

NORTHERN MIDDLESEX METROPOLITAN PLANNING ORGANIZATION 2011 ANNUAL TITLE VI REPORT

General Reporting Requirements

1. Organization - 42 USC 2000et seq.; 49 CFR Part 21; 28CFR Part 42, subpart F, Executive Order 12898 on Environmental Justice and Title VI;

- A. Part of ensuring the ability to respond to Title VI relates to having strong diversity among Planning Commission(s), Board(s), and/or Advisory Body (ies). Please describe the process (es) used to select or appoint members of the board(s)/ or commission(s) selected? (attach by-laws)

The NMMPO's Memorandum of Understanding stipulates the MPO membership structure. The membership of the MPO is inclusive, allows for representation among the nine communities and includes the Chairman of the Northern Middlesex Council of Governments (NMCOG), the Chair of The Lowell Regional Transit Authority (LRTA), the Massachusetts Department of Transportation Highway Division Administrator, the Secretary of the Massachusetts Department of Transportation (MassDOT), the chief elected official from the City of Lowell elected to serve as the City's representative to NMCOG, a Selectman elected to serve on NMCOG and further elected by the Council to serve as that town's representative to NMCOG, and an LRTA Advisory Board member representing a community within the Northern Middlesex MPO boundaries other than the City of Lowell, who may also be an elected official. All nine NMMPO communities are represented through the chairman of the NMCOG and the Chairman of the LRTA Advisory Board on an ongoing basis. The Federal Highway Administration and the Federal Transit Administration are ex-officio members of the MPO.

2. Documentation - 23 USC 109(h); Executive Order 12898; 49 CFR Part 21; FTA Circular 4702.1A IV, 4702.1A IV.7.a.1 and 4702.1A IV.9; FHWA 23 §CFR 200.9(4) (b) (3); FHWA 23 §CFR 200.9(b) (12).

Items to be provided:

- A. Name/Title of your Title VI Coordinator?
Christopher Curry – Transit Planning Manager
- B. Annual Title VI Certification and Assurance (FTA C 4702.1A IV.1)
Include the signed documents.
The NMMPO 2011 Annual Certification and Assurance is attached in Appendix A
- C. Notification of Protection Under Title VI (FTA C 4702.1A IV.5 and FTA C 4702.1A IV.7.a.5)
Identify the methods and procedures the MPO uses to disseminate its policy statement of nondiscrimination. Include a copy of the MPO's Title VI policy statement.

In order to comply with 49 CFR Section 21.9(d), the Northern Middlesex Council of Governments and Northern Middlesex Metropolitan Planning Organization posts information for the public regarding the organizations' Title VI obligations and the protections against discrimination afforded to the public by Title VI. All meetings are posted in accordance with Massachusetts Open Meeting Law. Notices of meetings, document availability, and public comment periods are posted with each City/Town Clerk, advertised in the regional newspaper, and distributed via the mailing list outlined in the Public Participation Plan. This information is also posted on the NMCOG website.

The NMMPO conducts an ongoing consultation process with low-income and minority residents and with groups representing their interests, such as the Coalition for a Better Acre (CBA) and ONE Lowell. NMMPO staff also meet regularly with economic development interests and other groups charged with providing community support, job training, housing and other services in neighborhoods with high percentages of low-income and minority residents. The information gathered during these sessions is incorporated into the transportation planning process and considered during the development of the certification documents. To further address the needs of low-income and minority households who may face challenges accessing employment and other services, notices are posted at the Kennedy Transit Hub/ Gallagher Terminal, as well as at the Social Security Office, the Department of Employment Security, the WIC office, Community Teamwork, Inc., and at the Department of Transitional Assistance.

The RTP for the Northern Middlesex Region outlines the process utilized by the NMMPO to ensure compliance with these requirements. Title VI and Environmental Justice concerns are typically raised during project development, and it is also important to recognize that the law applies directly to the planning process.

The following measures are undertaken in the Northern Middlesex region to ensure conformity to Title VI and Environmental Justice requirements. A demographic profile of the metropolitan area has been developed that includes identification of socio-economic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI provisions. An assessment relative to the distribution of transportation policy and project impacts on affected socio-economic groups is undertaken for the three required federal certification documents, utilizing income information from the most recent American Community Survey and race information available from the 2010 U.S. Census. The objective of the analysis is to ensure that the needs of low income and minority populations are identified in the planning process for the Northern Middlesex region. The region's Public Outreach Plan includes strategies for engaging minority and low-income populations in the transportation decision-making process. In the event a proposed improvement is found to have negative impacts, appropriate mitigation must be developed to offset any adverse effects.

- D. Title VI Complaint Procedures (FTA C 4702.1A IV.2 and FTA C 4702.1A IV.7.a.3
Include a description of the procedures members of the public should follow in order to (1) request additional information of the MPO's nondiscrimination obligations and (2) file a discrimination complaint. Provide a copy of the MPO's complaint form; and the procedures the MPO uses for responding to Title VI complaints.

The NMMPO Complaint Procedure is attached in Appendix B.

E. Meaningful Access to LEP Persons (FTA C 4702.1A IV.4)

Language Implementation Plan (FTA C 4702.1A IV.4.a and FTA C 4702.1A IV.7.a.2)

Describe how the MPO assesses and addresses the needs of the LEP population in the MPO region; provide a copy of the MPO's LEP plan.

All certification documents and notices relative to the NMMPO are posted on NMCOG's website which includes translation software that can be accessed free of charge through the website. The NMMPO has prepared a draft LEP plan that will adopted by the NMMPO at an upcoming meeting. As described in greater detail in latter sections of this form, translation services are generally available in the community level meetings conducted through the City of Lowell's neighborhood organizations.

F. Have there been any special studies of traditionally under-served or low income communities conducted in the past five calendar years? What type of study (ies) have been conducted? For what purpose? (please attach a copy)

Yes No Type _____

G. List all active or completed discrimination lawsuits and/or complaints (including, but not limited to, actions brought pursuant to Title VI against the MPO) containing the date of filing; summary of allegation(s); and status.

The Northern Middlesex Metropolitan Planning Organization has not received any complaints, nor have they been named in any lawsuits that claim discrimination on the basis of race, income, language, color, or national origin.

H. List all funding sources to the MPO and how this funding is allocated within the MPO area.

The NMMPO may receive some funding from the sources listed below in any given year. Some of these funds are allocated within the MPO based an established formula for distributing monies among the Massachusetts MPOs. Project selection is based on previously established project selection criteria that include consideration of environmental justice, technical analysis, and funding availability.

- **Non-Federal Aid (NFA):** *Non-Federal aid funds are typically state monies that are derived from various sources including the Transportation Bond Bill.*
- **Bridge On and Off System (BR, BR-On & BR-Off):** *Finances the replacement or repair of structurally deficient or functionally obsolete bridge structures. On-system bridge monies are used for bridges impacting roadways on the federal aid system. Off-system bridge monies are used for bridges that impact roadways that are not part of the federal aid system. These types of projects are funded with 80% federal money matched with 20% state money.*
- **Surface Transportation Program-Enhancements (STP-E):** *Enhancement funds are federal monies for non-traditional transportation projects such as bike paths,*

pedestrian projects, streetscapes, historic restoration of transportation structures, stormwater management programs, etc. Transportation enhancement projects are funded with 80% federal monies matched with 20% state monies.

