accessible to persons with disabilities when seated at the conference table. Neither pay phones nor TTY are provided.*

### **3.2.9 Meeting Room**

The meeting room in which the public meeting will take place shall be made accessible for persons with disabilities. The room shall have an integrated seating area for wheeled mobility device users. Meeting planners should remove several chairs to accommodate potential attendees who use wheeled mobility devices. Note: remove a chair to the side and to the rear of the designated space to ensure enough room for the wheeled mobility device. Such spaces for wheeled mobility device users should be dispersed throughout the room, and not clustered (i.e. all in the front or all in the back) to allow attendees using wheeled mobility a variety of seating/viewing options.

## **Space for Sign Language, CART, and Foreign Language Interpreters**

Meeting planners shall provide a well-lit area and chairs facing the audience for sign language interpreters at the front of the room (likely just off to one side of the main presentation area). If the planners are using a CART provider, they should also provide a small table for the laptop and space for a screen and projector near an electrical outlet. Planners should also provide priority seating at the front of the audience and in direct line of sight of the interpreters/CART provider for attendees who are deaf/hard of hearing. For foreign language interpreters, provide space where they can sit with individuals requiring language assistance. Aisles within the meeting room shall be clear of tripping hazards (e.g. electric cords) and at least three (3) feet wide.

**Microphones:** microphones used at public meetings shall be available on a stand that is height-adjustable. Note: While wireless microphones have become popular, some attendees with disabilities will not be able to hold a microphone independently. In this situation, allowing an attendee use of a microphone stand adjusted to their height is almost always preferable to holding the microphone for them.

Alternatively, and particularly for larger meetings, staff with a floating microphone would be preferable to facilitate communication.

**Podiums:** If any attendee may have an opportunity to speak at a podium, meeting planners shall ensure that either:

- the podium is height adjustable, or
- a small table is provided to the side of the podium. The table shall be between 28 and 34" inches in height. There shall be at least 27" of knee space from the floor to the underside of the table. If a microphone is provided at the podium, one shall also be provided at the small table.

**Raised Platforms.** If any attendee may have an opportunity to move onto a raised platform or stage during the meeting, the raised platform or stage shall be accessible by a ramp that is at least 3' wide and does not have a slope that exceeds 1/12. In place of a ramp, the platform or stage shall be accessible by a platform lift.

**High Speed internet Connection.** Public meeting rooms shall provide for a high-speed internet connection to allow attendees who rely on video remote interpreting or CART.

There should also be a conference capable telephone with a speakerphone function available.

### **3.3 American Sign Language and Foreign Language Interpreters, Assistive Listening Devices, CART, and Video Remote Interpreting**

#### **3.3.1 American Sign Language and/or foreign language**

**interpreters.** These shall be provided at all public meetings upon request. To ensure their availability, interpreters should be requested at least two weeks in advance of the public meeting. The MVMPO is responsible for covering costs associated with providing sign language or foreign language interpreters.

**3.3.2 Assistive Listening Devices.** Assistive Listening Devices for attendees who are hard of hearing shall be provided at all public meetings upon request.

**3.3.3 CART services.** These shall be provided at all public meetings upon request. Staff should schedule or make CART services requests at least two weeks in advance of the meeting, and preferably as soon as an attendee makes this need known. When remote CART services are to be used (the CART reporter is not in the room), the MVMPO staff should try to provide the reporter any technical terms or acronyms to be used, as well as the names of key meeting attendees before the meeting date.

**3.3.4 Video Remote Interpreting.** These shall be provided at all public meetings upon request via a computer/laptop with a webcam and high speed internet connection (*note: Video Remote Interpreting is a relatively new form of technology and may be an adequate alternative to providing ASL interpreters in certain situations. However, if an attendee requests Video Remote Interpreting, ASL interpreters will be an adequate substitute, if the meeting planner cannot secure the requested technology.*)

### **3.4 Alternative Formats and Translation of Handouts/Presentation Material**

Large print versions of all printed material shall be available upon request at all public meetings. If requests for additional alternative formats are made in advance of the meeting (within the timeframes below), these formats must be available for the start of the meeting. If requests for alternative formats are made at or following the meeting, the alternative format must be provided within seven days of the request.

These requirements are identical for translation into foreign languages, where the language requested is identified through application of the MVMPO Title VI Language Assistance Plan (LAP) four-factor analysis. When a language group is small, defined as 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered, foreign language translations of “vital documents” should be provided, and non-vital documents may be orally translated. This requirement does not affect the requirement to provide meaningful translation to one or more in a small group of LEP individuals through competent oral interpreters or translation where language services are needed and are reasonable. Meeting attendees will not be charged for any cost affiliated with the creation of alternate formats of meeting material.

#### **3.4.1 Creating Alternative Formats**

See Attachment 6.7 for instructions on creating alternative formats.

#### **3.4.2 Large Print Documents**

At least one copy of any text-based printed material to be handed out during the meeting shall be in large print. Large print meeting materials shall:

- Be created using “Verdana” or equivalent font at 14 point font size or greater
- Have the same information as the original handout
- Have the highest contrast possible (e.g. black on white)
- If graphics (such as images, tables, or graphs) are used in the original document, the same graphics shall be included in the large print version of the document
- If graphics are used in the large print document, a brief description of the image shall be provided.
- Image descriptions shall be brief and provide the viewer of the document with a general idea of what is in the image.
- If tables or graphs are used in the large print document, a summary of the table or graph shall be provided.

#### **3.4.3 Electronic Versions of MVMPO Materials**

If an electronic version of materials is requested within forty-eight (48) hours in advance of the meeting, this version shall be available for the meeting. If no advance request is made but rather is requested at or after the meeting, then meeting materials shall be made available electronically, within seven (7) calendar days of the request (*Note: Whenever possible,*



*MVMPO staff should bring several copies of an electronic accessible version of the meeting material to a public meeting. Some individuals with visual impairments or other disabilities may attend with portable screen reading software that would allow them to access electronic material during the meeting.)*

#### **3.4.4 Braille Versions of MVMPO Materials**

If a Braille version of materials is requested one week or more in advance of the meeting, this version shall be available for the meeting. If no advance request is made, but rather is requested at or after the meeting, then meeting materials shall be made available in Braille within seven (7) calendar days of the request.

#### **3.4.5 Audible Version**

If an audible version of materials is requested one week or more in advance of the meeting, this version shall be available for the meeting, if no advance request is made but rather is requested at or after the meeting, then meeting materials shall be made audible, within seven (7) calendar days of the request.

#### **3.4.6 Foreign Language Version**

If a common foreign language version of materials is requested one week or more in advance of the meeting, this version shall be available for the meeting, if no advance request is made but rather is requested at or after the meeting, then Meeting materials shall be made available in the language requested within seven (7) calendar days of the request.

#### **3.4.7 Other requests for alternate formats**

Individual attendees may have unique specifications for alternate formats. All reasonable requests for alternate formats shall be honored upon request, within seven (7) calendar days of the request.

### **3.5 Publicizing a Meeting**

Public meetings shall be publicized as early as possible, preferably at least twenty-one (21) calendar days in advance, but not less than fourteen (14) days in advance. This allows attendees time to submit requests for reasonable accommodations and for meeting planners to set deadlines for making accommodation requests in a timely manner. The meeting publicity must also be translated into the languages that are identified through application of the four-factor analysis set forth in the MassDOT Title VI Language Assistance Plan. In addition to any other means, all public

meetings shall be posted on [www.mvpc.org](http://www.mvpc.org). Meeting notices shall include:

- the statement "This location is accessible to persons with disabilities";
  - a brief listing of accessibility features that either are available or may be made available upon request during the public meeting (e.g. sign language, CART, assistive listening devices and/or foreign language interpreters);
- information on how to request reasonable accommodations by phone, e-mail or fax and the deadline for requests, and
- information on how to request foreign language interpreter assistance.

### **3.6 Additional Considerations**

Within forty-eight (48) hours, meeting planners shall follow-up with attendees who have requested reasonable accommodations to let them know their request has been received and will be honored to the extent possible.

Note: Especially in the case of ASL interpreters, the meeting planner may not know of their availability until twenty-four (24) hours prior to the meeting. It is reasonable to let people know their request has been received and that it is in the process of being put in place, however if no interpreter is available people need to be notified and alternate plans must be made, such as CART or Video Relay.

### **3.7 Emergency Preparedness**

In the event of an emergency, some attendees with disabilities may not be able to evacuate independently. Meeting planners shall familiarize themselves with the evacuation plan for the meeting space. At the beginning of each meeting, the person opening or chairing the meeting should announce the safety briefing-including information regarding where those attendees who would require assistance should wait during an emergency.

When opening a public meeting, presenters should announce:

- the presence and function of sign language interpreters (if interpreters are in the room), and/or CART providers;
- that assistive listening equipment is available;
- the location of accessible restrooms, and
- the safety briefing.

When presenting, presenters at public meetings should:

- speak slowly and clearly so that the sign language interpreters have

time to interpret;

- verbally describe information presented visually (e.g. PowerPoint) so that attendees with visual impairments can access the information;
- ensure that any videos/DVDs shown during the meeting are encoded with closed captioning and are shown on a closed caption compatible device. Subtitles are an acceptable alternative, and
- provide an alternate version of the video/DVD with descriptive video/described narration.

Note: It may not always be a good choice to use a described video in an open meeting as this can be a problem for other viewers.

## 4 Public Participation Procedures for Long-Term Planning

The MVMPO is responsible for long-term transportation planning activities in its region, including production of:

- the Regional Transportation Plan (RTP), and
- modal or corridor studies and plans.

Its planning process consists of a series of related efforts that involve multiple agencies, studies, project coordination efforts, funding mechanisms and extensive public participation. The process often involves an extended period of planning (sometimes from several years to decades) from when an idea is first proposed to when an actual transportation project becomes reality. The duration of this process is directly tied to complex regulations, funding availability, and competing needs.

The MVMPO implements its long-range planning procedures in conformity with the MVMPO Title VI and Americans with Disabilities Act protocols, policies, and procedures for inclusive and accessible public participation provided in this document.

### *The Regional Transportation Plan (RTP)*

The MVMPO prepares and updates its RTP as specified in Title 23 USC, Section 134(c) as amended by TEA-21 and SAFETEA-LU. Information contained in the MVMPO RTP is also required for inclusion in the Commonwealth's long-range transportation plan. The MVMPO RTP is a policy document intended to present a twenty-five year multimodal vision of the MVMPO region's transportation system and serve as a framework for preparing specific 'action' documents such as the MVMPO's Transportation Improvement Program (TIP).

### *Modal Plans*

Such plans are a mechanism for the MVMPO to articulate and strategize long-term transportation goals. The MVMPO produces certain modal plans at intervals that include both outreach to the public and internal analysis. The MVMPO prepares these plans to:

- communicate Federal, Commonwealth, and MVMPO region transportation policies;
- connect policy to programs and projects;
- address the region's transportation infrastructure conditions and needs, and

- document transportation funding sources and uses.

Modal plans often identify major transportation project proposals as well as important corridors for future growth and development. Corridors are defined as geographic area between two points, linking multiple centers, and moving people and freight.

Modal and corridor transportation plans generally gather public input at the outset, mid-point and end of the planning process. Development of these plans can include collaboration with MassDOT, neighboring metropolitan planning organizations (MPOs) and regional planning agencies (RPAs), transportation interest groups, and other relevant stakeholders.

Ongoing and recently completed modal plans include:

- the MVMPO Active Transportation Plan (2015), and
- the MVMPO Coordinated Human Services Transportation/Public Transit Plan (2014).

#### *Corridor and Area Plans*

The MVMPO staff prepares corridor and area planning studies to identify transportation issues and develop potential solutions along a specific corridor or within a general area of the MVMPO region. Staff identifies the transportation issues by closely examining the existing and expected future conditions within each study area. Staff evaluates the design, operation, and performance of existing transportation facilities, noting accommodations of non-motorized modes of transportation, traffic volumes, levels of congestion and potentially unsafe conditions.

