

Public Participation Plan for the Northern Middlesex Metropolitan Planning Organization



Northern Middlesex Metropolitan Planning Organization

Endorsement: June 20, 2016

Amended: March 22, 2017

Prepared by:

Northern Middlesex Council of Governments

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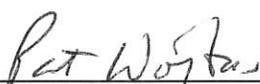
NORTHERN MIDDLESEX METROPOLITAN PLANNING ORGANIZATION

ENDORSEMENT OF AMENDMENT TO THE 2016 PUBLIC PARTICIPATION PLAN FOR
THE NORTHERN MIDDLESEX REGION

This document will certify that the Northern Middlesex Metropolitan Planning Organization (NMMPO) hereby endorses an Amendment to the 2016 Public Participation Plan (PPP) for the Northern Middlesex Region. This Plan is being endorsed in accordance with the 3C Transportation Planning Process and complies with Title 23 Section 450 of the Code of Federal Regulations (CFR) specifying that the NMMPO develop a documented public participation plan that defines the process for providing opportunities to interested parties to be involved in the metropolitan planning process.


Stephanie Pollack, Secretary and CEO
Massachusetts Department of Transportation

3/22/17
Date


Pat Wojtas, Town of Chelmsford
Chair, Northern Middlesex Council of Governments

3-22-17
Date


Kevin O'Connor, Chair,
Lowell Regional Transit Authority

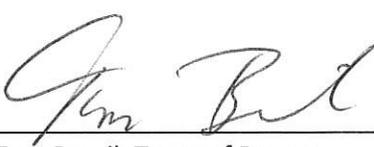
3/22/17
Date


David Gay, Town of Tewksbury,
NMCOG MPO Representative

3/22/17
Date

Corey Belanger, City Councilor,
City of Lowell MPO Representative

Date


Tom Bomil, Town of Dracut
Lowell Regional Transit Authority Advisory Board MPO Representative

3-22-17
Date

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Notice of Nondiscrimination Rights and Protections to Beneficiaries

Federal "Title VI/Nondiscrimination" Protections

The Northern Middlesex Council of Governments (NMCOG) and the Northern Middlesex Metropolitan Planning Organization (NMMPO) operate 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 NMMPO's Title VI Programs consistent with federal interpretation and administration. Additionally, NMMPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

State Nondiscrimination Protections

NMCOG and the NMMPO also comply with the Massachusetts Public Accommodation Law, M.G.L. c 272 §§92a, 98, 98a, prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, NMCOG and NMMPO comply with the Governor's Executive Order 526, section 4 requiring all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted by the state shall be conducted without unlawful discrimination based on 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 Specialist
Northern Middlesex Council of Governments
40 Church Street, Suite 200
Lowell, MA 01852
(978) 454-8021
JHoward@nmcog.org

Or

Title VI Specialist
Massachusetts Department of Transportation (MassDOT)
Office of Diversity and Civil Rights (ODCR)
10 Park Plaza
Boston, MA 02116
857-368-8580
TTY: 857-368-0603
MASSDOT.CivilRights@state.ma.us

Complaint Filing

To file a complaint alleging a violation of Title VI or related federal nondiscrimination law, contact the Title VI Specialist within 180 days of the alleged discriminatory conduct. To file a complaint alleging a violation of the state's Public Accommodation Law, contact the Massachusetts Commission Against Discrimination within 300 days of the alleged discriminatory conduct at:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, 6th Floor
Boston, MA 02109
617-994-6000

Translation

If this information is needed in another language, please contact the NMMPO Title VI Specialist at 978-454-8021.

Caso esta informação seja necessária em outro idioma, favor contar o Especialista em Título VI do NMMPO pelo telefone 978-454-8021.

Se esta informação é necessária em outro idioma, entre em contato com o Especialista NMMPO Título VI em 978-454-8021

ប្រសិនបើលោក-អ្នកត្រូវការបកប្រែព័ត៌មាននេះ សូមទាក់ទងអ្នកឯកទេសលើជំពូកទី៦ របស់NMMPO តាមរយៈលេខទូរស័ព្ទ 978-454-8021

Nếu thông tin này là cần thiết trong một ngôn ngữ khác, xin vui lòng liên hệ với Chuyên NMMPO Tiêu đề VI tại 978-454-8021

如果此信息需要以另一种语言，請聯繫 NMMPO 第六章專家 978-454-8021

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CHAPTER 1: INTRODUCTION

The development of the Northern Middlesex Metropolitan Planning Organization's (NMMPO) Public Participation Plan (PPP) is a key component of the overall transportation planning process. Federal funding for planning and implementing transportation projects requires that projects be derived through a continuing, comprehensive and cooperative (3C) planning process. The Northern Middlesex Metropolitan Planning Organization is the body charged with carrying out the 3C process in the Northern Middlesex region, which consists of the City of Lowell and eight surrounding suburban communities: Billerica, Chelmsford, Dracut, Dunstable, Pepperell, Tewksbury, Tyngsborough and Westford. Public involvement and participation plays a critical role in the decision making process, particularly as it relates to meeting the needs by underserved and under-represented populations, including low income and minority stakeholders, as well as those with disabilities.