- ***Public Lands Highway Program (PLH):*** *PLH funds are available for any type of transportation project eligible for assistance under Title 23 U.S.C., that is within or adjacent to, or provides access to Federal Public Lands/Jurisdictions such as National Parks or military installations. These funds are 100% discretionary; no state or local match is required.*
- ***Surface Transportation Program (STP):*** *Funds obligated under this category may be expended for construction, reconstruction, rehabilitation, resurfacing and operational safety improvements for federal aid eligible roadways and bridges. STP funds may also be used for capital costs for transit projects eligible for assistance under the Federal Transit Act. STP funds are 80% federal monies requiring a 20% state match.*
- ***High Priority Project Funds (HPP):*** *High priority project funds are for specially earmarked projects contained in TEA-21 and SAFETEA-LU. These monies are 80% federal with a 20% state match required.*
- ***Congestion Mitigation Air Quality (CMAQ):*** *Programs and projects funded under this category must contribute to the attainment of National Ambient Air Quality Standards (NAAQS) or must be included in the State Implementation Plan pursuant to the Clean Air Act of 1990 and subsequent amendments. These funds may be utilized for both roadway and transit projects. These are 80% federal monies requiring a 20% state match.*
- ***National Highway System (NHS):*** *NHS funds are used to finance construction projects on major roadways that have been designated highways of National Significance under the 1991 Surface Transportation Assistance Act. The purpose of the NHS funds is to provide an inter-connected system of principal routes to serve major population centers, airports, and public transportation facilities, to meet national defense requirements, and to serve interstate and interregional travel. U.S. Route 3, I-495 and I-93 are the NHS eligible roadways in the Northern Middlesex region. NHS funds are 80% federal monies with a 20% state match required.*
- ***Highway Safety Improvement Program (HSIP):*** *Highway Safety Improvement Program funds are for the design and construction of highway projects that would reduce the number and severity of roadway crashes. Funding determination is based and crash data and engineering assessments of identified hazardous locations.*
- ***American Recovery and Reinvestment Act (ARRA):*** *This temporary program was developed to jumpstart the economy, create or save jobs and address long neglected infrastructure (including transportation projects).*
- ***Safe Routes to School (SRTS):*** *Safe Routes to School funds are used to encourage school children to walk and bicycle to school. Schools that choose to participate in the SRTS programs work with MassDOT to examine conditions around schools and conduct projects and activities that work to improve safety and accessibility, and reduce traffic and air pollutions.*

- **Metropolitan Planning Funds (PL):** Metropolitan Planning Funds are apportioned to states based on population in urbanized areas and relative to the amount of highway construction funds the state receives. MassDOT maintains multi-year contracts with the RPAs to conduct transportation-related planning on behalf of the MPO.
- **Section 5307:** Section 5307 funds are Federal Transit Administration monies used to finance capital, planning, operating and maintenance expenses for the Lowell Regional Transit Authority (LRTA) urban service area. The funding ratios and match requirements for each sub-category are as follows:
 Funding for capital expenses: Federal 80%/State 20%
 Funding for planning expenses: Federal 80%/NMCOG 20%
 Funding for operating/preventive maintenance: Federal 35%/State 40%/LRTA 25% (varies annually)
- **Section 5309:** Section 5309 is a federal discretionary program financing capital expenditures. These monies are 80% federal, requiring a 20% state match.
- **Section 5311:** Section 5311 monies finance operating expenses for the LRTA rural service area. Although these are federal monies, in Massachusetts the program is administered through the Massachusetts Department of Transportation (MassDOT). These are 50% federal monies with a 25% state match and a 25% local match.
- **Section 5310/Mobility Assistance Program (MAP):** This program finances capital expenses for private non-profit organizations to provide specialized transit services for the elderly and disabled. The Massachusetts MAP program extends these provisions to public non-profit agencies. These awards are approved on a project-by-project basis, funding only capital expenses for the acquisition of specific types of vans and base station equipment and may not be used for operating expenses. The program is funded with 80% MAP monies and 20% RTA CAP (Capital Assistance Program) funds or other local funds depending on the applicant.
- **Paul S. Sarbanes Transit in the Parks Program:** Formerly known as the Alternative Transportation in Parks and Public Lands Program, the Paul S. Sarbanes Transit in Parks Program was established to enhance the protection of federal lands and increase the enjoyment of those visiting them. Administered by the Federal Transit Administration in partnership with the Department of the Interior and the U.S. Forest Service, the program funds capital and planning expenses for alternative transportation systems such as shuttle buses and bicycle trails. Funds are distributed through a competitive grant process. Both the City of Lowell and the Lowell National Historical Park have been recipients of these funds.
- **Flexible funding:** In some cases funds allocated under the categories of Surface Transportation Program, National Highway System, and Congestion Mitigation Air Quality may be utilized for transit projects. All projects funded under this category are funded with 80% federal/20% state funds. Both CMAQ and STP funds are 100% flexible in that an MPO may elect to allocate any portion of these to transit projects. In addition the state may elect to transfer up to 20% of its Interstate Maintenance funds, 50% of its NHS funds, and 40% of its bridge funds to the STP program. Once transferred, any such funds are as flexible as STP funds.

I. List funding sources and any applications approved for enhancement projects.

The following transportation enhancement projects have been in the NMMPO region:

Project Name	Year	TE Type*	City	County	Federal Funds	Local Funds	Total
Trolley Feasibility Study - Northern Middlesex Ext.	1995	7	Lowell	Middlesex	\$48,000	\$12,000	\$60,000
Tremont Yard Trolley Terminus	1996	1	Lowell	Middlesex	\$240,000	\$60,000	\$300,000
Mill Pond (Middlesex Canal-Phase 1) (statewide)	1997	7	Billerica	Middlesex	\$80,000	\$20,000	\$100,000
North Billerica Station	1997	7	Billerica	Middlesex	\$80,000	\$20,000	\$100,000
Swamp Locks Chamber Restoration (Lowell Hamilton Canal Walkway)	1997	7	Lowell	Middlesex	\$174,899	\$43,725	\$218,624
Restoration of B&M Depot Headhouse	1998	7	Lowell	Middlesex	\$41,298	\$10,325	\$51,623
Merrimack River Trail	1998	1	Tewksbury	Middlesex	\$20,000	\$5,000	\$25,000
Groton Road Bike/Ped Improvements	1998	1	Westford	Middlesex	\$106,000	\$26,500	\$132,500
Chelmsford Central Square	1999	5	Chelmsford	Middlesex	\$811,067	\$202,767	\$1,013,834
B&M RR North & South Tower Reconstruction	2000	7	Lowell	Middlesex	\$528,572	\$132,144	\$660,716
Canalway Wayside and Directional Signs	2005	1	Lowell	Middlesex	\$300,000	\$120,024	\$420,024

J. Provide a summary of all Title VI activities for the last year, including the purpose of any reviews; name of agency or organization performing review; any findings and recommendations; and status of and/or disposition of findings and recommendations.

The NMCOG, on behalf of the NMMPO, performs an analysis on the TIP and RTP projects to ensure that there are no negative EJ impacts associated with each project and to make sure that low-income and minority neighborhoods enjoy equal access to transportation services and facilities. This analysis is incorporated into the project selection process. The methodology used is described in Section K below.

K. Provide a written description of the planning process and its responsiveness to the requirements of Title VI, and explain how project selection and/or criteria for the Unified Planning Work Program (UPWP), Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) will be accomplished in a nondiscriminatory manner.

The Northern Middlesex Metropolitan Planning Organization (NMMPO) ensures that transportation planning and programming actions and activities are non-discriminatory through the following: oversight and representation by its members; adherence to federal legislation and guidance in formulating its objectives, policies, and plans; having a non-discriminatory public involvement plan; and assessing the environmental justice impacts associated with TIP and RTP projects.

Federal law establishes requirements and guidelines for transportation planning in urbanized areas. In order to be eligible for federal transportation funding, an area must maintain a continuing, cooperative and comprehensive (3C) transportation planning process. This process is maintained by the Northern Middlesex Metropolitan Planning Organization (NMMPO). The membership of the MPO allows for fair representation among all communities. As a Gateway City, Lowell has the largest low-income and minority populations.

Public participation is an integral and vital part of the overall transportation planning process. The information, viewpoints and perspectives provided through the public involvement process help guide decision makers, leading to a more meaningful and comprehensive planning process. The goals of the public involvement plan are as follows:

- Solicit and respect the viewpoints of all transportation constituents;*
- Provide multiple opportunities for public involvement that are open, meaningful and inclusive, and that consider needs for accessibility, scheduling, informational materials format and the language needs of those with limited English proficiency;*
- Provide a predictable process that is understandable, with public comment period notification provided well in advance (30 days for the TIP, UPWP, and RTP; 45 days for the Public Participation Plan);*
- Periodically evaluate new tools for improving, updating and refining the NMMPO's existing public process; and*
- Strive to increase public participation and improve outreach to minority, low-income, elderly, youth, and accessibility-challenged individuals.*

The NMMPO conducts an ongoing consultation process with low-income and minority residents, and with groups representing their interests, such as the Coalition for a Better Acre (CBA) and ONE Lowell. NMMPO staff also meets regularly with economic development and social service interests and other groups charged with providing community support, job training, housing and other services in neighborhoods with significant concentrations of low-income and minority residents. The information gathered during these sessions is incorporated into the transportation planning process and considered during the development of the certification documents.