Once the MVMPO staff identifies the issues, it works with the public to develop and evaluate potential alternative improvements using evaluation criteria developed with the public's input. The staff then screens the alternatives and prepares a set of recommendations.

These recommendations are generally assigned to one of two groups based on a number of factors including overall cost and expected impacts. The projects with relatively low costs and few impacts are generally more short-term, with an expected implementation window of five (5) to ten (10) years. Projects with a relatively high construction cost and greater impacts are generally more long-term, with an expected implementation window of more than ten (10) years.

The process for soliciting public input and engaging public involvement

differs for these different types of planning efforts; for example, the study area and the pool of geographically-based stakeholders will differ greatly for a statewide modal plan (e.g. the State Bicycle Transportation Plan) and for a study of a defined, local transportation corridor (e.g. MA-114 Corridor).

However, the basic engagement of the public in transportation planning is consistent across a range of planning efforts. This process consists of the phases described in the following three sections. At every step in this process, the MVMPO reaches out not only to the public in general, but also specifically to populations that have often been underserved by the transportation system and/or have lacked access to the decision-making process through the protocols articulated in Chapter 3. These include minority and low-income individuals, persons with disabilities, and those who speak English less than very well.

#### **4.1 Solicitation of Public Input Prior to Study or Plan Development**

The MVMPO takes a proactive approach to developing the vision for a plan or study and sets the following goals for the transportation planning process:

- engage the public through a website, workshops, email, telephone and U.S. mail in conversations about the region's current and future transportation needs;
- use the products of those conversations to form the foundation of a plan or study;
- coordinate transportation policy with Federal and Commonwealth education, employment, and civic engagement agendas, and
- create a plan or study that describes the challenges facing our transportation network and begins to prioritize and advocate for new projects, programs, and approaches.

The MVMPO starts with an open mind and asks the public to participate from the outset. Outreach begins with workshops in geographically appropriate locations to solicit input from members of the public. The dates, times and locations of the workshops are posted on the MVMPO website calendar, which includes an option to request accessibility accommodations and language assistance.

The dates, times, and locations of public meetings are published at least once in newspapers with appropriate geographic coverage, including those with distribution to minority and non-English-speaking populations.

These notices also include contact information for submitting comments as well as a telephone number and email address for requesting accessibility

accommodations or language assistance at a workshop. The same information contained in the notices is included in press releases issued to newspapers, radio stations, and television stations. The MVMPO staff also produces fact sheets and flyers that it distributes at meetings and hands out to persons and groups who may be interested in the particular plan or study. If applicable, the staff shares this information with MassDOT, other MPOs and RPAs, and other appropriate organizations in Massachusetts to assist in notifying people of the opportunities to provide input into the MVMPO's long- range planning process using their existing outreach methods including email and U.S. Mail distribution lists, posting information on their websites, and providing links to the MVMPO page on the MVPC website. Recipients of this information can include:

- federal transportation agencies;
- transit agencies;
- freight shippers;
- other groups and individuals that are identified in federal laws, regulations, and executive orders pertaining to MPO transportation planning;
- heads of appropriate Commonwealth agencies, boards, and commissions;
- the chief elected officials of all Massachusetts municipalities;
- state legislators;
- members of Massachusetts's congressional delegation;
- public libraries;
- centers for seniors and persons with disabilities;
- representatives of transportation advocacy groups;
- environmental organizations;
- individuals who have asked to be added to the MVMPO mailing list, and
- other appropriate individuals and groups that staff members are aware of.

The MVMPO staff facilitates the public's participation in its public meetings. They invite attendees to contribute to the discussion by:

- discussing their day-to-day experiences with the transportation network;

- talking about their observations of the workings of the system, and
- identifying the issues they believe are the most important for transportation agencies to address.

In addition to conducting public meetings, the MVMPO solicits input via letters, its website, emails, and telephone calls.

The MVMPO uses the input gathered via these various outreach methods to form “problem statements” that define the identified mobility gaps and challenges in geographic and topical terms. Problem statements are then used to develop core “themes,” which are statements of fundamental importance that encapsulate the public’s concerns, needs and aspirations related to Massachusetts’s transportation network. The themes are action- oriented ideas that help build a vision of what the transportation system of the future can and should be. The MVMPO uses these themes as a framework for reporting back to the public via both the website and a written report for the plan or study.

Both the report and the website provide readers with an overview of the process, present some detail on each of the themes (the problems identified, the context and implications of the issues involved, and potential solutions), and summarize work completed to date. The MVMPO notifies (via email and regular mail) an extensive list of interested individuals and organizations when the report is available). It makes the report available for download from the MVPC website and distributes a limited number of hard copies.

After the MVMPO has provided this feedback, it continues to communicate with and solicit input from the public. For those members of the public without computer or internet access, the MVMPO continues to communicate through mailings and public information meetings. It focuses on learning how people are using the existing transportation system and what the system means to them in terms of mobility and opportunity. Together with the identified mobility challenges, this input is used to identify, evaluate, and prioritize policy, program and project solutions to the problems identified by the public and the MVMPO for that plan or study.

The MVMPO establishes smaller stakeholder advisory groups from time to time, usually to inform a modal or other plan’s development process. These groups meet as scheduled by the MVMPO staff during the planning process and discuss what subjects will guide transportation decisions, in consideration of the priorities and themes identified in the outreach, specific



policy objectives, and other considerations. Such stakeholder advisory groups generally follow the plan or study more closely than the general public, provide more frequent feedback and serve as active public representation to the planning process on a detailed level. The MVMPO makes affirmative efforts to ensure that its stakeholder advisory groups include a wide range of interests and perspectives, including minority and low-income individuals, persons with disabilities, and those who do not speak English well. As the MVMPO begins to prioritize and advocate for new programs and projects, it makes use of the MVPC website and other public outreach processes as tools for communicating with the public.

#### **4.2 Solicitation of Public Input on a Draft Plan or Study**

The MVMPO staff conducts a new round of public outreach once it completes a draft plan or study. Comprehensive information about both the draft report and the public participation process is posted on the MVMPO webpage. The draft document is produced in hard copy format and posted on the MVPC website (in multiple formats, including those readable by software compliant with the Americans with Disabilities Act). Draft documents can be provided in large-print format and on a CD-ROM if requested.

The MVMPO staff notifies interested parties of the availability of a draft plan or study document. They convey this information by electronic mail, statements at various organizations' scheduled meetings, and direct mailings. The staff includes the following information on Notices it produces:

- the purpose of the plan or study;
- opportunities to access, review and comment on the draft document;
- the comment period, and
- MVMPO staff contacts for additional information or assistance.

The MVMPO staff prints these Notices in a format suitable for posting at selected bus and rail stations and for distribution to stakeholders as detailed in Section 4.1 above. Staff also distributes Notices to the region's libraries.

The MVMPO staff places legal notices announcing the availability of the draft plan or study for public review and comment, opportunities to review and provide input on the draft document, and contact information for submitting comments in media publications with regional distributions, including those

regionally based publications that are targeted to minority and LEP populations.

The MVMPO staff may elect to issue press releases to one or more of the region's newspapers, community, television and radio organizations, including organizations serving minority, low-income and LEP populations, before, during, and just before the end of the public review and comment period on the draft document. The press releases announce the availability of the draft plan or study for public review and comment; provide information on opportunities to learn about, review, and comment on the draft document; give contact information for requesting reasonable accommodations, including language assistance, at public information meetings; promote attendance; and provide reminders of the deadline for submitting comments on the draft document.

In addition, the MVMPO solicits input on the draft RTP in the following ways:

- *Meetings/Contacts with elected and appointed officials*

The MVMPO staff participates in the Merrimack Valley Mayors' and Managers' Coalition (MVMMC) and the MVRTA Advisory Board, in which elected officials are represented and meet on a monthly basis. In addition, staff participates in an annual MVPC Legislators' briefing session held in January of each year. Also, the MVMPO staff notifies elected and appointed officials of the development of the draft RTP and of opportunities to participate in MVMPO meetings held during the RTP's development period. Finally, the MVPC Executive Director maintains contact with the region's elected and appointed officials – independently and through the MVPC Commissioners – to convey information and invite participation.

- *Participation in stakeholder organization meetings*

The MVMPO staff attends meetings of local and regional organizations to offer individual, tailored briefings and discussions on the draft RTP. Staff communicates their availability to any organization wanting to speak directly with MVMPO representatives about the draft RTP or about the region's transportation network in general. Staff is increasing its use of this approach, as it is proving to be more effective, particularly as it is often difficult to get broad-based attendance at public meetings.

### *Public meetings*

The MVMPO holds public meetings on the draft RTP in one or more locations in the region, usually one in each MVMPO sub-region, at times and locations that are convenient to members of the public. It advertises these meetings in the MVPC website calendar, by distribution of a flyer, through local media outlets, and at MVMPO-sponsored meetings or other regional events. Meeting notices include information about how to get to the meeting using public transportation when meetings are offered in a transit-accessible location; offer foreign-language assistance when appropriate; offer sign- language interpreters and other accommodations upon request; and provide accessibility information. The MVMPO provides publicity information for these meetings and fact sheets (distributed at the meetings) in English and other languages as determined by its four-factor analysis.

The dates, times and locations of the meetings are posted on the MVMPO's website, which provides directions for requesting accessibility accommodations and language assistance. The dates, times, and locations of the meetings are published at least once in newspapers with regional coverage, including those with distributions to minority and non-English- speaking populations. The notices also include contact information for submitting comments, and a telephone number and email address for requesting accessibility accommodations or language assistance at a meeting. This information is also included in press releases that are issued to newspapers, radio stations, and/or television stations and on flyers that are posted, distributed in hand, mailed, and/or emailed to various interested parties. MVMPO staff members also notify interested parties by making flyers available at various meetings and events they attend and making announcements about the meetings at such events.

MVMPO staff members are present at each public meeting. These meetings typically begin in an open house format, followed by a formal visual presentation detailing the draft RTP's content and its development process. Staff may facilitate a dialogue using easels to document issues and may ask attendees to group and/or prioritize the issues. A question-and-answer session follows. Attendees are offered the opportunity to speak with an MVMPO staff person who can record specific comments or collect written comment at the close of the public meeting.

### *Merrimack Valley Transportation Committee (MVTC)*

The MVTC is the MVMPO's advisory body and is comprised of a range of organizations with members interested in and knowledgeable about relevant

RTP subjects. The MVMPO staff schedules several MVTC meetings to facilitate discussion of the RTP during its development. The MVMPO staff then revises the plan or study to incorporate public review and comments. It then publishes the final document and posts it on the MVMPO website. Staff provides hard copies, electronic copies, and copies in alternative formats upon request.

#### **4.3 Posting of Plan or Study Information on Web Pages**

The MVMPO posts information on the development of its plans and studies on the MVPC website:

- information flyers;
- legal notices;
- press releases;
- materials distributed during workshops and public meetings, and
- contact information.

Information is also posted on the MVPC Facebook page.

## **5. Public Involvement Procedures for the MVMPO Transportation Improvement Program**

The MVMPO Transportation Improvement Program (TIP) is a MPO financial document required by Title 23 USC, Section 134 (c) as amended by the Fixing America's Surface Transportation (FAST) Act of 2015 and previous federal surface transportation authorizations. The MVMPO lists all transportation projects it expects to fund in a given four-year period in the TIP, including funding for FTA-funded transit activities carried out by the MVRTA. The MVMPO generates a new TIP annually and submits it to MassDOT for inclusion in the Statewide Transportation Improvement Program (STIP).

The MVMPO releases the draft TIP for public review and comment for a period of at least thirty (30) days. It places a Notice of the availability of the draft TIP for public review and comment on the MVPC website. Additionally, the MVMPO staff places a legal notice in a newspaper of general circulation within the MVMPO region stating the period that the TIP will be available for public review and that the MVMPO will receive comments. Please refer to Appendix F to review a sample MVMPO Notice.