1.1 PURPOSE OF THE PUBLIC PARTICIPATION PLAN

The purpose of the Public Participation Plan (PPP) is to describe and outline all outreach activities to be performed by the NMMPO, in order to ensure that **ALL** members of the public are given an opportunity to participate in the transportation planning process. This PPP strives to include those members of the public who are often overlooked during the outreach process. The PPP serves as a guide to NMMPO members and staff in their efforts to provide meaningful opportunities for engaging the public relative to the social, economic and environmental impacts of proposed transportation policies, projects and initiatives within the Northern Middlesex region.

The PPP is based on state and federal guidance and describes the NMMPOs goals, principles and decision-making processes. The Plan outlines the methods and techniques that the NMMPO will utilize to reach out to persons who are low income, minority, Limited English Proficient (LEP), or who have a disability or are otherwise underrepresented. The PPP will be modified as needed based on feedback and input provided by community members.

1.2 GOALS OF THE PUBLIC PARTICIPATION PLAN

The information, viewpoints and perspectives provided through the public involvement process help guide decision makers and leads to a more meaningful and comprehensive planning process. In accordance with MassDOT's public outreach goals, the Northern Middlesex MPO has adopted the following public outreach goals:

- Solicit inclusive and quality input, and respect the viewpoints of all transportation constituents;
- Provide multiple opportunities for public involvement that are open, meaningful and inclusive, and that consider the need for accessibility, scheduling, informational materials format and the language needs of those with Limited English Proficiency;
- Provide a predictable process that is understandable, with notification provided well in advance (21 days for the Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), and Regional Transportation Plan (RTP); and 45 days for the Public Participation Plan);

- Increase and maintain partnerships with local and community-based organizations as means of ensuring an open and meaningful involvement process;
- Provide informational materials that are clear, concise and responsive to community needs;
- Periodically evaluate new tools for improving, updating and refining the NMMPO's existing public participation process; and
- Strive to increase public participation and improve outreach to minority, low-income, elderly, youth, Limited English Proficiency (LEP) and accessibility-challenged communities.

1.3 THE PUBLIC PARTICIPATION PLAN UPDATE

Last updated in 2010, the Northern Middlesex Metropolitan Planning Organization's Public Participation Plan has been reviewed in light of new federal requirements and current outreach practices. Updates and revisions to the 2010 PPP are summarized in this section, reflecting directives and requirements outlined in MAP-21 and the FAST Act.

Regional needs are constantly evolving and public participation techniques have been updated to reflect the most current methods to effectively engage the public. The NMMPO will quantitatively monitor the effectiveness of outreach efforts by tracking attendance at public meetings, survey responses, website usage, social media postings, and numbers of comments received through the process. As a result of MassDOT's civil rights guidance, this document also includes specific protocols designed to ensure inclusivity, diversity and accessibility above and beyond what was contained in previous versions of the PPP.

1.4 THE NORTHERN MIDDLESEX MPO AND THE TRANSPORTATION PLANNING PROCESS

The Northern Middlesex Metropolitan Planning Organization (NMMPO) is the policymaking body for the Greater Lowell area, and is required by federal law to carry out a continuing, cooperative and comprehensive planning process that is called the "3C" planning process. These three elements of the 3C planning process are described as follows:

- Continuing: Planning must be maintained as an ongoing activity and should address both short-term needs and the long-term vision for the region;
- Cooperative: The process must involve a wide variety of interested parties through a public participation process; and
- Comprehensive: The process must cover all transportation modes and be consistent with regional and local land use and economic development plans.

The NMMPO has five core functions:

- Establish and manage a fair and impartial setting for effective regional transportation decision making in the metropolitan area;
- Identify and evaluate transportation improvement options and information needed for NMMPO decision making, through planning studies described in the NMMPO's Unified Planning Work Program (UPWP);
- Prepare and maintain a Regional Transportation Plan (RTP) for the metropolitan area, with at least a 20-year horizon, that promotes: mobility and access for people and goods,

as well as an efficient system performance and preservation, and that addresses quality of life, sustainability, resiliency and equity;

- Develop the Transportation Improvement Program (TIP), a short-range (four-year) program of capital improvements drawn from the RTP; and
- Involve the general public by offering all interested persons, including affected constituencies, opportunities to participate in the NMMPO decision-making process, including the development of the RTP, TIP, and UPWP documents.

The end products of the NMMPO's work include studies, reports, plans, technical memoranda, data on transportation issues region, and the production and endorsement of three federally required certification documents: the RTP, TIP and UPWP. Each MPO must produce the three required certification documents in order to be federally certified as eligible to program federal transportation funds.

The membership of the NMMPO is outlined in Table 1.1. The Secretary of MassDOT acts as Chairman of the MPO. Elected officials representing communities in the Northern Middlesex region serve key roles as voting members of the NMMPO. The Chairman of NMCOG is either a Planning Board member or Chief Elected Official. The City Councilor who sits on NMCOG's board is also a voting member of the NMMPO, and the NMCOG MPO representative representing a suburban community is either a Selectmen or Planning Board members from one of the region's nine communities.