To further address the needs of low-income and minority households who may face challenges accessing employment and other services, notices are posted at the Kennedy Transit Hub/ Gallagher Terminal, as well as at the Social Security Office, the Department of Employment Security, the WIC office, Community Teamwork, Inc., and at the Department of Transitional Assistance Office.

In order to determine the EJ impacts of any Federal-aid transportation project, it is necessary to EJ communities within the region. Using the 2010 Census Tract data, threshold populations were established for each minority and low income based on the average level of each group within the overall region. These areas of concentration were mapped using GIS and designated as environmental justice areas.

Using the 2009 American Communities Survey (ACS) income data, NMCOCG identified the tracts below the median per capita income for the overall region and mapped these areas. The areas in which the percentage of identified households exceeds the established race and income thresholds were determined to be environmental justice areas.

Once the environmental justice areas were identified, the projects contained within the RTP and TIP were analyzed in relation to the impacts to the minority and low-income communities. Analysis of potential impacts was focused on three criteria:

- Disproportionately high and adverse human health and environmental impacts to low- income/minority areas;*
- Minimizing/blocking access of minority/low-income areas to the transportation system; and*
- Neglect of the transportation system in minority/low-income areas or a reduction or delay in the receipt of benefits to those areas.*

- L. State all activities undertaken during the period to identify the needs of socioeconomic groups and low-income populations within the demographic profiles articulated in the submitted MPO program. Also provide a report of the needs that were identified per demographic.

The methodology for identifying EJ areas has been outlined in the Section K above. As part of the public outreach process for the RTP Update, NMCOCG staff met with various organizations, such as the Coalition for a Better Acre and ONE Lowell, as well as other local organizations to identify the transportation needs of the low-income and minority populations. Key findings reported through this outreach effort include the following:

- A need for longer hours of bus service and more frequent service, especially during the evenings and on weekends;*
- Many low-income residents are employed in the service and retail sectors and would benefit from Sunday bus service and service on holidays;*
- Distribution of informational materials and bus schedules in Spanish, Portuguese and Khmer; and*
- Improved bicycle and pedestrian facilities, including additional bike racks and better sidewalk maintenance.*
- Improved communication with the public and access to information through the use of online blogs and social media networks.*

Further evaluation of the LRTA fixed route bus system found that the system serves the areas with the highest population density, including most areas with concentrations of minority and low-income residents. The equipment is rotated throughout the system, so that the older equipment is utilized on all routes equally. In terms of the distribution of routes, hours of operation, equipment condition, and other operational characteristics, minority and low-income neighborhoods are not underserved in comparison to the rest of the service area.

A similar analysis of the highway projects and programs contained in the RTP showed that the condition of existing facilities, and the future capital projects contained in the plan, are equitable to all areas of the region, and that these projects do not have a disproportionate negative impact on low income or minority neighborhoods.

Note: If report(s) on the above-described projects have been conducted or are in the possession of MassDOT personnel, provide the name, date and project termination date of each project.

3. Public Involvement – 42 USC 2000d et seq.; 49 CFR Part 21; 28 CFR Part 42, Subpart F, Executive Order 12898; FTA Circular 4702.1A IV.7.a.1 and 4702.1A IV.9; FHWA 23 §CFR 200.9(b) (12)

A. Public Outreach and Involvement Activities

Please provide a summary of the MPO's public outreach and involvement activities and description of how the MPO reaches out to minority, low-income and other (such as LEP, elderly, disability) populations.

During the past year, the Northern Middlesex Council of Governments staff has attended five neighborhood group meetings in the City of Lowell to discuss transportation issues. These neighborhood groups represent many diverse ethnic and low to moderate income areas of the City. Interpreters were available for those needing translation services. The primary focus of these meetings was to gather input for the Regional Transportation Plan (RTP) Update. However, attendees were invited to provide input into all aspects of transportation. Development of the RTP also included two region-wide workshops seeking public input into the future of the Northern Middlesex region. Available at the workshops and the neighborhood meetings were survey/input forms for those not wishing to speak publicly. Surveys were also made available through the NMCOG website.

B. Describe the effectiveness of your public involvement process as well as any strategies to ensure that traditionally underserved populations, including those with low income or limited English proficiency, have an opportunity for full participation in your planning process.

The NMMPO is well-informed regarding the needs, values and issues of the low-income and minority populations in the region. The NMMPO is quite sensitive to addressing the needs of low-income and minority populations within the financial constraints faced by the MPO, and to ensuring that these community groups are not negatively impacted by the transportation decisions made within the region.

In addition to receiving input from representative groups, such as Community Teamwork, Inc. (CTI), OneLowell, the Coalition for a Better Acre (CBA) and various neighborhood associations, NMCOG receives feedback from its minority and low-income representatives on the Greater Lowell Comprehensive Economic Development Strategy (CEDS) Committee, which reviews regional development on a comprehensive basis. NMCOG has also benefited from the comments received at its public meetings related to the development of the Affordable Housing Productivity Plans, the economic development component of the Westford Master Plan Update, the Comprehensive Master Plan in Chelmsford, and various corridors studies performed throughout the region. NMCOG has also received input through its CEDS "grass-roots" planning process and will continue to receive input as it

prepares the Annual CEDS Update for 2010-2011. These activities are all in addition to the regular transportation planning processes.

NMCOG staff has attended CBA meetings where issues relative to the public transit system have been raised. The CBA comments were provided to the LRTA for their attention. Most of the comments relate to service issues and operating times. The LRTA responds to as many of these issues as possible, on a regular basis, within the financial constraints they face. One important issue raised relates to transportation to job sites. LRTA has been fairly responsive to addressing the needs of workers in providing transportation to worksites located outside the City. Like many areas of the country, the jobs in the region have shifted from downtown Lowell to the surrounding suburb, requiring the restructuring of some transit services to accommodate the transportation needs of today's workforce.

To the extent possible, the MPO attempts to address each issue in a fair and equitable manner. Comments received from the public, including the low-income and minority populations, are addressed as they are raised. While the MPO needs to be more responsive in terms of addressing language barriers, its performance overall has been remarkable in addressing the transportation needs of the traditionally underserved residents of the region.

- C. Describe how traditionally underserved media sources are appropriately included in all notification processes for public meetings or public review of agency documents.

NMMPO is not aware of any minority media operating/publishing within the region.

- D. Describe how meeting locations and formats encourage or facilitate participation by traditionally under-served populations, including low income and limited English proficient individuals.

As stated above, The Northern Middlesex Council of Governments staff, over the last 12 months, has gone to five neighborhood group meetings in the City of Lowell to discuss transportation issues. These neighborhood groups represent many diverse ethnic and low to moderate income groups. Translation services were available at the neighborhood level meetings.

All meetings are held at accessible locations and at times convenient to those participating. As described above, multiple formats were utilized, including written surveys, to encourage participation by all those present.

4. Contracting Opportunities – 42 USC 2000d et seq.; 49 CFR Part 21.5(b) (2) & (3); 28 CFR Part 42, Subpart F

- A. List primary or subcontracting opportunities for planning studies, corridor studies, or other work which have been provided to disadvantaged, minorities and/or women owned firms in the last calendar year.

Include documentation for the following information:

Not Applicable

_____ The number and nature of consultant contracts used by the MPO.

_____ The number of certified Disadvantaged Business Enterprises and other small, minority and women – owned businesses (by race) used by the MPO, including the nature of the work, type and description of projects, and locations.

_____ Outreach methods used by the MPO to attract certified Disadvantaged Business Enterprises and other small, minority and women-owned businesses.

Program Specific Requirements

The following applies to planning areas with a population of 200,000 or greater

5. Community Impact Assessment – 23 USC 109(h); FTA Circular 4702.1A VII; FHWA 23 §CFR 200.9(b)(4)

A. ~~Please provide an overview to how your MPO NA~~ *Not applicable*

B. MPO Policy and Plans

Please identify the vision statements and policies from your long-range plan that promote equity and accessibility.

The following policies have been excerpted from the region's Draft 2035 Regional Transportation Plan, which will be completed and endorsed during the Summer of 2011:

- ***Provide Equal Accessibility to People with Disabilities***

Transit and paratransit services and systems must be accessible to persons with physical or other disabilities in accordance with the Americans with Disabilities Act. The RTP must strive to provide mobility and accessibility to the transportation system for all people, particularly those that are transportation disadvantaged, and minimize transportation barriers for mobility-limited people.