The MVMPO is now using public participation software tools (i.e. ConstantContact, MailChimp, etc.) to notify the public of TIP development, TIP draft releases, and pending endorsements. These tools feature analytical capabilities that aid the staff in tracking contact additions, deletions, modifications and can generate status reports for individual mailings, including whether addressees viewed a specific notification.

The MVMPO TIP development procedure is intended to be implemented in conformity with Title VI, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and all other protocols, policies and procedures for inclusive and accessible public participation.

### **5.1 Public Notice and Comment Period**

The MVMPO posts notice of the draft TIP's availability on the MVPC website, in newsletters, and in other public communications. MassDOT and MVMPO staff members attend all MVMPO meetings and are available to receive comments and answer questions. The public is encouraged to learn about the TIP process, individual projects, and offer comment. In addition, the MVMPO staff continues to solicit information on the transportation needs of

persons and groups who are “traditionally underserved by existing transportation systems” per Executive Order 12898 on “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. The MVMPO staff, by function of its size, is effective in carrying out these responsibilities directly to persons and groups in its communities, and through its MVTC and the MVTC Nondiscrimination Working Group, both of which have direct access to the MVMPO Chair.

The Commonwealth’s STIP public participation process is an adjunct to the regions’ specific outreach processes but also follows the Commonwealth’s commitment to transparency and civic engagement in government. The STIP is essentially the composite of all MPO TIPs. Accordingly, projects programmed in each TIP must be included in the STIP. The MVMPO, MassDOT and other affected parties work together to reconcile any discrepancies between a TIP and the STIP should they occur. There are instances in which the draft TIP’s thirty (30)-day comment period will coincide with or overlap MassDOT’s thirty (30)-day public comment period for the Statewide Transportation Improvement Program (STIP).

MassDOT encourages its constituents to stay informed on all of its activities, including but not limited to the STIP, using various social media tools such as Twitter ([www.twitter.com/massdot](http://www.twitter.com/massdot)), YouTube ([www.youtube.com/youtovemass.com](http://www.youtube.com/youtovemass)), the Commonwealth’s transportation blog ([www.transportation.blog.state.ma.us](http://www.transportation.blog.state.ma.us)), Flickr [www.flickr.com/photos/massdot/](http://www.flickr.com/photos/massdot/), and RSS feeds.

After review and consideration of all public comments, a final TIP and STIP are prepared and submitted to the Federal Highway Administration, the Federal Transit Administration, the Environmental Protection Agency and the Massachusetts Department of Environmental Protection for review and approval. Explicit consideration and response is given to public input, and all who submit written comments are notified of the availability of the final approved document. The MVMPO posts its approved TIP on the MVPC webpage at [www.mvpc.org/transportation](http://www.mvpc.org/transportation) and MassDOT posts its STIP on MassDOT’s webpage at <http://www.massdot.state.ma.us/planning/Main/StatewidePlans/StateTransportationImprovementProgram.aspx>

## **Appendix A: Public Participation During the Project Development Process**

### **A.1 Project Development**

The project development process covers a wide range of activities starting with identifying need through design, permitting, construction, and completion. The project development decision-making sequence narrows the project focus and, ultimately, leads to a project that resolves a transportation issue. The MVMPO member agencies and MVMPO staff are committed to the provision of ample public participation opportunities throughout the entire project development process. They assess a project's potential benefits, impacts using federal, Commonwealth and MVMPO research, and measure the public's level of support for a project through the public participation process.

This process is intended to be implemented in conformity with MassDOT Title VI and Americans with Disabilities Act (ADA) protocols, policies, and procedures for inclusive and accessible public participation.

#### **Need Identification**

A proponent begins developing a transportation project in response to an identified need. Needs are created by complaints, suggestions or concerns about an existing physical asset or service, and/or with advocacy for an asset or service not currently offered. In the MVMPO region, project proponents have been:

- MassDOT;
- the MVRTA;
- the MBTA;
- MVMPO communities, and
- elected officials.

The staffs of these agencies identify regional transportation needs using a wide range of data on pavements, structures, traffic controls, and intersections.

They analyze common issues such as state of repair, passenger or vehicle volume/capacity ratios, or crash rates. In the MVMPO region, MassDOT administers certain statewide programs for the Commonwealth's bridges and Interstates. It also tracks the Commonwealth's inventory of intersections

requiring safety improvements and collects condition and use data obtained through its own corridor or area planning processes. Problem, need, or opportunity identification can also occur through the regional planning initiatives of a planning organization or arise from community, legislative, or other public input.

The development of solutions to address identified needs often involves input from transportation planners, community leaders, environmental specialists, landscape architects, natural resource agencies, local public works officials, permitting agencies, design engineers, financial managers, and agency executives. Solutions might target a single mode of transportation, or address the range of road users including pedestrians, bicyclists, transit operators, motorists, and truckers moving freight and goods. It is important to engage from the beginning of project development.

Most MVMPO region transportation improvements involve roadways or transit. Transit projects are: 1) generated by the MVRTA as part of its Five- Year Capital Plan or Program of Projects, and or 2) generated by other parties that provide (or wish to provide) public transportation in the region according to a need identified in the MVMPO Coordinated Human Services Transportation/Public Transportation Plan. In all cases, the MVRTA conducts its MVMPO-funded projects in consultation with the MVMPO staff according to the parties' Memorandum of Understanding. Most roadway projects begin at the local level with the identification of a particular need or deficiency by a municipality. Upon the identification of such a need, the municipality engages with MassDOT to advance project development. The MVMPO staff strongly recommends that project proponents review the *MassDOT Project Development and Design Guide (Guide)* and follow its interactions between municipalities and MassDOT during the project development process.

The *Guide's* purpose is to provide designers and decision makers with a framework for incorporating context-sensitive design and multimodal elements into transportation improvement projects. Chapter 2 of the *Guide* details the project development process and the specific opportunities for public outreach and involvement in the process, consistent with this Plan.

- A copy of the full *Guide* can be found at <http://www.massdot.state.ma.us/highway/DoingBusinessWithUs/ManualsPublicationsForms/ProjectDevelopmentDesignGuide.aspx>



- Chapter 2 of the *Guide* is available as a stand-alone document here: <http://www.massdot.state.ma.us/Portals/8/docs/designGuide/CH2a.pdf>

Transportation decision making is complex and can be influenced by legislative mandates, environmental regulations, financial limitations, agency programmatic commitments, and partnering opportunities. Decision makers and reviewing agencies, when consulted early and often during the project development process, can ensure that all participants understand the potential impact these factors can have on project implementation.

## **Project Planning**

The project proponent begins work on the following tasks in the first stage of the transportation project planning process:

- determining need for a certain transportation improvement;
- identifying issue, impact, and permit/approval requirements;
- determining the required design and permitting processes;
- assigning project responsibilities and calculating benefits, and
- developing a project public participation outreach and involvement program to inform the public and obtain their participation and comments.

The proponent can consult with public involvement specialists in this work. The initial public outreach process starts with an early informational meeting and continues at strategic milestones during the planning process. Substantial effort should be made to reach a broad spectrum of interested parties at this early project stage and throughout the project.

Public meetings are conducted during the planning phase in order to relay information to the general public and to solicit input to the project. The public meetings serve as forums at which MassDOT, the MVRTA, and the MVMPO staff/communities can learn about and respond to concerns. A public meeting typically begins in an open house format to allow individuals to speak one-on-one with MassDOT staff regarding their concerns and questions with respect to the project, and then formal presentations are made to share information and elicit public comments and suggestions.

Just as with the need identification stage of project development, the planning stage is detailed in Chapter 2 of the MassDOT *Project Development and Design Guide*.

During the scoping of projects, MassDOT coordinates with the affected

metropolitan planning organizations (MPOs), regional planning agencies (RPAs), regional transit authorities (RTAs), and municipalities to determine the amount and type of public outreach that will be required for the project. These entities each maintain Public Participation Plans (PPPs), and can be contacted for copies or viewed on their respective websites.

After constituents and environmental agencies have reviewed and commented on a specific project's alternatives and the proposed action, the proponent completes a Project Planning Report for final review. The report documents the need for the project, existing and future conditions, alternatives considered, public participation outcome, and recommended actions.

Projects to be constructed using state or federal funds must be approved by the MassDOT Project Review Committee (PRC), which is comprised of MassDOT staff and chaired by the Chief Engineer, and later programmed by the relevant MPO in its TIP. After PRC approval, the relevant MPO receives the PRC's approval and begins tracking the project's development for inclusion in the MPO RTP and TIP. The MPO will assess the project in comparison to other projects under consideration in its region and determine the potential year for funding in the TIP.

### **Environmental, Design, and Right-of-Way (ROW) Processes**

Continued public outreach in the environmental, design, and ROW processes is essential to maintain public support for the project and to seek meaningful input on the design elements. This public outreach often takes the form of required public hearings, but it can also include less formal dialogues with those interested in and affected by a proposed project. The public participation processes shall be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. There are many opportunities for public meetings or hearings on the project throughout these stages of the project development process. Chapter 2 of the aforementioned *Project Development and Design Guide* details the opportunities for public outreach and involvement during these stages.

At a minimum, at least one public meeting is held for any federal-aid project that requires significant amounts of right-of-way, substantially changes the layout or functions of connecting roadways, or of the facility being improved, has a substantial adverse impact on abutting property, otherwise has a

significant social, economic, environmental or other effect, or for which the MassDOT determines that a public meeting is in the public interest. Some of the major requirements for public involvement/public hearing procedures (23 CFR 771.111) that are relevant to the environmental, design, and Right of Way processes are:

- Coordination of public involvement activities and public hearings with the entire environmental review process under the National Environmental Policy Act (NEPA). There is a similar requirement for projects under the Massachusetts Environmental Policy Act (MEPA).
- Early and continuing opportunities during project development for the public to be involved in the evaluation of alternatives and the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions.
- One or more public hearings, or the opportunity for hearing(s) to be held, by MassDOT at a convenient time and place for any federal-aid project that requires significant amounts of ROW, substantially changes the layout or functions of connecting roadways, or of the facility being improved, has a substantial adverse impact on abutting property, otherwise has a significant social, economic, environmental or other effect, or for which the FHWA determines that a public hearing is in the public interest.
- Reasonable notice to the public of either a public hearing or the opportunity for a public hearing if one or the other is required. Such notice will indicate the availability of explanatory information. The notice shall also provide information required to comply with public involvement requirements of other laws, executive orders, and regulations.
- Explanation at the public hearing of the following information, as appropriate:
  - the project's purpose, the need for the project, and the project's consistency with the goals and objectives of any local community planning;
  - the project's alternatives and major design features;
  - the social, economic, environmental, and other impacts of the project;
  - the relocation assistance program and ROW acquisition process, and

- MassDOT's procedures for receiving both oral and written comments from the public.
- Submission to the FHWA of a transcript of each public hearing, and a certification that a required hearing, or hearing opportunity, was offered. The transcript is accompanied by copies of all written statements from the public submitted at the public hearing or during an announced period after the public hearing.
- An opportunity for public involvement in defining the purpose and need, and the range of alternatives, for any action subject to the project development procedures in 23 USC 139. Public notice of, and an opportunity for public review and comment on a Section 4(f) *de minimis* impact finding, in accordance with 49 USC 303(d).

## **A.2 Construction**

MassDOT administers construction procurements for FHWA-funded MVMPO projects. Likewise, the MBTA and MVRTA administer their respective construction procurements for FTA-funded projects. On occasion, other federal agencies including, but not limited to, the National Park Service (Department of the Interior) administer transportation project construction in the MVMPO region. Collectively, these and other agencies constructing transportation projects are referred to here as the 'responsible agencies'. The MVMPO staff monitors progress of the responsible agencies' projects, may assist in the resolution of project issues, and may advocate for regional constituents who may have construction-related questions and/or concerns. The responsible agency has the lead role in working with their contractor(s) to develop a construction management plan following award of a construction contract. Permitting agencies, local authorities, businesses, and affected members of the general public must be informed of the plan. These entities should also be notified as changes in detours, traffic operations, and construction areas and activities occur throughout the project.