Table 1.1: Northern Middlesex MPO Membership Structure

NMMPO Voting Members

Chairman of the Northern Middlesex Council of Governments (NMCOG) (Elected Official)

Chairman of the Lowell Regional Transit Authority (LRTA)

Secretary and Chief Executive Officer of the Massachusetts Department of Transportation (MassDOT)

Administrator of the Highway Division of MassDOT

Chief elected official from the City of Lowell who serves as the City's representative to NMCOG

Selectman elected to serve on the NMCOG Council and further elected by the Council to serve as that town's representative to the NMMPO

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

NMMPO Non Voting Ex-Officio Members

Federal Highway Administration

Federal Transit Administration

1.5 ROLES AND RESPONSIBILITIES OF PARTICIPATING AGENCIES

The primary agencies involved in the transportation planning process for the Northern Middlesex region include the Northern Middlesex Council of Governments (NMCOG), the Lowell Regional Transit Authority (LRTA), the Massachusetts Department of Transportation (MassDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). These agencies comprise the NMMPO membership and function at the regional, state and federal levels of government to ensure that the transportation needs of the region are met for all modes of transportation.

1.5.1 NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

The Northern Middlesex Council of Governments (NMCOG) is the regional planning agency for the Greater Lowell area and serves as technical staff to the NMMPO. NMCOG was created under Chapter 40B of the General Laws of Massachusetts, and is one of thirteen regional planning agencies (RPAs) in the Commonwealth. NMCOG serves its member communities in an advisory capacity and has expertise in transportation, economic and community development, housing, land use, historic preservation, municipal service delivery, environmental and energy issues, municipal service delivery, emergency management, public safety, hazard mitigation and public health. NMCOG's policy-making body is comprised of three members from each community (a Planning Board member, a Board of Selectmen member or City Councilor, and an alternate), and provides policy guidance to the Council's professional staff. The NMCOG planning district includes Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford. The NMCOG Chairman and a NMCOG representative to the MPO are elected annually by the Council and serve as voting members of the NMMPO.



1.5.2 LOWELL REGIONAL TRANSIT AUTHORITY

The Lowell Regional Transit Authority (LRTA) has statutory responsibility for providing mass transportation under the provisions of Chapter 161B of the Massachusetts General Laws. The LRTA service area includes the following communities: Acton, Billerica, Carlisle, Chelmsford, Dracut, Dunstable, Groton, Lowell, Maynard, Pepperell, Tewksbury, Townsend, Tyngsborough and Westford. A chief elected official or designee from each member community serves on the LRTA Advisory Board. The LRTA Chairman and another Advisory Board member from a community outside of Lowell serve as voting members of the NMMPO. The LRTA Chairman is elected by the LRTA Advisory Board. All voting LRTA Advisory Board members are appointed by the Chief Elected Officials in their community.



1.5.3 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

In June 2009, Chapter 25 of the Acts of 2009, “An Act Modernizing the Transportation Systems of the Commonwealth of Massachusetts”, was signed into law. The transportation reform legislation integrated all Massachusetts transportation agencies and authorities into a new MassDOT. A five-member Board of Directors appointed by the Governor oversees the organization. MassDOT is administered by a Secretary of Transportation, who is appointed by the Governor to serve as the agency’s Chief Executive Officer. MassDOT is comprised of four divisions: Highway, Mass Transit, Aeronautics and the Registry of Motor Vehicles (RMV), in addition to Enterprise Services, which includes an Office of Transportation Planning. The MassDOT Highway Administrator and the Secretary of Transportation or their designees serve as members of the NMMPO.

1.5.4 FEDERAL HIGHWAY ADMINISTRATION AND FEDERAL TRANSIT ADMINISTRATION

An annual certification process through FHWA and FTA ensures that the State and the NMMPO are adhering to the 3C transportation planning process in accordance with federal requirements. Approval of federally-aided transportation projects requires the planning process to be “cooperative, comprehensive, and continuing.” FHWA and FTA are ex-officio non-voting members of the NMMPO.

1.6 CURRENT FEDERAL REGULATIONS

Transportation decision making follows specific procedures as directed by federal and state regulations and further shaped by the NMMPO’s commitment to civil rights and sound civic engagement. The NMMPO strives to maintain a collaborative relationship with community stakeholders and has developed this PPP to foster collaboration that is all-inclusive.

1.6.1 TITLE 23 SECTION 450 OF THE CODE OF FEDERAL REGULATIONS

Title 23, Section 450.316 of the Code of Federal Regulations (CFR) specifies that the NMMPO develop and use a documented participation plan that defines the process for providing opportunities to interested parties to be involved in the metropolitan transportation planning process. The PPP developed by the NMMPO, in consultation with all interested parties, complies with Title 23, Section 450 in that it describes explicit procedures, strategies and desired outcomes, and by:

- Providing adequate public notice of public participation activities and time for public review and comment;
- Providing timely notice and reasonable access to information about transportation issues and processes;
- Making public information available on websites and social media;
- Holding public meetings at convenient and accessible locations and times;
- Demonstrating explicit consideration and response to public input received during development of NMMPO documents;
- Seeking out and considering the needs of traditionally underserved populations, such as low-income and minority households in the region; and
- Periodically reviewing the effectiveness of the procedures and strategies contained in the public participation plan.