- ***Provide Equitable Services to All Residents***

The transportation system must provide equitable service to all residents, thereby ensuring the continued economic and social vitality of the region. Transportation decision-making should be made through an open and accessible public participatory process that includes a broad representation of interested individuals and groups, including minority and low-income populations.

Environmental justice should be addressed through the maintenance of a planning process that does not unfairly affect any one segment of our community. Early and continuing opportunities for public engagement in transportation plans, projects and programs should be provided, particularly for those in the community traditionally underserved by the transportation planning process.

C. The Transportation Planning Process

Please provide a description of the 3C process and certification documents.

The Principle Objectives of the Federal 3C Transportation Planning Process include the following:

- *The 3C process is comprehensive, including the effective integration of the various stages and levels of transportation planning and programming for the entire region and examining all modes so as to assure a balanced planning and programming effort;*

- *The 3C process is continuing, affirming the necessity to plan for the short-range and long-range needs of the regional transportation system, emphasizing the interactive character of the progression from systems planning to project planning, programming, operations and implementation;*
- *The 3C process is cooperative requiring effective coordination among public officials at all levels of government, and inviting the wide participation of all parties, public or private, at all stages of the transportation planning process, and;*
- *The 3C process is multi-modal and is intended to help provide the Region with the ability to maintain, manage and operate a multi-modal transportation system that provides a high level of mobility and safety for people and freight, consistent with fiscal and environmental resources.*

The MPO is responsible for carrying out and completing all transportation plans, programs, and conformity determinations required by federal and state laws and regulations in the 3C process. This includes preparation of the Transportation Improvement Program, Regional Transportation Plan, and Unified Planning Work Program and all required analyses. The MPO also initiates studies to identify transportation needs and solutions. The following is a brief description of each certification document.

- *The Transportation Improvement Program (TIP) is a programming and management document containing all federally funded transportation projects planned in the Northern Middlesex region over the next five years. All transportation projects that will be funded under Title 23, U.S.C., or with Federal Transit Act funds, must be included in the document. In addition, projects requiring FHWA or FTA approval, but not funded under Title 23, U.S.C., or with Federal Transit Act funds, must also be listed in the TIP. Similarly, transportation projects funded with Federal funds from other federal agencies, as well projects funded with local and private monies, should be described in the document for informational purposes, in order to reflect the integrated and intermodal nature of the metropolitan transportation planning process.*
- *The Unified Planning Work Program (UPWP) is prepared by NMCOG staff for the Metropolitan Planning Organization (MPO) and is reviewed and endorsed by the MPO. The UPWP provides a way to coordinate many planning activities, as well as to relate transportation planning concerns to overall comprehensive planning in the region and support the “3-C” (comprehensive, cooperative, continuing) transportation planning process. The UPWP describes the transportation planning activities that focus on a variety of highway and transit problems. Each planning task is identified, a budget is established, the work is assigned by specific agency, and funding sources are identified. Thus, all elements of area-wide significance related to the long and short-range transportation planning process for the Northern Middlesex area may be found in the UPWP.*

The work tasks within the UPWP are reflective of issues and concerns to transportation agencies at the federal, state and local levels. The descriptions of the tasks to be accomplished and the budgets for the tasks are based on the best estimate of available resources. Priorities in the UPWP are determined through input from the NMMPO, public outreach, the state transportation agencies, MPO staff and the local communities.

- *The Regional Transportation Plan (RTP) covers a 20-year horizon and includes both long and short-term strategies that will result in the development of an integrated multi-modal regional transportation system. All future transportation projects, which are funded in part or wholly with federal monies, must be included in the Plan. SAFETEA-LU requires that the transportation plan be updated every four years in air quality non-attainment areas. Continuing effort is required to adjust, refine and update the Plan in order to work toward achieving the most desirable transportation and development goals for the region. The Plan, therefore, is not a static document, but a continually evolving guide to the existing and future transportation needs of the region.*

The Plan is prepared for the Northern Middlesex Metropolitan Planning Organization by the Northern Middlesex Council of Governments (NMCOG), and is funded by the U.S. Department of Transportation, Federal Highway Administration and the Federal Transit Administration, through contracts with the MassDOT. NMCOG staff consults and collaborates with the state transportation agencies and the LRTA during the development of the plan document. Emphasis is placed on producing a document that:

- *Complies with all applicable environmental and planning regulations;*
- *Advances the statewide Smart Growth and Sustainable Development Principles;*
- *Offers multimodal strategies to address the region's transportation needs;*
- *Fosters economic development in the Northern Middlesex region;*
- *Is financially constrained to available and projected funding sources; and*
- *Reflects the NMMPO's goals and policies.*

D. Demographic Profile (FTA C 4702.1A VII.1.a)

Please provide a demographic profile of the MPO region, including the identification of the locations of low-income and minority populations (as identified in the MPO's Regional Equity Program)

The Northern Middlesex Metropolitan Planning Organization (NMMPO) region consists of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford. The NMMPO region is consistent with the Greater Lowell region represented by the Northern Middlesex Council of Governments (NMCOG). The service area for the Lowell Regional Transit Authority (LRTA) includes these NMMPO communities, as well as Acton, Groton, Maynard and Townsend. The LRTA also has two routes that serve Andover and Bedford and Burlington. Maps 1 and 2 in Appendix E show the NMMPO and NMCOG regional boundaries, as well as the LRTA service area.

Demographics

The population in the Greater Lowell region increased by 2.02% between 2000 and 2010, which was slightly behind the growth rate of Middlesex County (2.6%) and the Commonwealth of Massachusetts (3.1%). As outlined in Table 1 on the following page, the population in every community, with the exception of Chelmsford (-0.17%), increased between 2000 and 2010. The population in the City of Lowell increased by 1.29% to 106,519, while its share of the total population in the region decreased slightly from 37.4% in 2000 to 37.1% in 2010. The greatest percentage growth was experienced in Dunstable (12.37%) and Westford (5.77%), while Tewksbury (0.38%) had the smallest percentage growth in the region. Billerica (3.24%), Pepperell (3.19%) and Dracut (3.13%) exceeded the regional growth rate by at least one per cent.

Table 1: Population Change in the NMMPO Region between 2000 and 2010

Community	2000 Population	2010 Population	% Change
Billerica	38,981	40,243	3.24
Chelmsford	33,858	33,802	-0.17
Dracut	28,562	29,457	3.13
Dunstable	2,829	3,179	12.37
Lowell	105,167	106,519	1.29
Pepperell	11,142	11,497	3.19
Tewksbury	28,851	28,961	0.38
Tyngsborough	11,081	11,292	1.90
Westford	20,754	21,951	5.77
NMMPO Region	281,225	286,901	2.02

Source: U.S. Census Bureau, 2000 U.S. Census and 2010 Redistricting Data

Table 2 below highlights the change in the racial and ethnic composition of the Greater Lowell region between 2000 and 2010. As reflected in Table 2, the number of white residents in the Greater Lowell region decreased by 4.85% between 2000 and 2010 and their overall share of the population decreased by nearly six percentage points from 85.05% in 2000 to 79.33% in 2010. Black or African American residents in the Greater Lowell region increased by 71.19% from 5,709 in 2000 to 9,773 in 2010. This racial group's overall share of the regional population increased from 2.03% in 2000 to 3.41% in 2010. The relatively small racial cohort of American Indians or Alaska Natives increased by 18.2% between 2000 (434) and 2010 (513), but its overall share of the total population increased slightly from .15% to .18%. The Asian population in the Greater Lowell region increased by 41.85% from 22,597 in 2000 to 32,054 in 2010 and its overall share of the total population increased by three percentage points from 8.04% to 11.17%. The smallest racial group in the Greater Lowell region, Hawaiian or Pacific Islander, actually became slightly smaller decreasing from 75 residents in 2000 to 69 residents in 2010, or a decline of 8%. Other or Multiple Races increased by 27.87% between 2000 and 2010 and currently represent 5.89% of the Greater Lowell population. The Hispanic or Latino population in Greater Lowell increased from 17,028 residents in 2000 to 22,704 residents in 2010, thereby increasing by one-third and increasing its share of the total population to nearly 8%.