Before construction begins, the responsible agency works with its contractor(s) to determine the appropriate type of public notification and participation needed. Different projects result in different types of disruption to transportation and other nearby activities. Simpler projects like roadway resurfacing would likely require fewer notification/participation tasks than an interchange reconstruction, for example. For simpler projects, the proponent should, at a minimum, notify abutters (in languages other than

English, if appropriate) of the impending construction activity.

For complex projects, the MVMPO works with MassDOT, the MVRTA, and other project lead agencies (if applicable). The lead agencies may schedule a construction management plan meeting with abutters and other project participants (local boards, interest groups, business associations, etc.). At such a meeting, the proponent can describe the types of construction activity needed, construction phasing, and durations. Parties can identify issues and concerns associated with the construction period, and make adjustments to the construction management program to minimize community impacts.

For almost all MVMPO region projects, MassDOT takes the lead in maintaining contact with stakeholders, neighbors, abutters, legislators, and municipal officials throughout the duration of a project, including the construction phase. On occasion, the MVRTA is the lead agency implementing specific transit capital projects in the MVMPO region. The MVMPO staff is a key participant in this process. Regardless of the project sponsor, the lead agency determines whether to hold monthly or quarterly stakeholder and abutter meetings. In addition, the project lead agency uses combinations of the following communication tools to share project information and receive feedback:

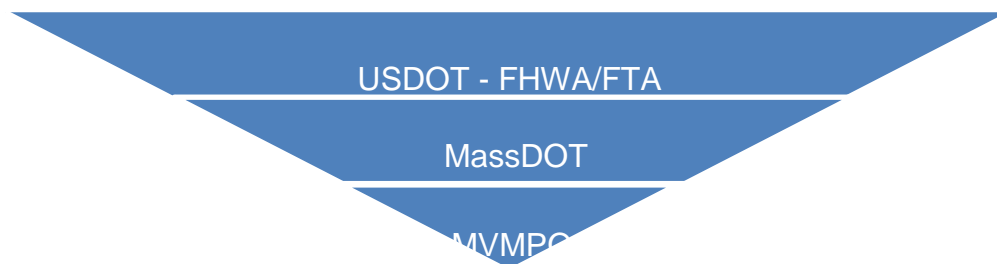
- Direct mail, to individuals and organizations for whom only a mailing address is available;
- Media: MassDOT posts notices in the region's newspapers of general record.
- MassDOT website: Many MassDOT projects in the construction phase have their own project page within the MassDOT website. The project page should be a clearinghouse for accurate, up-to-date information. It is important that the Project Manager or a Public Affairs staff person assigned to the project page update the content regularly throughout the duration of the project. In addition, MassDOT posts public meetings scheduled for a project on its main website calendar. The MVRTA and the MBTA also post information about their capital projects on their respective websites.
- Social media tools: MassDOT, the MBTA, and other agencies maintain Facebook pages. In addition, MassDOT and other organizations often employ Twitter to get out time-sensitive messages.
- The opportunities for public outreach and involvement during the project

construction stage are fully detailed in Chapter 2 of the MassDOT Project Development and Design Guide.

## Appendix B: MVMPO Transportation Planning Process Summary

### Agencies

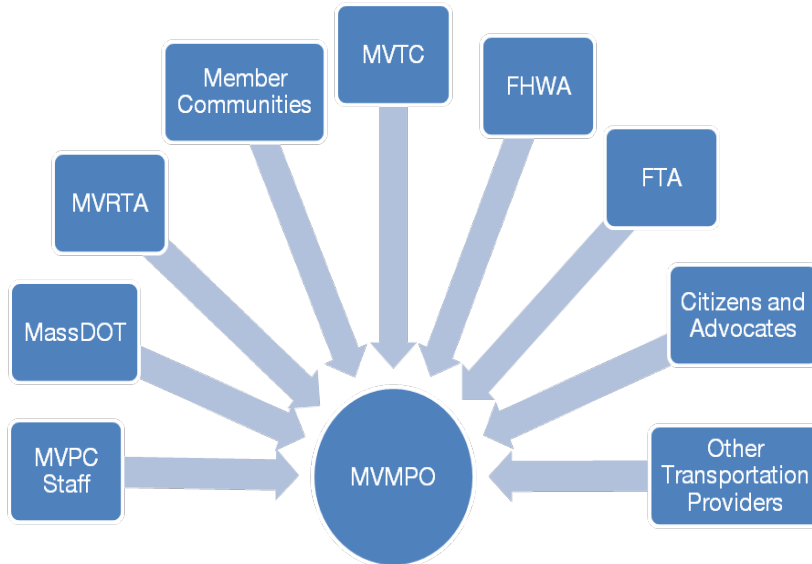
**The Federal Highway and Transit Administrations (FHWA and FTA)** are the principal U.S. Department of Transportation agencies that regulate, set policy, and fund Merrimack Valley region transportation projects. Federal transportation legislation requires that the Commonwealth of Massachusetts, through its statewide **Department of Transportation (MassDOT)** and the **Merrimack Valley Metropolitan Planning Organization (MVMPO)** conduct a continuing, cooperative and comprehensive (“3c”) transportation planning process. MassDOT oversees the MVMPOs’ activities for compliance with federal requirements. It administers a statewide transportation program, and provides the MVMPO with a share of the federal funds it receives. The MVMPO is responsible for programming its funding share on local and regional projects. Figure 1 below illustrates the Federal / Commonwealth / MVMPO relationship.



**Figure 1: Federal / Commonwealth / MVMPO Relationship**

The staff of the **Merrimack Valley Planning Commission (MVPC)** functions as the MVMPO staff, assisting its communities with project planning, design/engineering, permitting, funding, and implementation. Figure 2 below shows the relationship of MVMPO participants including:

- FHWA, FTA, and MassDOT;
- representatives from each MVPC region member community;
- the Merrimack Valley Regional Transportation Authority (MVRTA);
- the Merrimack Valley Transportation Committee (MVTTC);
- employer-sponsored transportation organizations, and
- local residents, business, community development, environmental and transportation advocates.



**Figure 2: MVMPO Membership**

Some of the above participants have formal roles, while others, i.e. residents and/or advocates, tend to participate according to their general interest in transportation or in a specific plan, project, or issue. The MVMPO staff incorporates these participants' comments and recommendations into its plans and programs, which include:

- the Public Participation Plan (PPP) - updated as required;
- the Regional Transportation Plan (RTP) - planning priorities and project development over a 25-year horizon - revised every 4-5 years;
- the Transportation Improvement Program (TIP) – consists of federally funded transportation projects in the MVMPO region for current FFY and three successive FFYs - demonstrates sufficient funding and fiscal constraint. Updated annually, and
- the Unified Planning Work Program (UPWP) – its annual work program.

What transportation modes operate independently of this process?

The MVMPO's 3c process typically excludes air transportation, water transportation, most utilities, and surface transportation owned/operated by the U.S. Department of Defense.

If a project requires FHWA or FTA funds:

The MVMPO is required to program projects funded in whole or part with FHWA and FTA funds. This is a continuous process and involves consultation among MVMPO members and the public. Please refer to Part A of the MVMPO [Transportation Improvement Program](#) at [www.mvpc.org](http://www.mvpc.org) for a detailed overview of this process.



If a project does not require federal transportation funds:

The MVMPO is not required to program such projects. Examples are transportation projects wholly funded by organizations such as the:

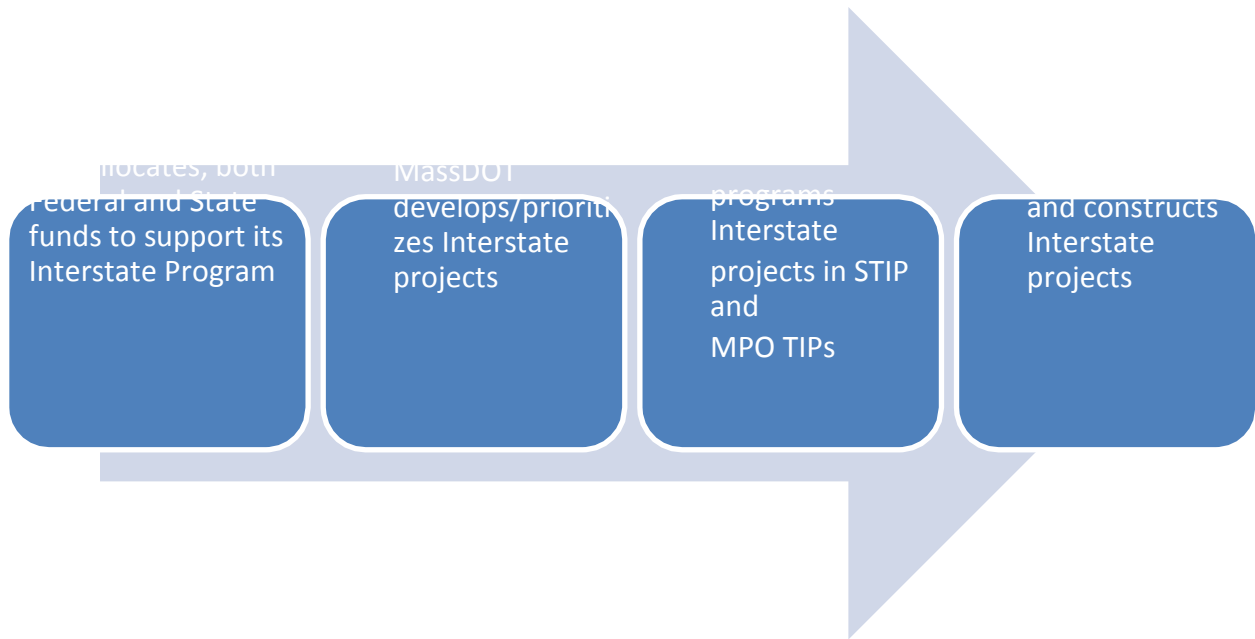
- U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG);
- U.S. Economic Development Administration (EDA);
- Federal Aviation and Railroad Administrations (FAA/FRA), and
- M.G.L. Chapter 90 funds; and/or funds from Commonwealth and local bond issues.

However, the MVMPO staff often assists with the development and implementation of such projects as part of its general transportation planning activities. In addition, the MVMPO does track certain transportation projects that are converted from federal to state funds at some point during the project development process as part of its coordination responsibilities. The MVMPO communities undertake many local transportation projects using combinations of federal, Commonwealth, or local funds.