The Title 23, Section 450.316 of the CFR requires a minimum public comment period of 45 calendar days prior to adoption of a public participation plan by the NMMPO. The NMMPO complies with this requirement.

1.6.2 TITLE VI, ENVIRONMENTAL JUSTICE AND LIMITED ENGLISH PROFICIENCY

The NMMPO strives to develop materials that are easily understood and clear. Maps, graphics and visualization techniques are utilized to assist in this effort. Federal regulations include requirements that reasonable efforts be made to address Title VI, Executive Order 12898 (Environmental Justice) and Executive Order 13166 (Limited English Proficiency).

Title VI of the Civil Rights Act of 1964 states that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.” All federal agencies which provide financial assistance for any program are authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing applicable rules, regulations, or requirements.

Through the planning process, the Northern Middlesex Metropolitan Planning Organization (NMMPO) monitors the impacts that transportation projects, including capital projects, have on low-income and minority populations. Additionally, NMCOG assists the Lowell Regional Transit Authority in developing its Title VI reports, including the development of maps which visually display the relationship between the transit routes and low-income and minority populations. The NMMPO endorsed the regional Title VI Assessment Report in August 2014.

Issued in 1994, Executive Order 12898 organized and explained in detail the Federal government’s commitment to promote environmental justice. Each Federal agency was directed to review its procedures and to make environmental justice part of its mission, by identifying and addressing the effects of all programs, policies, and activities on minority populations and low-income populations.

1.6.3 LIMITED ENGLISH PROFICIENCY PLAN

Title VI of the Civil Rights Act of 1964 and **Presidential Executive Order 13166** require entities that receive federal funds to take reasonable steps to provide meaningful access to individuals who are LEP. The U.S. Department of Transportation (USDOT) has created a guidance document entitled “*A Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons*”. This guidance was issued to ensure that persons in the United States are not excluded from participation in DOT-assisted programs and activities simply because they face challenges communicating in English.

The NMMPO, as a recipient of federal funding, takes reasonable steps to ensure meaningful access to information and services. The federal guidance suggests that four factors be considered in determining the level and extent of language-assistance measures needed to ensure meaningful access to programs, activities and services:

- The number and percent of LEP persons in the region who are served by the program;
- The frequency with which LEP persons come in contact with the program;
- The importance to the LEP person of accessing the particular program or service; and
- The resources available to the NMMPO and the costs involved.

The USDOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The Limited English Proficiency (LEP) plan is an assessment of language assistance needs in the Northern Middlesex region in relation to the transportation planning process.

The intent of the LEP plan is to ensure that residents of the region who do not speak or read English proficiently have access to the planning process and published information, and that public notification is provided to these individuals. The production of multilingual publications and documents and/or interpretation at meetings/events is provided upon request to the degree that funding permits, based on current laws and regulations.

1.6.4 AMERICANS WITH DISABILITY ACT OF 1990

The purposes of the **Americans with Disabilities Act of 1990** are to carry out the act's objectives of providing "a clear and comprehensive national mandate for the elimination of discrimination" and "clear, strong, consistent, enforceable standards addressing discrimination" by reinstating a broad scope of protection available under the ADA. The NMMPO through its planning efforts (Certification documents, UPWP studies and plans, public meetings/workshops, etc.), works to assure all services have compliance with ADA regulations. The NMMPO also monitors the impacts that transportation projects, including capital projects, have on individuals with disabilities. Additionally, NMCOG assists the Lowell Regional Transit Authority in developing its Title VI reports, including the determination of regional population with disabilities currently using public transit and ADA compliance.

These activities include but are not limited to:

- Stop driver announcement monitoring
- Eligibility determinations
- Reservations
- On-time performance
- Trip times

To the extent possible, the MPO addresses each issue in a fair and equitable manner. Comments received from the public, including the disabled population, are addressed as they are raised. The NMMPO continues to improve its responsiveness in terms of addressing disability barriers.

1.7 NMMPO PLANNING DOCUMENTS

The NMMPO's transportation decision making and project development processes include public participation opportunities. The NMMPO commits to civil rights obligations, including the removal of barriers to participation, diversity, and inclusive outreach. The Public Participation Plan outlines the public involvement and notification requirements and methods relative to the development of specific federal certification documents including:

- The Public Participation Plan (PPP)
- The Regional Transportation Plan (RTP – Long Term Transportation Plan)
- The Transportation Improvement Program (TIP)
- The Unified Planning Work Program (UPWP)

- Transportation Planning Studies outlined in the UPWP
- Section Transit 5307 Grants

Public outreach processes for all NMMPO planning documents are informed by the Northern Middlesex Limited English Proficiency (LEP) Plan, which outlines policies for reaching out to LEP populations. The intent of the LEP Plan is to ensure that residents of the region who do not speak or read English proficiently have access to the planning process and to published information and public notices.