Table 2: Population Change in Greater Lowell by Race and Hispanic Origin

RACE/ HISPANIC ORIGIN	2000 POPULATION	% OF TOTAL	2010 POPULATION	% OF TOTAL	% CHANGE
White	239,190	85.05	227,587	79.33	-4.85
Black or African American	5,709	2.03	9,773	3.41	71.19
American Indian or Alaska Native	434	0.15	513	0.18	18.20
Asian	22,597	8.04	32,054	11.17	41.85
Hawaiian or Pacific Islander	75	0.03	69	0.02	-8.00
Other or Multiple Races	13,220	4.70	16,905	5.89	27.87
TOTAL	281,225	100.0	286,901	100.0	2.02
Hispanic or Latino	17,028	6.1	22,704	7.91	33.33

Source: U.S. Census Bureau, 2000 U.S. Census and 2010 Redistricting Data

In terms of the racial and ethnic breakout by community, the City of Lowell remains the most diverse community in the Greater Lowell region. While more than 60% of its population is comprised of white residents, the City has significant Black/African American (6.8%), Asian (20.2%), Other and Two or More races (12.38%) populations, as well as a sizable Latino/Hispanic (17.27%) community. When compared to the region as a whole, the City of Lowell in 2010 comprised 37.1% of the total population in the Greater Lowell region and only had 28.2% of the entire white population in the region. However, the City of Lowell comprised the majority of minority populations in the region – Black/African American (74.1%), American Indian (56.9%), Asian (67.1%), Hawaiian (63.8%), Other and Two or More races (78%) and Latino/Hispanic (81%). Within the suburban communities, there were a greater number of minority residents in Billerica, Chelmsford, Dracut and Westford than there had been in 2000. Table 3 below summarizes the 2010 population by race and Hispanic/Latino origin in the Greater Lowell region and each of the individual communities.

Table 3: 2010 Population by Race and Hispanic/Latino Origin

Community	Total Population	Race						Origin
		White	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Some other race or two or more races	Hispanic or Latino (any race)
Billerica	40,243	36,285	849	59	2,194	8	848	1,035
Chelmsford	33,802	29,944	358	35	2,846	2	617	686
Dracut	29,457	26,610	737	40	1,186	7	877	1,149
Dunstable	3,179	3,031	7	3	98	4	36	44
Lowell	106,519	64,240	7,238	292	21,513	44	13,192	18,396
Pepperell	11,497	11,082	60	20	134	2	199	194
Tewksbury	28,961	27,327	321	32	786	1	494	602
Tyngsborough	11,292	10,390	120	14	535	0	233	265
Westford	21,951	18,678	83	18	2,762	1	409	333
NMCOG Region	286,901	227,587	9,773	513	32,054	69	16,905	22,704

Source: U.S. Census Bureau, Census 2010 Redistricting Data (P.L. 94-171) Summary File

In assessing the representation of minorities in the region by Census Tract, NMCOG staff developed the average percentage representation for each racial and ethnic group in the region and compared the representation of these groups within each Census Tract. Based upon this analysis, NMCOG staff was then able to identify the principal locations of minority racial and ethnic groups within the region. The average regional percentage for each minority racial or ethnic was established as follows:

Black/African American – 3.25%; American Indian – 0.17%; Asian – 10.47%; Native Hawaiian – 0.02%; Other and Two or More races – 5.43%; Hispanic/Latino – 7.26%.

Using these regional averages, it was determined that the following Census Tracts within each suburban community exceeded the regional average for at least one racial or ethnic group. These areas include the entire town of Dunstable and Westford, as well as nineteen (19) of the thirty-six (36) suburban Census Tracts in the region.

- Billerica** – 3162.01 – American Indian (.19%)
- 3162.02 – American Indian (.19%) and Hawaiian (0.05%)
- 3164.00 – Black/African American (4.58%) and American Indian (0.21%).
- 3165.00 – Hawaiian (0.05%).

Chelmsford – 3171.02 – Asian (10.82%)
3172.01 – American Indian (0.21%) and Hawaiian (0.04%)
3173.01 – Asian (14.92%)

Dracut – 3141.01 – Black/African American (4.01%) and American Indian (0.2%).
3142.00 – Hawaiian (0.06%)
3143.01 – Hawaiian (0.05%)
3143.02 – American Indian (0.24%)

Dunstable – Townwide – Hawaiian (0.13%)
3181.00 – Hawaiian (0.13%)

Pepperell – 3271.01 – American Indian (0.22%)
3271.02 – American Indian (0.18%)
3271.03 – Hawaiian (0.03)

Tewksbury – 3154.02 – American Indian (0.27%)

Westford – Townwide – Asian (12.58%)
3181.00 – Asian (16.84%)
3183.00 – Asian (10.99 %)
3184.00 – Asian (11.00%)

Note: A summary of all the Census Tracts impacted, including the City of Lowell, is included as an attachment to this section.

Regional Income

In comparing the regional income figures in the Greater Lowell region in 2000 with what's available today, we have utilized the information from the *2005-2009 American Community Survey* developed by the U.S. Census Bureau. Income information is not available in the *2010 U.S. Census* as it was available in the *2000 U.S. Census*. Our principal focus has been on three major income indices – Per Capita Income, Median Household Income and Median Family Income, as well as the below the poverty level data (number and percentages). This data has been developed as a means to compare what has transpired within the Greater Lowell region, as well as in relation to the nation, state and county. Based upon these overall figures, NMCOG staff has applied these income figures to the racial and ethnic minority areas in the region to identify specific Environmental Justice Areas as part of our Regional Equity Policy.

Per Capita Income

The Per Capita Income for the NMCOG region increased from \$ 24,081 in 2000 to \$ 31,065 in 2005-2009, which represented an increase of 29%. Per capita income in the Greater Lowell region increased at a higher rate than that for the United States (25.27%), Commonwealth of Massachusetts (28.93%) and Middlesex County (26.04%). However, the per capita income in the Greater Lowell region still exceeds the per capita income at the national level (\$ 27,041), while still lagging behind the per capita incomes for Massachusetts (\$ 33,460) and Middlesex County (\$ 39,322).

Within the NMCOG region, six communities experienced per capita income growth rates between 2000 and 2005-2009 that exceeded the regional per capita income growth for the

same period – Chelmsford (32.41%), Dracut (31.55%), Dunstable (30.03%), Lowell (30.04%), Pepperell (38.68%) and Tyngsborough (35.01%). The City of Lowell has maintained the lowest per capita income in the region at \$ 22,831, which is 84.43% of the national per capital income level. Per capita incomes in the City of Lowell range from \$ 10,264 in Census Tract 3107.00 to \$ 33,696 in Census Tract 3125.02. Fourteen (14) of the twenty-five (25) Census Tracts in Lowell had less than 80% of the national per capita income figures in 2005-2009, or \$ 21,632.80, making them eligible for financial assistance from the Economic Development Administration (EDA) of the U.S. Department of Commerce. These Census Tracts include 3103.00, 3104.00, 3105.00, 3107.00, 3108.00, 3110.00, 3111.00, 3112.00, 3117.00, 3118.00, 3119.00, 3120.00, 3121.00, and 3124.00. The highest per capita income figures were in Westford (\$ 44,872), Chelmsford (\$ 40,340) and Dunstable (\$ 39,799).

Summarized below in Table 4 are the per capita income figures for 2000 and 2005-2009 in the Greater Lowell region, United States, Massachusetts and Middlesex County, as reported by the 2000 U.S. Census and the 2005-2009 American Community Survey. The percentage change between 2000 and 2005-2009 for the NMCOC region, its individual communities, Middlesex County, the State of Massachusetts and the United States are also provided below.