**Who develops the Merrimack Valley region's transportation projects?**

Interstate Highway Projects

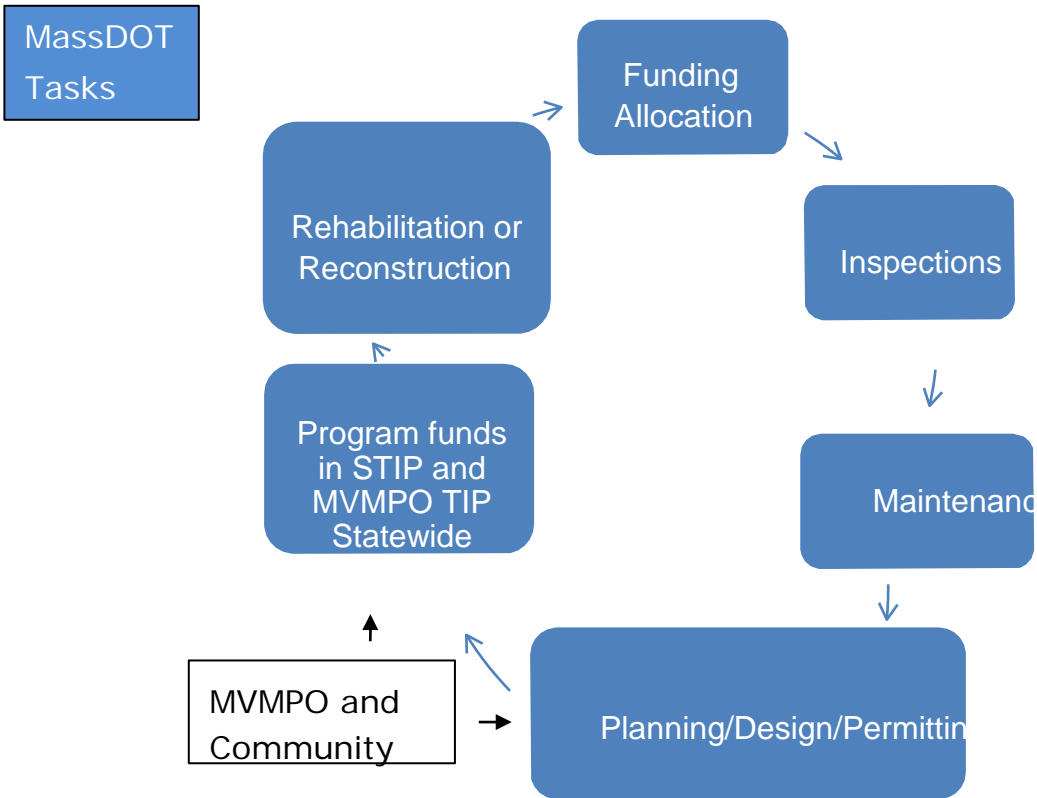
*MassDOT* develops and administers projects for all of the region's interstate highways as shown in Figure 3 below:



**Figure 3: Interstate Project Development in the MVMPO region**

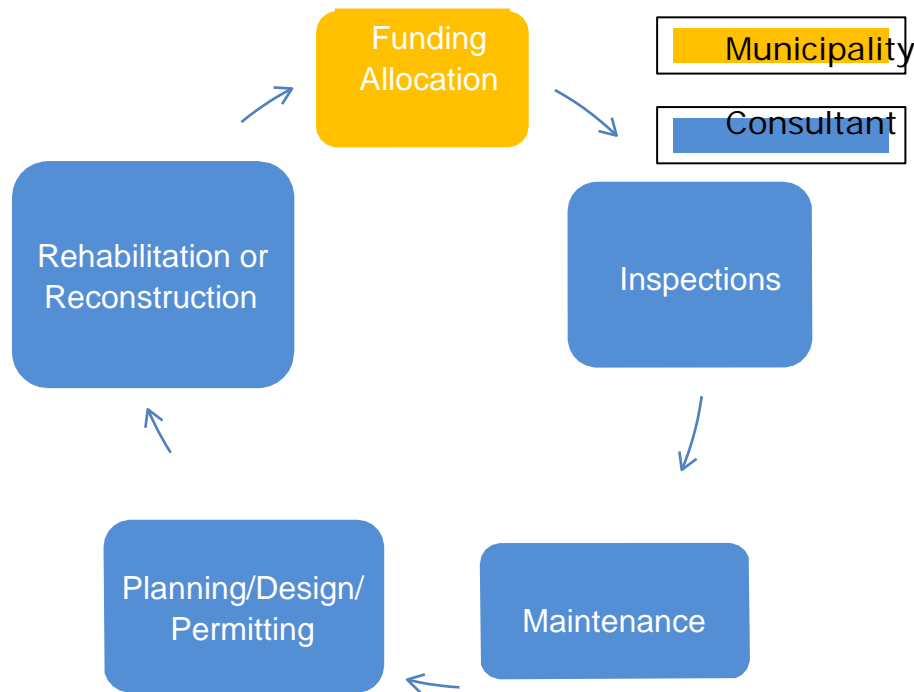
### Bridges

*MassDOT* is responsible for most of the Commonwealth’s bridges, as they are part of the National Highway System or NHS. Accordingly, *MassDOT* programs both Federal and State funds for NHS bridge inspections, maintenance, and reconstruction. *MassDOT* informs the MVMPO and its member municipalities of its NHS bridge activities including detours, closures, weight restrictions, or other service disruptions. *MassDOT* includes MVMPO staff and communities in its project design and construction bidding/scheduling process in an advisory capacity. *MassDOT* personnel perform the funding allocation, project prioritization and programming, construction bidding and construction oversight tasks in-house, and utilize consultants for feasibility studies, some inspections, design, engineering, and construction tasks as shown in Figure 3 on the following page:



**Figure 4 (above): Construction/Maintenance of National Highway System (NHS) Bridges**

*MVMPO communities* are responsible for some bridges. In such cases, their departments of public works, highway superintendents or engineers obtain funds and hire consultants to conduct bridge inspections, maintenance and construction work as shown in Figure 4 on the following page:



**Figure 5 (above): Construction and Maintenance of Locally-Owned Bridges**

The [MVMPO Transportation Program staff](#) can assist you in determining which agencies are responsible for a specific bridge.

### Transit

The *Merrimack Valley Regional Transit Authority (MVRTA)* initiates its own transit projects. The MVMPO staff assists the MVRTA with public involvement in the MVRTA's transit planning process and its project preparation work. The MVMPO programs FTA- funded MVRTA projects in its TIP, and FTA funding is then released to the MVRTA through MassDOT.

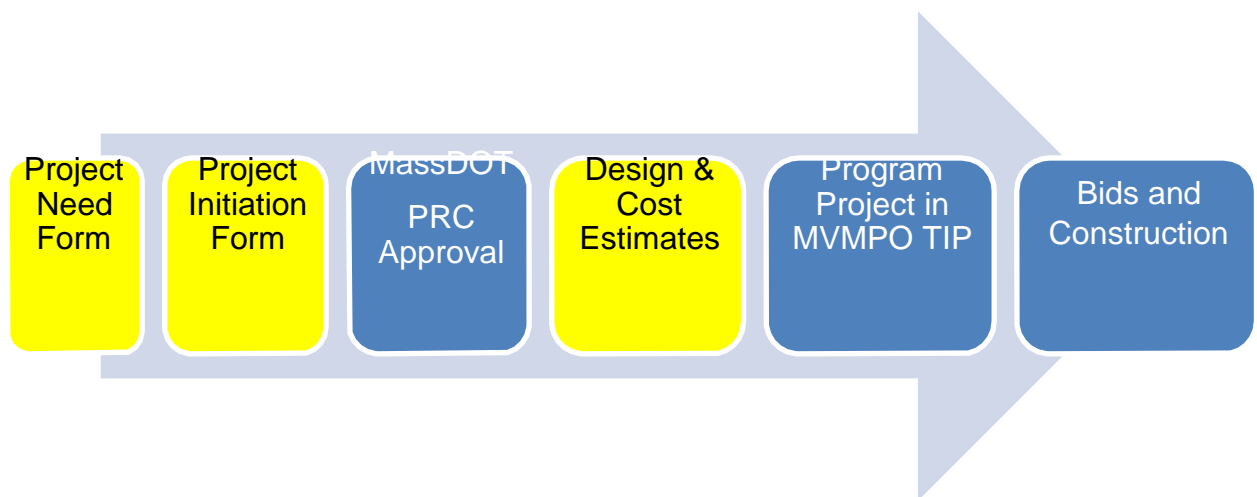
### Non-Motorized Transportation Projects

*City and town administrators, Public Works/Highways and Planning/Community Development staff* initiate most non-motorized transportation projects (i.e. shared-use paths). Local committees and residents often provide technical information to municipal administrators who initiate these projects. Committees and citizens also build community project support. Municipalities prepare projects in-house or consult with organizations such as the Merrimack Valley Metropolitan Planning Organization (MVMPO) staff of the [Merrimack Valley Planning Commission \(MVPC\)](#) and MassDOT, through its [District 4](#) office in Arlington, MA. MVMPO and MassDOT staffs help shape a Project and identify funding sources.

## How are the region’s roadway, trail, and path projects developed?

### 1. Project Initiation

As shown in Figure 6 below, the city or town (“municipal”) official contacts the MassDOT District 4 Office (“District 4”) and prepares a [Project Need Form \(PNF\)](#). Municipal officials, department directors, and committees contribute to the content of the PNF according to their responsibilities and interests. The municipality then submits the PNF to District 4. If the municipality and District 4 agree on a project’s merits, the municipality then prepares and submits a [Project Initiation Form \(PIF\)](#) to District 4 for review. MassDOT staff may recommend certain changes to the project and/or request additional information from the municipality at this stage, in preparation for placing the PIF on an upcoming MassDOT [Project Review Committee \(PRC\)](#) agenda. The PRC meets quarterly, and will evaluate the proposed project’s feasibility and eligibility for funding. If the PRC approves a project, MassDOT enters the project’s information into its internal information system (Project Info) and assigns it to a MassDOT Project Manager. The municipality (and its consultant, if applicable) then works directly with the MassDOT Project Manager to advance the project through the design and construction phases.



**Figure 6 above: Roadway, Trail, and Shared Use Path Project Development Process**

## 2. Study

Tasks involved in this project phase include:

- a) defining the problem by evaluating existing and expected transportation issues;
- b) developing/screening alternatives for problem resolution using project evaluation criteria. Criteria development often involves extensive public outreach, and
- c) preparing recommendations addressing the defined transportation issues.

➤ Product: Feasibility Study

## 3. Permitting

Assess the project's permit requirements at the federal, state, and local levels before it proceeds. In Massachusetts, the Massachusetts Environmental Protection Act (MEPA) and the National Environmental Protection Act (NEPA) are the most common and comprehensive permitting processes. Each of these processes requires a project to avoid, minimize, and/or mitigate its impacts on environmental, cultural, and historical resources.

➤ Product: 25% Plans, Specifications, and Cost Estimates  
("25% Design")

For most roadway projects, the city or town is responsible for funding and overseeing all facets of the design process, including acquisition of any necessary right-of-way. The project manager works with the community and the design consultant to shepherd the project through the process. Typical milestones in the design process include submission and approval of the 25% design plans, a public hearing on the 25% design, submission and approval of the 75% design plans, submission and approval of the 100% design plans, and preparation of the plans, specifications and estimates (PS&E). Concurrent with this process, rights-of-way must be acquired and environmental requirements must be satisfied. Other roadway projects and most bridge projects are initiated by the MassDOT Highway Division. The Division identifies the need for such projects using one or more of its continuous management systems to estimate needs for present or future construction projects:

- bridges;
- congestion;

- pavement, and
- safety.

Projects may also be identified through planning or corridor studies. Regardless of their genesis, these projects go through the design process discussed above. However, typically, for these projects, the MassDOT Highway Division oversees all facets of the design process, including the acquisition of any necessary rights-of-way.

#### 4. Identify Project Funding

The project proponents (the City or Town, MassDOT, the MVMPO staff, the MVRTA, or other agency if applicable)-work together to program transportation funds in the MVMPO Transportation Improvement Program (TIP) for a given project. Proponents may also apply funding from other federal or state grant programs outside the MVMPO process. Examples of such programs include the MassWorks Infrastructure Program administered by the Massachusetts Executive Office of Housing and Economic Development and the former Transportation Investments Generating Economic Recovery (TIGER) grant program administered by the U.S. DOT.

#### 5. Final Design

With funding in place, the next phase of project development is the final design. During this phase of the project the final layout of the project and the design details are determined. In addition to the necessary plans, project proponents must also prepare final specifications and estimates. The final plans, specifications, and estimates must be submitted for review by the appropriate MassDOT Division and approved. The product of this step is the Final Design (commonly called the 100% design for both roadway and transit projects).

#### 6. Project Implementation

A project or service is advertised for bidding, a contract awarded, and improvements are constructed with MassDOT, MVRTA, or other lead agency supervision.

### **Where do I obtain more information?**

For more details on the transportation project development process, consult [Chapter 2](#) of the MassDOT Project Development and Design Guide for a complete process overview. This Chapter includes flowcharts of the

project development process as well as links to MassDOT forms such as the Project Need Form (PNF).

### **I have a transportation issue and want to get it addressed. How do I do this?**

So how do you fit into the transportation-planning process? Your role in the process is very important. Without your input - your ideas-state and local governments cannot develop a full understanding of your community's needs.