Notices of availability and opportunity for public comment on NMMPO documents are publicized in the *Lowell Sun* and other local newspapers, including the *Khmer Post*, which reaches the region's Cambodian population. The publishing deadlines for the *Khmer Post* do not always align with the NMMPO's schedule, but every effort is made to meet the publishing deadline when possible. In addition, NMMPO outreach events are posted by the City/Town Clerks at all City/Town Halls across the region. Emails to the NMMPO distribution list and postings on the NMCOG website are also utilized as part of the outreach plan, as well as postings on social media (Facebook and Twitter). The production of multilingual publications and documents and interpretation at meetings and events is provided upon request. The NMMPO also uses email distribution by other organizations, such as CTI, Coalition for a Better Acre, the Greater Lowell Chamber of Commerce, and the Greater Lowell Workforce Investment Board, as a means of getting the word out. NMMPO staff also reaches out to local neighborhood organizations and some of these organizations will include NMMPO announcements with their newsletter.

1.7.1 THE PUBLIC PARTICIPATION PLAN (PPP)

As required by Federal legislation outlined in 23 CFR 450.316, a forty-five (45) day minimum comment period must be provided prior to adopting or revising the PPP. The following procedures and policies are utilized in adopting the Public Participation Plan for the Northern Middlesex MPO.

Notice of the Availability of the Public Participation Plan and Opportunities for Public Comment

Notice providing an opportunity for public comment shall be published in the *Lowell Sun*, as well as other local news media. The notice will also be posted at the Town and City Clerk offices in each municipality. A public meeting will be held during the 45-day comment period, and the Public Meeting Notice and Draft PPP will be available on the NMCOG web site at: www.nmcog.org. A notice and link will also be provided on the LRTA website at: www.lрта.com. Copies of the Public Participation Plan will be forwarded to the NMMPO members and all stakeholders and interested parties. Comments may be submitted in writing, through conventional mail, by email or fax, by phone or through social media.

Upon completion of the comment period, all meaningful and relevant public comments will be considered and incorporated into the final Public Participation Plan. The NMMPO will then vote on the endorsement of the Plan.

Future substantive changes or amendments to the Public Participation Plan will require an additional 45-day public comment period and will follow the above notification and public involvement procedures.

1.7.2 THE REGIONAL TRANSPORTATION PLAN (RTP)

All future transportation projects funded in part or entirely with federal monies must be drawn from a conforming Regional Transportation Plan. The Regional Transportation Plan is updated every four years,

as presently required by Federal regulation. The RTP is developed in consultation with the agencies and officials responsible for other planning activities within the metropolitan area that are affected by transportation, including state and local land use agencies, economic development, environmental protection, and freight interests, as set forth in 23 CFR 450.316 (3)(b). The following procedures and policies will be utilized to ensure adequate public input into the preparation and review of the RTP document.

Public Participation Procedures for the Regional Transportation Plan

The involvement and engagement of the public in the decision-making process is integral to successful transportation planning in the Northern Middlesex region. All outreach activities associated with development of the Regional Transportation Plan are derived from the desire to encourage broad and active participation by members of the public, special interest groups, and local and State officials throughout the region.

RTP public outreach goals (excerpted from the NMMPO RTP Public Outreach Plan) include the following:

- To inform the public of transportation meetings, workshops, and other events associated with the Regional Transportation Plan (RTP) update;
- To educate members of the public regarding their role in the transportation planning and decision-making process;
- To involve members of the public by providing ample opportunities and avenues for involvement, early and often in the Plan update process;
- To reach out to communities in the Northern Middlesex region with special emphasis on engaging individuals who may have been underrepresented or underserved; and
- To continuously seek ways to improve public outreach activities throughout the Plan development process.

Public Outreach Tools

A number of outreach and engagement tools are used to communicate with the public and solicit input in the development of the Plan. These same tools are also utilized to provide information on the progress of the Plan and include:

- Electronic mailings;
- Newspaper articles and advertisements;
- RTP Project website;
- Social Media;
- Project fact sheets;
- Meetings with neighborhood groups, non-profit organizations and special interest groups;
- Public meetings;
- Interactive local meetings and public forums;
- Visualization techniques, such as participatory photography; and
- Written surveys.