Table 4: Per Capita Income for the NMCOC Region, 2000 and 2005-2009

Community/ Region	2000	2005-2009	Percentage Change
Billerica	\$ 24,953	\$ 31,659	26.87
Chelmsford	\$ 30,465	\$ 40,340	32.41
Dracut	\$ 23,750	\$ 31,243	31.55
Dunstable	\$ 30,608	\$ 39,799	30.03
Lowell	\$ 17,557	\$ 22,831	30.04
Pepperell	\$ 25,722	\$ 35,671	38.68
Tewksbury	\$ 27,031	\$ 33,045	22.25
Tyngsborough	\$ 27,249	\$ 36,789	35.01
Westford	\$ 37,979	\$ 44,872	18.15
NMCOC Region	\$ 24,081	\$ 31,065	29.00
Middlesex County	\$ 31,199	\$ 39,322	26.04
Massachusetts	\$ 25,952	\$ 33,460	28.93
United States	\$ 21,587	\$ 27,041	25.27

Source: U.S. Census Bureau, 2000 U.S. Census and 2005-2009 American Community Survey

Median Household Income

The Median Household Income for the NMCOC region increased by 27.13% from \$ 58,472 in 2000 to \$ 74,336 in 2005-2009. This increase in the median household income surpassed that experienced at the national (22.46%) and county (26.61%) levels, but lagged slightly behind the increase at the state (27.71%) level. The median household income for the region (\$ 74,336) in 2005-2009 was greater than that for the State (\$ 64,496) and the nation (\$ 51,425) and lower than that for Middlesex County (\$ 77,004). As reflected below in Table 5, this relationship was similar in 2000.

The greatest percentage change in median household income between 2000 and 2005-2009 occurred in Tyngsborough (40.96%), Pepperell (35.33%) and Billerica (31.34%). Westford (\$ 21.14), Tewksbury (21.67) and Dracut experienced the least growth in their median household incomes. Westford (\$ 119,081) had the highest median income in 2005-2009 within the region, replacing Dunstable (\$ 109,333), which had the highest median household income in 2000. The City of Lowell had the lowest median household income in 2000 (\$ 39,192) and in 2005-2009 (\$ 49,816). Within the City of Lowell, the median household income for 2005-2009 ranged from \$ 14,105 in Census Tract 3111.00 to \$ 69,470 in Census Tract 3125.02.

In assessing levels of distress in the region, the current figure from the U.S. Department of Housing and Urban Development (HUD) for a family of four at 60% of median income is \$ 44,601.60. The census tracts whose median income are below this figure are all in the City of Lowell; Census Tracts 3101.01, 3104.00, 3107.00, 3108.00, 3110.00, 3111.00, 3112.00, 3119.00, 3121.00 and 3124.00. Table 5 summarizes the median household income information below for the NMCOG region.

Table 5: Median Household Income in the NMCOG Region, 2000 and 2005-2009

Community/Region	2000	2005-2009	Percentage Change (%)
Billerica	\$ 67,799	\$ 87,048	31.34
Chelmsford	\$ 70,207	\$ 89,022	26.80
Dracut	\$ 57,676	\$ 71,480	23.93
Dunstable	\$ 86,633	\$ 109,333	26.20
Lowell	\$ 39,192	\$ 49,816	27.11
Pepperell	\$ 65,163	\$ 88,185	35.33
Tewksbury	\$ 68,800	\$ 83,709	21.67
Tyngsborough	\$ 69,818	\$ 98,413	40.96
Westford	\$ 98,272	\$ 119,081	21.14
NMCOG Region	\$ 58,472	\$ 74,336	27.13
Middlesex County	\$ 60,821	\$ 77,004	26.61
Massachusetts	\$ 50,502	\$ 64,496	27.71
United States	\$ 41,994	\$ 51,425	22.46

Source: U.S. Census Bureau, 2000 U.S. Census and 2005-2009 American Community Survey

Median Family Income

The Median Family Income in the NMCOG region increased by 28.87% from \$ 67,583 in 2000 to \$ 87,096 in 2005-2009. This increase in the region's median family income outpaced the 24.61% increase at the national level, while it lagged behind the 31.71% increase in Massachusetts and the 29.71% increase in Middlesex County. The relative position of each region stayed the same between 2000 and 2005-2009 with Middlesex County having the highest median family income, followed by the NMCOG region, the State and the nation.

Table 6 on the following summarizes the median family income for the communities within the NMCOG region in 2000 and 2005-2009, as well as the percentage change between each time period. The greatest percentage change between 2000 and 2005-2009 was experienced by Pepperell (39.68%), Tyngsborough (32.57%) and Dracut (32.37%). Westford had the smallest percentage change in median family income at 22.28%.

Similar to the median household income, Westford (\$ 127,210) and Dunstable (\$ 115,964) had the highest median family income in the region, while the City of Lowell had the lowest median family income in 2005-2009 at \$ 56,494. Within the City of Lowell, the median family income ranged from \$ 16,858 in Census Tract 3110.00 to \$ 97,500 in Census Tract 3125.01.

Table 6: Median Family Income in the NMCOCG Region, 2000 and 2005-2009

Community/Region	2000	2005-2009	Percentage Change
Billerica	\$ 72,102	\$ 94,346	30.85
Chelmsford	\$ 82,676	\$ 108,494	31.23
Dracut	\$ 65,633	\$ 86,881	32.37
Dunstable	\$ 92,270	\$ 115,964	25.68
Lowell	\$ 45,901	\$ 56,494	23.08
Pepperell	\$ 73,967	\$ 103,320	39.68
Tewksbury	\$ 76,443	\$ 96,059	25.66
Tyngsborough	\$ 78,680	\$ 104,303	32.57
Westford	\$ 104,029	\$ 127,210	22.28
NMCOG Region	\$ 67,583	\$ 87,096	28.87
Middlesex County	\$ 74,194	\$ 96,235	29.71
Massachusetts	\$ 61,664	\$ 80,822	31.07
United States	\$ 50,046	\$ 62,363	24.61

Source: U.S. Census Bureau, 2000 U.S. Census and 2005-2009 American Community Survey

Poverty Levels

Between 2000 and 2005-2009, the number of residents below the poverty line in the Greater Lowell region actually decreased from 22,877 to 22,763, or by -.5%, while the percentage of residents below the poverty line decreased from 8.31% to 8.24%. As expected, the City of Lowell has experienced the greatest poverty levels within the region and its share of the regional poverty levels increased from 74.6% in 2000 to 77.1% in 2005-2009. This increase in regional share was due to the increase in residents below the poverty line in Lowell from 17,066 in 2000 to 17,055 in 2005-2009 for an increase of 2.84% and a decrease in the number of residents below the poverty level in the region for the same time period.

Dunstable (214.55%), Chelmsford (43.5%) and Pepperell (16.79%) actually experienced increases in their number of residents below the poverty line between 2000 and 2005-2009. During the same time period, the number of residents below the poverty line in Tyngsborough (-54.91%), Billerica (-33.1%), Westford (-28.12%), and Dracut (-19.24%) decreased. Tewksbury registered a slight decrease (-0.19%) in the number of residents below the poverty line between 2000 and 2005-2009. Table 7 below summarizes the changes in the number and percentage of residents below poverty in the Greater Lowell region.

Table 7: Number and Percentage of Residents Below Poverty, 2000 to 2005-2009

Community	2000 Number Below Poverty	2000 Percentage Below Poverty	2005-2009 Number Below Poverty	2005- 2009 Percentage Below Poverty	Percentage Change 2000 to 2005-2009
Billerica	1,414	3.75	946	2.46	-33.10
Chelmsford	938	2.81	1,346	4.01	43.50
Dracut	1,055	3.70	852	2.95	-19.24
Dunstable	55	1.95	173	5.27	214.55
Lowell	17,066	16.78	17,550	17.67	2.84
Pepperell	411	3.69	342	3.03	16.79
Tewksbury	1,074	3.77	1,072	3.79	-0.19
Tyngsborough	519	4.69	234	2.02	-54.91
Westford	345	1.67	248	1.14	-28.12
NMCOG Region	22,877	8.31	22,763	8.24	-0.50

Source: U.S. Census Bureau, 2000 U.S. Census and 2005-2009 American Community Survey

Based upon the racial/ethnic and income information, the Environmental Justice Areas for the Greater Lowell region are located in the City of Lowell. More specifically, these areas include Census Tracts 3101.00, 3103.00, 3104.00, 3105.00, 3107.00, 3108.00, 3110.00, 3111.00, 3112.00, 3117.00, 3118.00, 3119.00, 3120.00, 3121.00, and 3124.00. It should be noted that Census Tracts 3108.00 and 3110.00 from the 2000 U.S. Census were combined into Census Tract 3883.00 for the 2010 U.S. Census. These Environmental Justice Areas focus upon low income population areas with heavy racial and Latino/Hispanic representation, as opposed to those areas whose racial and Latino/Hispanic representation exceed the regional averages for each group. With the availability of Block Group information for the 2010 U.S. Census, NMCOG staff will be able to further target Environmental Justice Areas within the Census Tracts identified above, as well as other Census Tracts throughout the Greater Lowell region.