Although some people may think that transportation officials can gather all necessary information on their own, that is not actually the case. You may know information that is more current or detailed than is available to transportation professionals. You may also see things in a different way than transportation officials. *This is why it is so important for you to be involved.*

The transportation-planning process is ongoing, so there are several ways to make transportation planners aware of your needs and concerns, and to help develop transportation solutions. To make sure that you are following the latest developments, you can:

- **Put your name on a mailing list** to receive newsletters, updates, and other information from the MVMPO and MassDOT
- **Attend MVMPO and MassDOT meetings**
- **Provide your input** on transportation plans and programs
- **Volunteer to serve** on a focus group or advisory committee
- **Ask a transportation official** to attend a meeting of your neighborhood group, church, club, school board, or other community or civic organization and ask that official to explain the transportation-planning process to you and your neighbors.
- **Find out** what specific public-participation opportunities are available in your area by contacting the MVMPO, MassDOT, MVRTA or your city/town officials.



## MVMPO Region Transportation Resources

### Federal transportation planning and programming process

- See Federal Highway Administration, [A Citizen's Guide to Transportation Decisionmaking](#)

### Current transportation policies and projects

- Public agencies, including:
  - [www.fhwa.dot.gov](http://www.fhwa.dot.gov) and [www.fta.dot.gov](http://www.fta.dot.gov)
  - [www.massdot.gov](http://www.massdot.gov) – the Commonwealth's Department of Transportation site. Consult Chapter 2 of the MassDOT Project Development and Design Guide for a complete [overview](#) of the roadway transportation project development process
  - [www.mbta.com](http://www.mbta.com) – Massachusetts Bay Transportation Authority
  - [www.mvpc.org](http://www.mvpc.org) and Facebook.[www.mvpc.org](http://www.mvpc.org) – Merrimack Valley Planning Commission
  - [www.mvrta.org](http://www.mvrta.org) – Merrimack Valley Regional Transit Authority
- Private and Non-Profit transportation providers, including:
  - [www.mvtma.org](http://www.mvtma.org) – Merrimack Valley Transportation Management Association
  - [www.jtmo.org](http://www.jtmo.org) – The Junction Transportation Management Association
- Regional Advocacy Groups, including:
  - [www.essexheritage.org](http://www.essexheritage.org) - Essex National Heritage Area
  - [www.haverhillchamber.com](http://www.haverhillchamber.com) - Greater Haverhill Chamber of Commerce
  - [www.newburyportchamber.org](http://www.newburyportchamber.org) - Greater Newburyport Chamber of Commerce and Industry
  - [www.merrimackvalleychamber.com](http://www.merrimackvalleychamber.com) - Merrimack Valley Chamber of Commerce
  - [www.amesburychamber.com](http://www.amesburychamber.com) - Amesbury Chamber of Commerce and Industrial Foundation
- Transportation Advocates
  - [www.apa.org](http://www.apa.org) – The American Planning Association – see Massachusetts Chapter
  - [www.planetizen.com](http://www.planetizen.com) – Planetizen – a weekly transportation and community development newsletter
  - [www.railstotrails.org](http://www.railstotrails.org) - Rails-to-Trails Conservancy

- [www.ctaa.org](http://www.ctaa.org) - CTAA – Community Transportation Association of America
- MARPA – Massachusetts Association of Regional Planning Agencies (website in development, 2015)
- [www.completestreets.org](http://www.completestreets.org) – Complete Streets – advocacy for street design that balances the needs of all users
- [www.ma-smartgrowth.org](http://www.ma-smartgrowth.org) – Massachusetts Smart Growth Alliance
- [www.reconnectingamerica.org](http://www.reconnectingamerica.org) – a transit and community development nonprofit organization

## **Appendix C: MVMPO Public Participation Stakeholder List**

Listed below are categories of interested individuals, organizations and other stakeholders (Interested Parties) identified by the MVMPO for inclusion in the PPP. They are defined based on the individual groups identified in the FAST Act of 2015 and prior federal transportation authorizations, and the existing transportation planning regulations developed by the U.S. Department of Transportation.

The MVMPO continues to add individuals, organizations or other stakeholders to this list and their addition is not considered an act requiring the formal amendment of the PPP. Similarly, any of the individuals or organizations identified below may request to be removed from the mailing list and such action does not necessitate a formal PPP amendment.

The MVMPO conducts outreach to agencies and individuals including, but not limited to, those identified below:

### **Individuals, including:**

- Interested residents, business persons
- Merrimack Valley Transportation Committee (MVTC) members
- Libraries
- City/Town Clerks
- MVMPO Region Congressional Delegation
- MVMPO Region Legislative Delegation

### **Affected public agencies, including:**

- Boards of Selectmen / City Councils
- Chief Elected Officials
- City and Town Engineers
- Federal Emergency Management Agency
- Federal Highway Administration
- Federal Transit Administration
- Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART)
- Local Departments of Public Works
- Local Police Departments
- Local Traffic and Safety Committees
- MassRIDES
- Massachusetts Department of Environmental Protection

- MBTA Commuter Rail Officials
- Massachusetts Executive Office of Housing and Economic Development
- Massachusetts Executive Office of Public Safety and Security
- MassDOT
- Merrimack Valley Regional Transit Authority
- Metropolitan Area Planning Council
- Nashua Regional Planning Commission
- Rockingham Planning Commission
- U.S. Environmental Protection Agency

**Representatives of public transportation employees, including:**

- Truck Driver's Union Local #170

**Freight shippers, including:**

- P.J. Murphy Transportation
- JB Hunt
- Estes Express
- Shaheen Brothers
- ABF Freight
- PanAm Railways
- Bonney's Express

**Providers of freight transportation services, including:**

- United Parcel Service
- Federal Express

**Private profit- and non-profit providers of transportation in the region, including:**

- Assist Incorporated
- C&J Transportation
- Cape Ann Transit Authority (CATA)
- Central Wheelchair and Van Transportation
- EMT Corporation
- Local Taxi Companies
- Northern Essex Elder Transportation (NEET)
- Other Transportation Providers Identified in the Regional Transportation Plan

- The Coach Company
- TransCare

**Representatives of users of public transportation, including:**

- American Training, Inc.
- Cambridge College
- Community Action Incorporated (CAI)
- Emmaus, Inc.
- Elder Services of the Merrimack Valley
- Local Senior Centers/Councils on Aging
- Northeast Independent Living Program
- Merrimack College
- Merrimack Valley Hospice
- Merrimack Valley Workforce Investment Board, Inc.
- Northern Essex Community College
- Office of Employment Services

**Representatives of bicyclist and pedestrian advocacy organizations, including:**

- Andover Trails Committee
- Bay Circuit Alliance
- Coastal Trails Coalition
- Essex National Heritage Commission
- Essex County Trail Association
- Groveland Open Space and Recreation Committee
- MassBike
- Merrimack Valley Off-Road Trails Committee

**Representatives for the community of individuals with disabilities, including:**

- Executive Office of Health and Human Services
- Northeast Independent Living Program
- Department of Mental Health
- Massachusetts Commission for the Blind
- Area Nursing Homes
- United Cerebral Palsy
- CLASS Inc.
- Fidelity House

- Association of Retarded Persons (ARC)

**Organizations and facilities that serve low-income and minority households who traditionally have been underserved by existing transportation systems and may face challenges accessing employment and other services, including:**

- MVRTA Transit Centers in Amesbury, Haverhill and Lawrence (post notices)
- Social Security Offices
- Employment Offices (post notices)
- Ethnic, Civic/Social, Faith-Based and Veterans Organizations
- Merrimack Valley Goodwill
- Area Hospitals
- Salvation Army
- Groundwork Lawrence
- Lawrence Community Works
- United Way of the Merrimack Valley
- Methuen Arlington Neighborhood, Inc.
- YMCA/YWCA

**Agencies and officials responsible for other planning activities within the MPA that are affected by transportation, including:**

**a. State and local planned growth:**

1. Area Planning Boards
2. Mass Development
3. Merrimack Valley Transportation Management Association
4. The Junction Transportation Management Organization

**b. Economic development:**

1. Chambers of Commerce
2. Economic Development Administration
3. Local Community Development Directors
4. Merrimack Valley Economic Development Council

**c. Environmental agencies and federal lands:**

1. Andover Village Improvement Society (AVIS)
2. Essex County Greenbelt Association
3. Local Conservation Commissions
4. MassRiverways

5. Merrimack River Watershed Council
6. National Park Service
7. Powwow River Watershed Association
8. Parker River Clean Water Association
9. Shawsheen River Watershed Association
10. Trustees of Reservations
11. U.S. Environmental Protection Agency (EPA)
12. U.S. Fish and Wildlife Service

**d. Airport operations:**

1. Lawrence Airport Commission

**e. Other Interested Parties**

1. Conservation Law Foundation



## Appendix D: Federal Public Participation Mandates

**23 CFR 450.214** specifies the public participation requirements for development of the Statewide Long-Range Transportation Plan (SLRTP)

**23 CFR 450.216** specifies the public participation requirements for development of the Statewide Transportation Improvement Program (STIP).

**23 CFR 450.218** requires that the transportation-planning process be carried out in accordance with all of the applicable requirements of:

- 23 USC 134 and 49 USC 5303 regarding metropolitan transportation planning, 23 USC 135 and 49 USC 5304 regarding statewide transportation planning, and 23 CFR 450 regarding planning assistance and standards;
- Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d–1), and 49 CFR part 21 regarding nondiscrimination in federally-assisted programs of the Department of Transportation. Also 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- Section 1101(b) of SAFETEA-LU (Pub. L. 109–59) and 49 CFR part 26, regarding the involvement of disadvantaged business enterprises in U.S. DOT–funded projects 23 CFR part 230, regarding implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts;
- Americans with Disabilities Act of 1990 (42 USC 12101 *et seq.*) and 49 CFR parts 27, 37, and 38, in states containing air pollutant nonattainment and maintenance areas;
- Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 USC 7504, 7506 [c] and [d]) and 40 CFR part 93;
- Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance;
- Section 324 of Title 23 USC, regarding the prohibition of discrimination based on gender, and

Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and 49 CFR part 27, regarding discrimination against individuals with disabilities.

**23 CFR 450.314** requires that the MPO, the State(s), and the public transportation operator(s) shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning

process. These responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the public transportation operator(s) serving the MPA. To the extent possible, a single agreement between all responsible parties should be developed. The written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan (see § 450.322) and the metropolitan TIP (see § 450.324) and development of the annual listing of obligated projects (see § 450.332).

Accordingly, MassDOT, the MVMPO and the MVRTA jointly execute a Memorandum of Understanding that addresses these requirements. The current MOU was executed on March 28, 2012. A revised MOU is to be executed in January 2016.

**23 CFR 450.316** requires that public involvement processes be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement; they leave the choice of methods for facilitating participation to the discretion of each state. The regulations specify that participation processes must provide:

- early and continuing opportunities for public involvement;
- timely information on transportation issues and decision-making processes;
- reasonable access to technical and policy information;
- electronically accessible public information on the Web
- adequate notice of involvement opportunities and time for review and comment at key decision points;
- procedures for demonstrating explicit consideration of and responses to public input;
- a process for soliciting and considering the needs of traditionally underserved populations;
- periodic review and evaluation of the participation process;
- public meetings at convenient and accessible locations and convenient times;
- visualization techniques to describe the proposed plans and studies, and
- *forty-five (45) calendar days for public review of and written comment on public participation procedures in the development of the MPO*

## *Public Participation Plan.*

**23 CFR 450.318** specifies the public participation requirements for MPO systems-level, corridor, and subarea planning studies.

### **Americans with Disabilities Act of 1990 (ADA)**

The Americans with Disabilities Act of 1990 (ADA) states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity”. Therefore, ADA requires that locations for public participation activities, as well as the information presented, must be accessible to persons with disabilities. ADA requires that the following tasks be performed when developing paratransit plans: 1) hold a public hearing; 2) provide an opportunity for public comment, and 3) consult with disabled individuals.