Pre-Plan Development

Activities in the Pre-Plan Development period focus on soliciting input on various transportation issues from the NMMPO, NMCOG, the Lowell Regional Transit Authority (LRTA) Cities/Towns, local and regional interest groups and members of the public. All material associated with the RTP update will be posted on the NMCOG website www.nmco.org. The following steps will be taken to ensure that the RTP input process is comprehensive:

- Initiate the formation of an advisory committee to the NMMPO and meet with this group at least twice during the pre-plan development period to discuss regional transportation goals, objectives and priorities.
- Disseminate a transportation needs assessment survey in the Northern Middlesex Region to gauge local needs and priorities.
- Activate and promote a plan update website via the existing NMCOG website. This website will announce all Plan-related activities, provide a question and answer section regarding the transportation planning process, and will allow members of the public to electronically submit comments directly to the NMMPO. All comments and suggestions received will be acknowledged, catalogued, and summarized for the NMMPO and NMCOG.
- Prepare and disseminate an informational pamphlet or fact sheet that describes the role and responsibilities of the NMMPO and summarizes the transportation planning process. This material will also function as a resource guide for members of the public and local officials who want to stay informed, and have their voices heard in the transportation decision-making process.
- Attend various meetings in the Northern Middlesex region to solicit input on transportation issues from local boards (Planning Boards, Selectmen, etc.), chambers of commerce, economic development committees, public works departments, and neighborhood, non-profit and civic organizations.
- Update and use the NMMPO email distribution list to keep local officials, local transit operators, local media outlets, State transportation officials, neighborhood and civic organizations and other stakeholders abreast of RTP-related events, such as workshops and meetings.
- Distribution information via social media utilizing the NMCOG Twitter and Facebook accounts.
- Use visualization techniques, such as participatory photography to solicit input from youth and LEP populations.
- Utilize a written survey to solicit input from those who may be uncomfortable speaking in a public setting.

Post-Plan Development

Activities during the Post-Plan Development period involve the circulation and presentation of the draft RTP to the NMMPO, NMCOG, LRTA, and at public workshops and meetings, in order to solicit comments on the draft document. All materials associated with the formation of the draft RTP will be posted on the NMCOG RTP update website and the following steps will be taken to ensure that the public is given access to the document and has an opportunity to provide input:

- Present the draft RTP, along with summary of all the public comments received, to the NMMPO, NMCOG and the LRTA Advisory Board.
- Utilize local media outlets including newspapers, radio stations, and local cable access stations to announce the availability of the draft Plan.
- Hold widely advertised public meetings to present the draft plan to members of the public, local officials, and regional interest groups. Presentation materials associated with the public meetings will be posted on the NMCOG website and a link to this material will be provided via social media.
- Post the draft RTP on the NMCOG website and distribute to regional stakeholder via the NMMPO email distribution list to allow for the timely submission of comments. All comments received will be acknowledged, catalogued, and summarized for the NMMPO and NMCOG. The final document will include a summary of the response to comments.

Notice of the Availability of the Regional Transportation Plan

Notice providing an opportunity for public comment shall be published in the Lowell Sun, as well as other local news media, such as Town specific or foreign language newspapers. Such notices will also be posted at the Town and City Clerk offices. The Public Meeting Notice and Plan will also be posted on the NMCOG web site at www.nmco.org and made available through social media. A notice and link will also be provided on the LRTA website at www.lrta.com. An email to the NMMPO public outreach email distribution list will be sent to interested stakeholders, notifying them of the availability of the RTP. Copies of the Regional Transportation Plan shall be forwarded to the NMMPO members and all stakeholders and interested parties described above.

A 21-day public comment period will commence once the draft RTP document has been approved by a vote of the NMMPO. A minimum of two public meetings shall be held to receive comments. Comments may also be submitted, in writing, through conventional mail, by email, by phone or social media. A consultative process will also be provided for environmental permitting agencies and advocacy groups.

Upon completion of the comment period, public comments shall be incorporated into the draft Regional Transportation Plan as appropriate. The NMMPO will then vote on the endorsement the Plan. The endorsed RTP document will be posted on the NMCOG website www.nmco.org and disseminated to stakeholders through the NMMPO public outreach list.

Future substantive changes or amendments to the Regional Transportation Plan will require an additional 21-day public comment period, and will follow the process outlined above.

1.7.3 THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The Transportation Improvement Program (TIP) is the official programming document for transportation projects using Federal funding sources. Upon NMMPO approval, the regional TIP is incorporated into the Statewide Transportation Improvement Program (STIP). The TIP is updated annually and may be amended more often if necessary. The TIP is developed in consultation with the agencies and officials responsible for other planning activities within the metropolitan area that are affected by transportation including state and local land use agencies, economic development, environmental protection, and freight interests, as set forth in 23 CFR 450.316 (3)(b). The following procedures and policies will be utilized to ensure adequate public review of the draft TIP document.

Public Participation Procedures for the Transportation Improvement Program

Title 23 CFR Section 450.324 and 310 CMR 60.03(6)h require adequate opportunity for public review and comment during the development of the TIP. The NMMPO process for developing the TIP guarantees the following:

- Public access to the TIP and all supporting documentation;
- Public notification of the availability of the TIP;
- Respecting the public's right to review the document and comment thereon; and
- A 21-day public review and comment period prior to adoption of the TIP by the NMMPO.

Public Outreach Tools

A number of public outreach tools are used to communicate with the public and allow for general input into the development of the TIP. These tools are also utilized to provide information on the progress of the TIP and include the following:

- Electronic mailings;
- Newspaper articles and advertisements;
- NMCOG website;
- Social Media;
- Project fact sheets;
- Meetings with neighborhood groups, non-profit organizations and special interest groups;
- Public meetings;
- Interactive local meetings and public forums; and
- NMCOG and NMMPO meetings.