Attachment: Minority Populations Exceeding Regional Average (Percentages)

Community/ Census Tract	Black/African American	American Indian	Asian	Hawaiian/ Pacific Islander	Other Race/ 2+ Races
Billerica					
3162.01		0.19			
3162.02		0.19		0.05	
3164.00	4.58	0.21			
3165.00				0.05	
Chelmsford					
3171.02			10.82		
3172.01		0.21		0.04	
3173.01			14.92		
Dracut					
3141.01	4.01	0.20			
3142.00				0.06	
3143.01				0.05	
3143.02		0.24			
Dunstable					
3181.00				0.13	
				0.13	
Lowell					
3101.00	6.80	0.27	20.20	0.04	12.38
3102.00	10.75	0.40			16.21
3103.00	8.77			0.07	12.53
3104.00	10.21	0.35			14.86
3105.00	8.81	0.25	13.22	0.12	19.75
3106.01	6.76	0.29	14.06	0.09	8.55
3106.02	4.70		15.12	0.05	6.40
3107.00	6.20		11.91		6.99
3111.00	5.81	0.36	26.37		16.42
3112.00	7.88	1.49	34.23	0.08	20.41
3113.00	6.34		55.77		12.18
3114.00	6.56		38.23		10.87
3115.00	11.48	0.38	25.79	0.05	11.79
3116.00	5.62		32.92	0.10	8.57
3117.00	3.87		25.97		8.22
3118.00	4.88		46.86	0.14	11.14
3119.00	4.47	0.54	52.78		13.18
3120.00	7.33	0.49	12.97	0.08	18.77
3121.00	7.73	0.71	15.59	0.03	16.75
3122.00	7.65		20.90		18.04
3123.00	6.94		21.44		10.44
3124.00	5.07				8.13
3125.01	8.50	0.47			23.96
3125.02	4.26	0.22		0.07	6.65
3883.00	5.77	0.30	15.20	0.05	
				0.07	20.00
Pepperell					
3271.01		0.22			
3271.02		0.18			
3271.03				0.03	
Tewksbury					
3154.02		0.27			
Westford					
3181.00			12.58		
3183.00			16.84		
3184.00			10.99		
			11.00		

- E. Identification of Needs of Low-income and Minority Population (FTA C 4702.1A VII.1.b)
Please provide a description of the MPO's environmental justice program, outreach process, and findings; the Coordinated Human-Services Public Transit Transportation Planning Process; and discussion of the inclusion of environmental justice criteria in the development of the certification documents.

Certification documents and other reports and informational materials are available on the NMCOG website, on CD or in printed format. The NMMPO develops materials that are easily understood and clear. Maps, graphics and visualization techniques are utilized to assist in this effort.

A demographic profile of the metropolitan area has been developed that includes identification of low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI provisions. A process has been developed to assess the distribution of impacts of the investments identified in the Northern Middlesex Regional Transportation Plan and Northern Middlesex Transportation Improvement Program. This methodology utilizes income information and race information available from the 2010 U.S. Census. The objective of the analysis is to ensure that the needs of low income and minority populations are identified and weighed in the regional planning process. The Public Outreach Plan described previously includes strategies for engaging minority and low-income populations in the decision-making process. Projects are considered with respect to their potential impacts, with the goal of not impacting any single community or group (positively or negatively) more than another.

The most recent revisions to the Public Participation Plan were initiated as a result of requirements set forth in SAFETEA-LU. SAFETEA-LU highlights the need to develop MPO public participation plans "in consultation with all interested parties", and stresses the importance of establishing and maintaining an inclusive and interactive process. On February 14, 2007, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly released final rules governing the transportation planning process in metropolitan areas. Included in these rules are specific criteria that must be followed in developing and amending Regional Transportation Plans (RTP) and Transportation Improvement Programs (TIPs). Section 450.316 of these final rules entitled "Interested parties, participation, and consultation", requires that all MPOs develop a Public Participation Plan (PPP) that "defines a process for providing citizens" includes various specified groups, "reasonable opportunity to be involved in the metropolitan transportation planning process." These specified groups include but are not limited to:

- Public Agencies*
- Representatives of Public Transportation Employees*
- Freight Shippers*
- Providers of Freight Transportation Services*
- Representatives of Users of Public Transportation*
- Representatives of Users of Pedestrian Walkways and Bicycle Transportation*
- Representatives of the Disabled*

NMMPO Public Participation Plan distribution list includes the following stakeholders and interested parties:

Citizens:

*Libraries
City/Town Clerks
Area Congressional Delegation
State Legislators*

Interested Citizens

Local Neighborhood Organizations

Affected Public Agencies and Government Entities:

MassDOT-Executive Office (MPO Member)

MassDOT- Highway Division (MPO Member)

LRTA (MPO Member)

FHWA (Ex-officio MPO Member)

FTA (Ex-officio MPO Member)

US Environmental Protection Agency

Massachusetts Department of Environmental Protection

Local Chief Elected Officials

Nashua Regional Planning Commission

Merrimack Valley Planning Commission

Metropolitan Area Planning Council

Montachusetts Regional Planning Commission

MassRides

Local DPWs

Local Planning Boards

City/Town Engineers

City/ Town Managers

City/Town Conservation Commissions

Lowell National Historical Park

Middlesex Canal Commission

Transportation Coordinators for Municipal School Departments

Representatives of Public Transportation Employees

Teamsters Local

Amalgamated Transit Union

Freight Transportation Services:

United Parcel Service

PanAm/Guilford Transportation

U.S. Postal Service

Private Providers of Transportation:

Local Taxi Companies

Private Transportation Providers Listed in the RTP

Representatives of Users of Public Transportation

Councils on Aging

Local Senior Centers

Representatives of Users of Pedestrian Walkways and Bicycle Transportation Facilities

*Friends of the Bruce Freeman Rail Trail
Lowell Parks and Conservation Trust*

Representatives of the Disabled

*Northeast Independent Living Program
Renaissance Club
Greater Lowell Association for the Blind*

Populations Traditionally Underserved by Existing Transportation Systems

*Community Teamwork, Inc
Coalition for a Better Acre
ONE Lowell
Lowell Transitional Living Center
Cambodian American League of Lowell
Cambodian Mutual Assistance Association*

Agencies and Officials responsible for State and Local Planned Growth

*Local Planning Boards
City/Town Planners
Zoning Boards of Appeal
Northern Middlesex Council of Governments*

Economic Development Interests

*Greater Lowell Chamber of Commerce
Greater Lowell CEDS Committee
Lowell Plan
Lowell Development Finance Corporation
Tyngsborough Economic Development Committee
Billerica Plan
Greater Lowell Workforce Investment Board
Chelmsford Business Association
University of Massachusetts Lowell
Merrimack Valley Venture Forum
Merrimack Valley Economic Development Council
Middlesex Community College
Massachusetts Office of Business Development
MassDevelopment
Billerica Development and Finance Corporation*

The NMMPO also receives input from other ad hoc groups established as part of the overall planning process.

The Northern Middlesex region has developed the Coordinated Public Transit-Human Services Transportation Plan. The goals of the plan include:

Goal 1: Assessing current available services and identifying duplicative services;

Goal 2: Assessing needs and identifying gaps in transportation services for the elderly, individuals with disabilities, low-income persons, and individuals doing reverse commutes, and

Goal 3: Proposing strategies and activities to address gaps and achieve efficiencies in service delivery and creating relative priorities for implementation in addressing identified needs.

- F. Describe how community values, including social and/or neighborhood issues, environmental justice and discrimination considerations are normally addressed by the MPO.

The NMMPO conducts an ongoing consultation process with low-income and minority residents and with groups representing their interests, such as the Coalition for a Better Acre (CBA) and ONE Lowell. NMMPO staff also meets regularly with economic development interests and other groups charged with providing community support, job training, housing and other services in neighborhoods with high percentages of low-income and minority residents. The information gathered during these sessions is incorporated into the transportation planning process and considered during the development of transportation documents

6. Service Equity – Executive Order 12898 Cumulative Impacts; 42 USC 2000d et seq.; 49 CFR Part 21; 28 CFR Part 42, Subpart F; FTA Circular 4702.1A VII; FHWA 23 §CFR 200.9(b)(4). In the context of land use planning, cumulative impacts of the benefits and burdens (regional plan level), please address the following:

- A. Describe the analytical processes used to assess projects according to impacts on environmental justice populations in both the Plan and the TIP.