### **Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964, together with related statutes and regulations, provides that “no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The entire organization, whether educational, private, or governmental, must comply with Title VI and related Federal civil rights laws, not just the program or activity receiving federal funds.

### **FTA Circular 4702.1B, Title VI and Title VI Requirements for Federal Transit Administration Recipients**

This Circular provides guidance on promoting inclusive public participation. It recommends solicitation and consideration of the viewpoints of minority, low-income, and LEP populations when conducting public outreach and involvement activities. It identifies the following effective practices for fulfilling the inclusive public participation requirement:

- coordinate with individuals, institutions, or organizations and implement community-based public involvement strategies to reach out to members of the affected minority and/or low-income communities;
- provide opportunities for public participation through means other than

written communication, such as personal interviews or use of audio or video recording devices to capture verbal comments;

- use locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities;
- utilize different meeting sizes or formats or vary the type and number of news media used to announce public participation opportunities, tailoring communications to the particular community or population, and
- implement DOT's policy guidance concerning recipient's responsibilities to LEP persons to overcome barriers to participation.

Title VI of the Civil Rights Act also regulates executive orders regarding Environmental Justice and outreach to persons with limited English proficiency.

**FTA Circular 9030.1:** this Circular contains guidance on the administration and preparation of grant applications for the Urbanized Area Formula Program under 49 U.S.C. 5307. Circular 9030.1E is most recent (January 2014) and will remain in effect until FTA issues Circular 9030.1F reflecting changes to be made effective under The Fixing America's Surface Transportation (FAST) Act (December 4, 2015).

### **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)**

This executive order states that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." Traditionally underserved groups such as low-income and minority populations must be identified and given increased opportunity for involvement in order to ensure effective participation.

### **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 2000**

This executive order requires that recipients of federal financial aid ensure that their programs and activities that are normally provided in English are accessible to persons with limited English proficiency.

## **23 USC 109(h)**

The U.S. Secretary of Transportation is required by 23 USC 109(h) to promulgate guidelines to ensure that possible adverse economic, social, and environmental effects relating to any proposed project on any federal-aid system have been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing such adverse effects as the following:

- air, noise, and water pollution;
- destruction or disruption of manmade and natural resources, aesthetic values, community cohesion, and the availability of public facilities and services;
- adverse employment effects, and tax and property value losses;
- injurious displacement of people, businesses, and farms, and
- disruption of desirable community and regional growth.

## **23 CFR 771**

The joint FHWA/FTA regulations of 23 CFR 771 prescribe the policies and procedures for implementing the National Environmental Policy Act of 1969 as amended (NEPA) and the Council on Environmental Quality (CEQ), 40 CFR 1500-1508. It sets forth all FHWA, FTA, and U.S. DOT requirements under NEPA for the processing of highway and urban mass transportation projects and sets forth procedures to comply with 23 USC 109(h), 128 and 138, and 49 USC 303, 1602(d), 1604(h), 1604(i), 1607a, 1607a-1, and 1610. Section 771.111 discusses early coordination, public involvement, and project development. Section 771.111 (h) specifies (for the federal-aid highway program) that each state must have procedures approved by the FHWA to carry out a public involvement/public hearing program pursuant to 23 USC 128 and 40 CFR parts 1500 through 1508.

State public involvement/public hearing procedures must provide for:

- coordination of public involvement activities and public hearings with the entire NEPA process;
- early and continuing opportunities during project development for the public to be involved in the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions;

- federal-aid highway projects: one or more public hearings or the opportunity for hearing(s) to be held by the State highway agency at a convenient time and place for any (such project) which requires significant amounts of right-of-way, substantially changes the layout or functions of connecting roadways or of the facility being improved, has a substantial adverse impact on abutting property, otherwise has a significant social, economic, environmental or other effect, or for which the FHWA determines that a public hearing is in the public interest;
- applicants for capital assistance in the UMTA (FTA) program achieve public participation on proposed projects by holding public hearings and seeking input from the public through the scoping process for environmental documents. For projects requiring EISs, a public hearing will be held during the circulation period of the draft EIS. For all other projects, an opportunity for public hearings will be afforded with adequate prior notice pursuant to 49 U.S.C. 1602(d), 1604(i), 1607a(f) and 1607a-1(d), and such hearings will be held when anyone with a significant social, economic, or environmental interest in the matter requests it. Any hearing on the action must be coordinated with the NEPA process to the fullest extent possible, and
- reasonable notice to the public of either a public hearing or the opportunity for a public hearing. Such notice will indicate the availability of explanatory information.
- The notice shall also provide information required to comply with public involvement requirements of other laws, executive orders, and regulations.

#### **49 CFR 24.8(b)**

This Section requires that the implementation of uniform relocation assistance and real property acquisition for federal and federally-assisted programs is in compliance with Title VI of the Civil Rights Act of 1964.

## Appendix E: Public Meeting Accessibility Checklist

Meeting Date: \_\_\_\_\_ Meeting Time: \_\_\_\_\_

Subject of Meeting: \_\_\_\_\_ Location: \_\_\_\_\_

MVMPO Attendees: \_\_\_\_\_

Is there at least one MVMPO staff person who is responsible for ensuring that the public meeting is accessible for all attendees? \_\_\_\_\_

Print Name: \_\_\_\_\_

### Publicizing Meeting:

- Has the public meeting been publicized at least two weeks in advance? Has the MVMPO publicized the meeting on the MVPC website?
- Has the MVMPO meeting been publicized in the required foreign languages and ethnic newspapers for the relevant populations in the community where the meeting is to be held?
- Does the public meeting notice include accessibility information, how to request a reasonable accommodation, relevant dates for making requests and information including how to request foreign language interpreters? (use the following sample as a guide, and consult the MVMPO Title VI Coordinator for the exact language):

Notice: This location is accessible to people with disabilities. The MVMPO provides reasonable accommodations and/or language assistance free of charge upon request (including but not limited to interpreters in American Sign Language and languages other than English, open or closed captioning for videos, assistive listening devices and alternate material formats, such as audio tapes, Braille and large print), as available. For accommodation or language assistance, please contact the MVMPO Title VI Program Coordinator by phone at (978) 374-0519, extension 29, fax (978) 372-4890 or by email to [tfontanella@mvpc.org](mailto:tfontanella@mvpc.org). Requests should be made as soon as possible prior to the meeting, and for more difficult to arrange services including sign language, CART or language translation or interpretation, requests should be made at least ten business days before the meeting.

Note: this Notice should be translated into the languages other than English

that are identified to be necessary for the Limited English Proficient (LEP) populations represented in the area of the project or initiative to be invited to participate (as of the date of this Plan, the MVMPO translates the Notice into Spanish). Also, the following MassDOT boilerplate is currently used in Notices to ensure that speakers of other languages in the region can request language assistance:

### **English**

If this information is needed in another language, please contact the MVMPO Title VI/Nondiscrimination Coordinator at 978-374-0519 ext. 29.

### **Spanish**

Si necesita esta información en otro idioma, por favor contacte al coordinador de MVMPO del Título VI/Contra la Discriminación al 978-374-0519 ext. 29.

### **Portuguese**

Caso estas informações sejam necessárias em outro idioma, por favor, contate o Coordenador de Título VI e de Não Discriminação da MVMPO pelo telefone 978-374-0519, Ramal 29.

**Chinese Simplified** 如果需要使用其它语言了解信息，请联系Merrimack Valley大都会规划组织（MVMPO）《民权法案》第六章协调员，电话978-374-0519，转29。

**Chinese Traditional** 如果需要使用其他語言瞭解資訊，請聯繫Merrimack Valley大都會規劃組織（MVMPO）《民權法案》第六章協調員，電話978-374-0519，轉29。

### **Vietnamese**

Nếu quý vị cần thông tin này bằng tiếng khác, vui lòng liên hệ Điều phối viên Luật VI/Chống phân biệt đối xử của MVMPO theo số điện thoại 978-374-0519, số máy nhánh 29.



**French Creole**

Si yon moun vle genyen enfòmasyon sa yo nan yon lòt lang, tanpri kontakte Kowòdinatè kont Diskriminasyon/MVMPO Title VI la nan nimewo 978-374-0519, ekstansyon 29.

**Russian**

Если Вам необходима данная информация на любом другом языке, пожалуйста, свяжитесь с Координатором Титула VI/Защита от дискриминации в MVMPO по тел: 978-374-0519, добавочный 29.

**French**

Si vous avez besoin d'obtenir une copie de la présente dans une autre langue, veuillez contacter le coordinateur du Titre VI/anti-discrimination de MVMPO en composant le 978-374-0519, poste 29.

**Italian**

Se ha bisogno di ricevere queste informazioni in un'altra lingua si prega di contattare il coordinatore del MVMPO del Titolo VI e dell'ufficio contro la discriminazione al 978-374-0519 interno 29.

**Mon-Khmer, Cambodian**

ប្រសិនបើលោក-អ្នកត្រូវការបកប្រែព័ត៌មាននេះ

សូមទាក់ទងអ្នកសម្របសម្រួលជំពូកទី**6**/គ្មានការរើសអើងរបស់ **MVMPO**

តាមរយៈលេខទូរស័ព្ទ **978-374-0519** រួចភ្ជាប់ទៅលេខ **29**។

**Arabic**

إذا كنت بحاجة إلى هذه المعلومات بلغة أخرى، يرجى الاتصال بنموذج القفتر السادسة لنمى البيمتر التابع لمنظمة التخطيط الحضري ميرميافكالي على الهاتف: 978-374-0519 و ثم اضغط الأرقام 29.

Where applicable (in areas where public transportation is available), is the meeting location 1/4 mile or less from the nearest accessible bus stop or rail station?

Where applicable, is there an accessible path of travel provided from the public transportation stop to the meeting location and meeting room?

If parking will be available at the meeting location, are there accessible parking spaces available (review # of car and van accessible spaces)?

Is there an accessible path of travel provided from the accessible parking area to the meeting area?

If the main entrance to the building is not accessible, is there directional signage towards the accessible entrance?

Is the accessible entrance unlocked and able to be used independently? If the meeting is taking place at night, is the path leading to the alternate entrance well lit?

If there are restrooms that are open to the public, is there a pair of accessible restrooms available within close proximity of the meeting area? If not, is there at least one accessible gender-neutral restroom?

If there are public pay phones, is there at least one accessible (TTY and within appropriate height range) telephone available?

If a stage or platform will be used during the public meeting, is it accessible?

If a podium will be used during the public meeting, is the podium height-adjustable? If not, is there a small table (between 28 and 34 inches in height) provided to the side of the podium?

Is there a high-speed internet connection within the meeting space?

#### Ensuring Appropriate Accommodations:

Note: consult the Accommodations Guide available from the MVPC Office Manager/Executive Assistant or the MVMPO Title VI Coordinator for information and assistance with this task.

- Have sign language and foreign language interpreters, if requested, been reserved for the public meeting?
- Have CART services, if requested, been reserved for the public meeting? Are Assistive Listening Devices available for the public meeting? Does someone know how to use the device? Have you checked the devices at least twenty-four (24) to forty-eight (48) hours before the meeting and rechecked immediately before the meeting starts?

Are large-print copies of meeting handouts prepared? *Note: MassDOT*

- requires that at least five large print copies of meeting handouts are made available at its meetings. For MVMPO meetings held at MVPC, the staff will make large-print copies in minimum 14 pt. font (MassDOT standard) available upon request prior to the meeting. For meetings 'off-site' (outside the MVPC offices), the MVMPO will provide one copy and additional copies upon request prior to the meeting.*

Are printed materials available upon request, in alternative formats

- and/or relevant foreign languages?

Are film or video presentations closed captioned and audio described?

- 

Facility/Room Setup (prior to meeting):

If the main entrance to the building is not accessible, is the accessible

- ~~entrance unlocked?~~

Is there an integrated seating area for individuals who use a wheeled mobility device in the meeting room?