Notice of the Availability of the TIP

Notice of the availability of the TIP and opportunity for public comment shall be published in the *Lowell Sun*, as well as other local news media such as community-specific or foreign language newspapers, and will also be posted at the Town and City Clerk offices. The Public Meeting Notice and the Draft and Final TIP documents will also be posted on the NMCOG web site at: www.nmcog.org. A notice and link will also be provided on the LRTA website at: www.lrt.com. An email to the NMMPO public outreach list will be sent to interested stakeholders notifying them of the availability of the TIP. Notices will also be made available on social media. Copies of the Draft and Final TIP will be forwarded to the NMMPO members and all stakeholders and interested parties.

A 21-day public comment period will commence once a draft TIP document is approved by a vote of the NMMPO. A minimum of one public meeting shall be held to receive comments on the draft document. Comments may also be submitted, in writing, through conventional mail, by email, phone or social media.

Upon conclusion of the comment period, all public comments shall be considered, and if appropriate, incorporated into the final TIP. The final TIP will include a summary of comments received and a report of responses/actions taken by the NMMPO. The NMMPO will then vote on the endorsement of the final TIP document. The endorsed TIP document will be posted on the NMCOG website www.nmcog.org and disseminated to stakeholders through the NMMPO public outreach list.

1.7.4 THE UNIFIED PLANNING WORK PROGRAM (UPWP)

The Unified Planning Work Program (UPWP) describes the scope and budget for the work tasks and transportation planning activities of the NMMPO staff for the coming year. The UPWP is updated annually and endorsed by the NMMPO. The following procedures and policies will be utilized to ensure adequate public review of the draft UPWP document.

Public Participation Procedures for the Unified Planning Work Program

Title 23 CFR Section 450.324 and 310 CMR 60.03(6)h require adequate opportunity for public review and comment be provided during the development of the UPWP. The outreach process for the development of the NMMPO's UPWP guarantees the following:

- Public access to the UPWP and all supporting documentation;
- Public notification of the availability of the UPWP;
- Respects the public's right to review the document and comment thereon; and
- Provides a 21-day public review and comment period prior to endorsement of the UPWP by the NMMPO.

Public Outreach Tools

A number of public outreach tools are used to communicate with the public and to allow for adequate input into the development of the UPWP. These same tools are used to provide information on the progress of the UPWP projects and include the following:

- Electronic mailings;
- Newspaper articles and advertisements;
- NMCOG website;
- Social Media;
- Project fact sheets;
- Meetings with neighborhood groups, non-profit organizations and special interest groups;
- Public meetings;
- Interactive local meetings and public forums; and
- NMCOG and NMMPO meetings.

Notice of the Availability of the UPWP

Notice of availability and opportunity for public comment shall be published in the *Lowell Sun*, as well as other local news media such as community-specific or foreign language newspapers, and will be posted at each Town and City Clerk offices. The Public Meeting Notice and draft UPWP document will also be posted on the NMCOG web site at: www.nmcog.org. A notice and link will also be provided on the LRTA website at: www.lrta.com. An email to the NMMPO public outreach list will be sent to interested stakeholders notifying them of the availability of the draft UPWP. Notices will also be made available on social media websites. Copies of the draft UPWP shall be forwarded to the NMMPO members and all stakeholders and interested parties.

A 21-day public comment period will commence once the draft UPWP has been approved by a vote of the NMMPO. A minimum of one public meeting shall be held to receive comments. Comments may also be submitted, in writing, through conventional mail, by email, phone or social media. At the completion of the comment period, all public comments shall be considered and incorporated into the draft UPWP if appropriate. The UPWP will include a summary of comments received and a report of responses/actions taken by the NMMPO. The NMMPO will then vote on the endorsement of the document.

The endorsed UPWP document will be posted on the NMCOG website www.nmcog.org and disseminated to stakeholders through the NMMPO public outreach list. Future substantive changes or amendments to the UPWP will require an additional 21-day comment period and will follow the outreach process outlined above.

1.7.5 TRANSPORTATION PLANNING STUDIES OUTLINED IN THE UPWP

NMMPO staff prepares transportation planning studies that address all modes of transportation, as identified in the UPWP. Many of the studies are technical in nature and are undertaken at the request of local communities to address transportation problems, deficiencies and issues. Generally, the studies examine the existing conditions and expected future conditions within each study area. Techniques used for public outreach in undertaking UPWP studies include but are not limited to: surveys of affected residents/businesses in a study area, public meetings to review study data and findings, to gather input, and to review and received feedback on recommendations; open house style meetings; newsletters; and email updates to invested stakeholders. For example, a recently completed Westford Center Parking and Safety Study consisted of several public meetings with neighborhood residents, individual stakeholder meetings, and presentations to community board and organizations, such as the Board of Selectmen, Library Trustees, and Historic Commission, where each stakeholder expressed their concerns and provided comments that were incorporated into the study. Those unable to make the public meetings were encouraged to submit comments via email.