The Northern Middlesex Metropolitan Planning Organization maps all projects in GIS. The location of each project is compared to the geographic boundaries of the identified EJ areas. Depending on the outcome of this GIS level review, projects then undergo further detailed review to quantify the impacts on the EJ population and the community overall.

- B. Describe to what extent the MPO coordinates with citizens and community-based agencies, groups and/or organizations in defining communities within the MPO's geographic area of responsibility in assessing potential benefits and impacts of transportation system investments, particularly related to traditionally underserved populations and other traditionally under utilized populations.

The NMMPO staff has an ongoing relationship with agencies and organizations representing low-income and minority populations within the region. The NMMPO staff meets regularly with the Coalition for a Better Acre, a community-based development organization that advocates for social change, to build and preserve affordable housing, improve workplaces and work environments, address transportation issues and improve the quality of life of low-income and minority families residing in the Acre neighborhood of Lowell. In addition, NMMPO staff has reached out to One Lowell, a non-profit organization that provides services to the area's recent immigrant population. Furthermore, NMMPO staff has a strong working relationship with Community Teamwork, Inc., the anti-poverty agency for the Greater Lowell region.

NMCOG staff is involved in the City of Lowell's Ten Year Campaign to End Homelessness. The NMCOG Executive Director serves on a committee that has been formed by the Lowell City Manager to address housing and transportation issues among the City's homeless and very low-income population.

As previously mentioned, NMCOG works diligently to coordinate its transportation and economic development planning activities. While, the NMCOG board is comprised almost exclusively of local elected officials and has no direct minority representation, NMCOG has reached out to the minority community and encouraged participation in other regional committees, such as the Greater Lowell CEDS Committee. Additional outreach efforts were then utilized to expand the representation of minorities on the Greater Lowell CEDS Committee. The CEDS Committee addresses transportation and infrastructure issues as part of its ongoing work on the Comprehensive Economic Development Strategy (CEDS) for the Greater Lowell area, and includes several representatives of the region's low income and minority communities. The most recent Comprehensive Economic Development Strategy for Greater Lowell identified several key transportation projects as being a high priority for the region.

The needs of those traditionally underserved are considered when developing the RTP and the TIP. For example, the RTP contains an environmental justice analysis of the LRTA's Century Transit Initiative, and identifies the areas of low income and minority concentrations. In addition, both the LRTA and NMCOG have approved Title VI plans that are updated annually.

- C. List examples of planning related tools/methodology or programs sensitive to Title VI, Environmental Justice, and/or ADA adherence, including any special, or unique efforts and/or involvement where a protected class receives benefits, such as:
- Handicap ridership/transit needs
 - impacts of reverse commute on protected groups
 - Welfare to work initiatives
 - Inter-city vs. suburban development impacts

The Northern Middlesex Council of Governments developed the Coordinated Public Transit-Human Service Transportation Plan. During the development of the plan, surveys were mailed to individuals and organizations including human service providers, health care providers, transportation providers, employers and government agencies in order to determine the needs of specific communities. Based upon the surveys and subsequent meetings, the future public transit improvements were mapped.

Five JARC / New Freedom funding rounds were advertised and the project proposals were ranked based upon their fit with the Coordinated Public Transit-Human Service Transportation Plan goals. Over four of the five rounds, the LRTA submitted six JARC applications which fit the Plan goals and all were awarded grants (no applications were received from any other interested parties).

The projects include two route extensions that not only expand the fixed route service area to suburban employment areas, but also significantly expand the ADA service area. Additionally, holiday service for five holidays was added (Martin Luther King Day, Presidents' Day, Patriots' Day, Columbus Day and Veterans' Day) enabling workers to access their jobs. Prior to the JARC award, the LRTA had not offered service on any holidays, limiting not only their fixed route ridership, but also the ADA riders who depend on the LRTA's Road Runner service.

Appendix A

2011 Title VI Certification and Assurance

**FEDERAL FISCAL YEAR 2011 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: Northern Middlesex Council of Governemnts

The Applicant agrees to comply with applicable provisions of Categories 01 – 24. _____

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Assurances Required For Each Applicant.	<u> X </u>
02.	Lobbying.	<u> X </u>
03.	Procurement Compliance.	<u> X </u>
04.	Protections for Private Providers of Public Transportation.	_____
05.	Public Hearing.	_____
06.	Acquisition of Rolling Stock for Use in Revenue Service.	_____
07.	Acquisition of Capital Assets by Lease.	_____
08.	Bus Testing.	_____
09.	Charter Service Agreement.	_____
10.	School Transportation Agreement.	_____
11.	Demand Responsive Service.	_____
12.	Alcohol Misuse and Prohibited Drug Use.	_____
13.	Interest and Other Financing Costs.	_____
14.	Intelligent Transportation Systems.	_____
15.	Urbanized Area Formula Program.	_____
16.	Clean Fuels Grant Program.	_____
17.	Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.	_____
18.	Nonurbanized Area Formula Program for States.	_____
19.	Job Access and Reverse Commute Program.	_____
20.	New Freedom Program.	_____
21.	Paul S. Sarbanes Transit in Parks Program.	_____
22.	Tribal Transit Program.	_____
23.	TIFIA Projects	_____
24.	Deposits of Federal Financial Assistance to a State Infrastructure Banks.	_____

FEDERAL FISCAL YEAR 2011 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: Northern Middlesex Council of Governments

Name and Relationship of Authorized Representative: Beverly A. Woods, Executive Director

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2011.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2011.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature Beverly A. Woods Date: April 12, 2011

Name Beverly A. Woods, Executive Director
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Northern Middlesex Council of Governments

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature George C. Eliades, Jr. Date: 4/13/11

Name GEORGE C. ELIADES, JR.
Attorney for Applicant

Each Applicant for FTA financial assistance and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

Appendix B
Title VI Complaint Process

Northern Middlesex Metropolitan Planning Organization (NMMPO)

Title VI Complaint Process

Overview

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin for programs and activities receiving federal financial assistance. As a sub-recipient of the Massachusetts Department of Transportation (MassDOT), the Northern Middlesex Metropolitan Planning Organization (NMMPO) has adopted a Title VI complaint procedure as part of its Title VI Program.

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

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

Filing of Complaints

Complainants, or their representative, may file a written complaint with the Secretary of the Massachusetts Department of Transportation (MassDOT) in his/her capacity as chair of the NMMPO, within one hundred and eighty (180) days from the date of the alleged discriminatory act.

All complaints must include the following information:

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

Processing of Complaints

The follow process shall be followed upon receipt of a written complaint:

- Within seven (7) calendar days, the Chair of the NMMPO will advise the members of the NMMPO of receipt of the complaint and outline the specific allegations that are alleged to have occurred.
- Within fourteen (14) calendar days, the NMMPO Chair shall acknowledge receipt of the complaint and inform the Complainant of the investigation process.
- Within sixty (60) calendar days, the NMMPO Chair shall conduct an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, the NMMPO Chair shall render a recommendation for action in a report of findings to the NMMPO.

- Within ninety (90) calendar days, the NMMPO Chair shall notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file an appeal with the MassDOT's Civil Rights Director within 30 days of the NMMPO decision.

The NMCOG will maintain a log of all complaints received by the MPO.

Resolution

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

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

Title VI and Related Statutes
DISCRIMINATION COMPLAINT AGAINST THE
NORTHERN MIDDLESEX MPO

Name:	Telephone (home):	Telephone (work):		
Address:	City, State, Zip Code:			
Name of MPO Person, Organization, or Agency that You Believe Discriminated Against You:				
Address:	City, State, Zip Code:			
Date of Alleged Incident:				
You Were discriminated against on the basis of:				
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Age	<input type="checkbox"/> Family Status	<input type="checkbox"/> Religion
<input type="checkbox"/> Retaliation	<input type="checkbox"/> National Origin (Language)	<input type="checkbox"/> Sex	<input type="checkbox"/> Disability	<input type="checkbox"/> Other
Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:				
Signature:			Date	