- 

Is there seating available for attendees who are deaf or hard of hearing, and have requested an accommodation, near the front of the meeting room so that attendees may see the interpreter/captioner, or lip read?

- 

Is there an appropriately lit area in the front of the room for sign/foreign language interpreters and/or CART providers?

- 

Are the aisles at least three feet wide and clear of obstacles or tripping hazards?

- 

If microphones are used during the public meeting, are adjustable microphone stands available for attendees? Can staff be used as floaters with microphones as an alternative?

- 

Submit a copy of this completed checklist to:

Title VI / Nondiscrimination Coordinator  
Merrimack Valley Metropolitan Planning Organization (MVMPO), c/o  
Merrimack Valley Planning Commission (MVPC)  
160 Main Street, Haverhill, MA 01830-5061

### **Ensuring adequate accessible parking**

See [http://www.mass.gov/Eeops/docs/dps/aab\\_regs/521023.pdf](http://www.mass.gov/Eeops/docs/dps/aab_regs/521023.pdf) for Massachusetts Architectural Access Board (MAAB) regulations

See <http://www.access-board.gov/ada-aba/final.cfm#a502> for Americans with Disabilities Act Architectural Guidelines (ADAAG)

### **Accessible Restrooms**

See [http://www.mass.gov/Eeops/docs/dps/aab\\_regs/521030.pdf](http://www.mass.gov/Eeops/docs/dps/aab_regs/521030.pdf) for Massachusetts Architectural Access Board (MAAB) regulations

See <http://www.access-board.gov/ada-aba/final.cfm#a603> for Americans with Disabilities Act Architectural Guidelines (ADAAG)

## **How to request sign language, CART Providers, or foreign language interpreters**

### **Sign Language Interpreters**

- Complete and submit an on-line request for interpreting services through the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) website by:
  1. Going to <http://mass.gov/mcdhh>;
  2. Clicking on "Interpreter/CART referral services", and
  3. Selecting "Request an Interpreter on-line."
- Requests should be submitted within twenty-one (21) days, but no later than fourteen (14) calendar days in advance of the meeting to ensure interpreter availability.
- If the meeting is cancelled or rescheduled, interpreter requests must be canceled at least forty-eight (48) hours advance in order to avoid being billed for the service. CART providers must be cancelled no later than seventy-two (72) hours in advance of the event.
- Interpreters' services are billed for a minimum of two hours.
- Two interpreters shall be provided for meetings anticipated to last more than 75 minutes. In most situations, one CART provider is sufficient if the meeting is no longer than three hours.

### **Sign Language Interpreters**

Complete and submit an on-line request for interpreting services through the Massachusetts Commission for the Deaf and Hard of Hearing's (MCDHH) website by:

1. Going to <http://mass.gov/mcdhh>
2. Clicking on "Interpreter/CART referral services"
3. Clicking on "[CART \(Communication Access Realtime Translation\) Providers](#)"

4. Clicking on “Request a CART Provider” and follow listed directions.

## **Foreign Language Interpreters/Translators**

The MVMPO’s policy combines the use of bilingual staff, interpreter services and translated materials to communicate effectively with persons who are not fluent in English. When a request for oral interpretation is made, or a significant language speaking population is expected to attend a public meeting, the following steps should be reviewed and carried out to ensure compliance with Title VI requirements.

- Conduct a four-factor analysis as to the kind of meeting in question and the populations that are in the affected communities, using the language group maps that are contained in the Language Assistance Plan.
- Identify the languages that are likely to be needed and consult with the MVMPO Title VI Coordinator for assistance with any problems concerning the language groups that may require interpreter services.
- Identify the source for interpreter services, recognizing that most providers require one-two weeks advance notice of a meeting, based on the language(s) to be interpreted.

## **Interpreter Resources**

Please contact the MVMPO Transportation Program Manager to approve interpreter requests.

## **Request and Cancellation Timeframes**

Requests should be submitted at least fourteen (14) calendar days in advance of the meeting to ensure interpreter availability. If the meeting is cancelled or rescheduled, interpreter requests must be canceled at least forty-eight (48) hours advance in order to avoid being billed for the service. Interpreter invoices vary by provider but may have a minimum of two to three hours. Two interpreters shall be provided for meetings anticipated to last more than seventy-five (75) minutes.

## **How To Reserve Assistive Listening Devices**

Contact Nancy Lavalley, MVPC Office Administrator, or Todd Fontanella, MVMPO staff at (978) 374-0519 to obtain device information and to assist with reservations.

## How to Create Alternate Formats

Electronic Version Accessible electronic formats include email, and Microsoft Word Document (DOC or DOCX), a text file (TXT), or Rich Text Format (RTF). *Note: some attendees requesting material electronically may have a visual impairment and use screen-reading software. The formats referenced above are most compatible with such software.*

Electronically-created public meeting materials shall:

- be created using "Verdana" or equivalent font and a 12-pt. or larger font size.
- shall have the same information as the original document and shall have the highest contrast possible.
- if graphics (such as images, tables, or graphs) are used in the original document, the same graphics shall be included in the electronic version of the document.
- if images are used in the electronic document, a brief description (providing the viewer of the document with a general idea of what's in the image) shall be provided.
- if tables or graphs are used in the electronic document, a summary of the table or graph shall be provided.

A Braille Version of meeting materials shall:

- be created using contracted Braille (Grade 2) and single-spaced.
- Braille documents shall have the same information as the non-accessible handout. If tables or graphs are used in the regular document, a summary of the table or graph shall be provided in the Braille document.
- MVPC does not own a Braille printer. Consult the MVPC Accommodations Guide for Braille resources; it is available from the Office Administrator.

## **Audible Version**

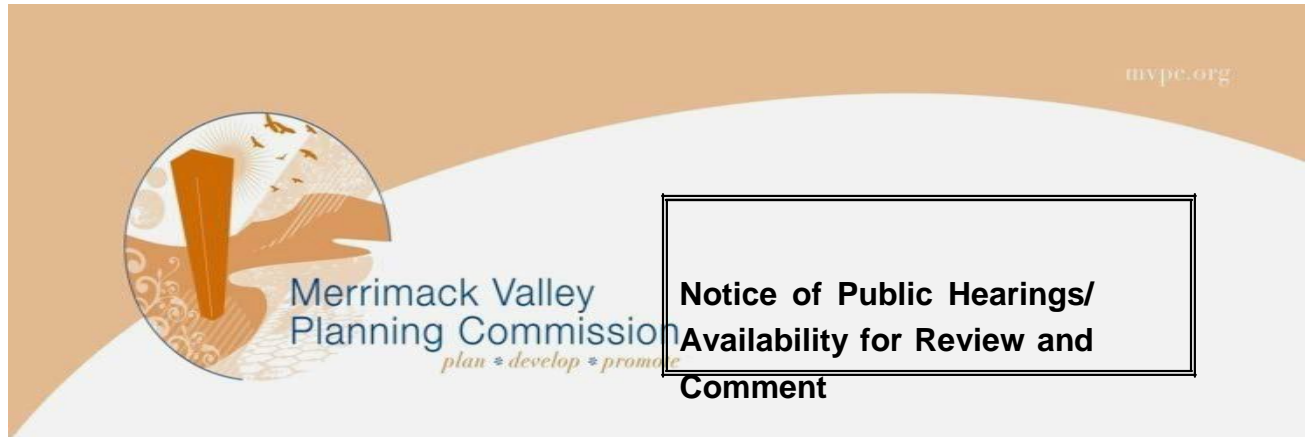
Public meeting materials that are recorded audibly shall:

- Have the same information that is printed on the original handout.
- Be audible and clearly spoken.
- Shall describe images used in the original handout
- Shall provide an explanation of any table or graph that is used in a meeting document. The meeting planner shall ensure that the audible explanation of the table/graph is clearly explained and represents the table or graph on the printed document.

Resources for adding closed captioning and/or described narration to your video:

- WGBH - <http://main.wgbh.org/wgbh/pages/mag/services/captioning/>
- 3 Play Media - <http://www.3playmedia.com/>
- Line 21 - <http://www.line21.tv/>
- TelePrint Digital Media - <http://www.tele-print.com/>
- Broadcast Captioning & Consulting Services - <http://www.closedcaptioning.com/>

## Appendix F: Sample MVMPO Notice



**Notice is hereby given of the Availability of the following document/materials for public review and comment:**

### **Draft February 2015 Amendments to the 2015-2018 Merrimack Valley Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP)**

The MVMPO FFYs 2015-2018 TIP lists the highway and transit projects in the MVMPO region that are programmed to receive federal funds during these federal fiscal years. The Merrimack Valley MPO's Public Participation Plan satisfies the Merrimack Valley Regional Transit Authority's public participation process for the development of its Program of Projects.

Copies of the above referenced document are available for review at the Merrimack Valley Planning Commission (MVPC) office at 160 Main Street in Haverhill and at local libraries for the thirty (30)-day review period beginning on February 28, 2015 and ending on March 30, 2015. The document is also available on the MVPC website at [www.mvpc.org](http://www.mvpc.org). The MVPC will accept mailed or emailed written comments on the Draft document through March 30, 2015. If submitted by regular mail, public comments must be addressed to:

Anthony Komornick, Transportation Program Manager  
Merrimack Valley Planning Commission  
160 Main Street  
Haverhill, MA 01830



If submitted by email, public comments must be submitted to:  
[akomornick@mvpc.org](mailto:akomornick@mvpc.org).

Two (2) Public Hearings on these documents will be held, one in the early afternoon, and one in the evening:

### **PUBLIC HEARINGS**

DATE: Wednesday, March 18, 2015

TIME: 1:00 PM and 6:00 PM

LOCATION: MVPC Offices  
160 Main Street  
Haverhill, MA 01830

The MVMPO expects to take action on the above document at its next meeting (check [www.mvpc.org](http://www.mvpc.org) toward the end of the review period for recent news regarding the MPO meeting date). Members of the public are invited to attend. Comments on the draft document will also be accepted in writing or orally at this meeting. In the event that further amendments to the document are recommended, the draft document will be re-released for public comment in accordance with the MVMPO Public Participation Plan. Upon adoption by the MVMPO, the TIP will be considered to be the MVMPO's final program of projects.

Notice: The above location is accessible to people with disabilities. The MVPC provides reasonable accommodations and/or language assistance free of charge upon request (including but not limited to interpreters in American Sign Language and languages other than English, open or closed captioning for videos, assistive listening devices and alternate material formats, such as audio tapes, Braille and large print), as available. For accommodation or language assistance, please contact Todd Fontanella at 978-374-0519 extension 29 or by email, [fontanella@mvpc.org](mailto:fontanella@mvpc.org) (email). Requests for accommodation or language assistance should be made as soon as possible, preferably at least two (2) weeks prior to the meeting.

The Merrimack Valley Planning Commission (MVPC) operates its programs, services and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of **race, color or national origin** (including **limited English proficiency**) be excluded from participation in, be denied the benefits of, or be otherwise subjected to

discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of **age, sex and disability**. These protected categories are contemplated within MVPC's Title VI Program consistent with federal interpretation and administration. Additionally, MVPC provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance on federal Executive Order 13166.

MVPC also complies with the Massachusetts Public Accommodation Law, M.G.L. Chapter 272, Sections 92a, 98, and 98a prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based upon **race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry**. Likewise, MVPC complies with the Governor's Executive Order 526, Section 4 requiring that all of its programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for shall be conducted without unlawful discrimination based upon **race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status** (including Vietnam-era veterans), or **background**.

#### Additional Information

To request additional information regarding Title VI and related federal and state nondiscrimination obligations, please contact:

Title VI Program Coordinator  
Merrimack Valley Metropolitan Planning Organization  
c/o Merrimack Valley Planning Commission  
160 Main Street  
Haverhill, MA 01830-5061  
(978) 374-0519, extension 29  
[ffontanella@mvpc.org](mailto:ffontanella@mvpc.org)

**Aviso: si necesita esta informacion en otro idioma, por favor contacte al  
Título VI Coordinador de Programa de MVPC al (978) 374-0519, extension 29.**