UPWP studies help to inform the NMMPO decision-making process, lead to future transportation improvement projects, and alleviate congestion and safety problems across the region. Improving the transportation system is important in improving the quality of life for area residents, enhancing mobility, promoting economic development and improving environmental quality through reduced emissions. All transportation studies include an opportunity for community and public input, and all improvement recommendations consider Environmental Justice implications.

1.7.6 SECTION 5307 GRANTS

FTA's Urbanized Area Formula Funding program (49 U.S.C. 5307) provides Federal resources for transit capital and operating assistance, and for transportation planning related activities in urbanized areas with a population of more than 50,000 persons. The TIP public review process will satisfy the opportunity for the public hearing requirement for most routine, traditional Section 5307 grants, per Section 5307 Circular C-9030.1B. Any Section 5307 grant that requires completion of an environmental analysis, or involves specific controversies or complications (such as issues relating to land acquisition, environmental factors such as Section 106, or 4(f) not addressed at the TIP stage, or having inadequate description at the TIP stage) will be required to follow the Section 5307 hearing process as well. These situations will be handled on a case-by-case basis between FTA and the grantee. It is expected that the majority of Section 5307 grant public hearing requirements shall be satisfied by the NMMPO TIP public involvement process.

The Lowell Regional Transit Authority (LRTA), as the FTA Section 5307 applicant/recipient, has consulted with the NMMPO and concurred that the public involvement process adopted by the NMMPO for the development of the TIP satisfies the public hearing requirements that pertain to the development of the Program of Projects for regular Section 5307, Urbanized Area Formula grant applications, including the provision for public notice and the time established for public review and comment.

For FTA projects that are not routine, i.e. Section 5307 applications that require an environmental assessment or environmental impact statement, the public involvement provided herein for TIP review is not sufficient. Additional public involvement, as presented in the joint FHWA/FTA environmental regulations, 23 CFR Part 771 will be required by FTA for grant approval.

1.7.7 PUBLIC PARTICIPATION PROCEDURES FOR MAKING CHANGES TO FEDERAL CERTIFICATION DOCUMENTS

The NMMPO's federal certification documents are dynamic in nature and often need to be modified throughout the year. Such revisions and changes are made either through an amendment or an administrative adjustment to the document in question.

The amendment process begins with a discussion and vote by the NMMPO to release a proposed change to the TIP, UPWP, or the RTP. Once released for public comment, the proposed amendment is posted on the NMCOG website and on the agency's social media sites. NMMPO staff also sends out the proposed amendment to the NMMPO email distribution list. The notice of availability and opportunity for public comment notice, and an announcement of a public meeting to hear comments is then advertised in news media and posted at Town Halls throughout the region. An email is also sent with this information to the email distribution list. All public comments received in person, by email, conventional mail, and phone or through social media are collected and presented to the NMMPO prior to a vote to endorse the amendment. The NMMPO fully considers each comment before voting on the proposed amendment.

A public comment period can be extended if the proposed amendment is significantly altered during the initial public comment period. If the document changes significantly during the initial public comment period, an additional 21-day comment period can be provided by the NMMPO. The public comment period can also be abbreviated by the NMMPO when extraordinary circumstances arise. This period can be abbreviated to no less than 10 calendar days.

Administrative adjustments can be made without formal MPO action and do not require a public comment period. However, the NMMPO can vote to release the adjustment for a public comment period if they feel it is in the best interest of the NMMPO and the transportation planning process. Should this occur, the public participation process will mirror the process for amending a certification document.

TIP amendments must be undertaken to add or delete a project, to advance a project from an outer year to Year 1, to increase a project's cost by more than 10%, and for any major scope changes to existing TIP projects. Administrative adjustments can be made for minor changes to scope and description of a TIP project, funding changes that are less than 10% of the project cost, to move a project from Year 2 to Year 1, and to change a funding source for a project.

The UPWP typically requires less frequent revisions than the TIP. A change to the UPWP includes the addition or deletion of a UPWP Task, which is handled through a 21-day public comment period prior to NMMPO action on the proposed amendment. Adjustments to the UPWP include moving funds from one task to another to reflect changes in level of effort.

Generally, changes to the RTP are treated as amendments and follow the amendment procedure outlined above. Changes to the RTP include addition of projects and changes in funding availability.

CHAPTER 2: THE NMMPO APPROACH TO PUBLIC PARTICIPATION

Transportation decision making and project development processes follow set procedures and practices in order to ensure that the public opportunities is provided with opportunities to participate. The NMMPO's public involvement goals and objectives are further enhanced by its commitment to civil rights related obligations, such as removal of barriers to participation, diversity, and inclusive outreach. This Public Participation Plan generally describes participation opportunities and outlines specific protocols and resources available for facilitating diverse and inclusive public outreach and involvement. The Plan is flexible and evolving, and will be revised based on recurring assessments of successes and/or challenges associated with outreach, as well as suggestions that are received, and the overall results of public engagement process.

2.1 PUBLIC PARTICIPATION TECHNIQUES

NMMPO takes pride in its work to maintain a collaborative relationship with community and municipal stakeholders, and has strategically developed this Public Participation Plan to ensure that process is conducted in an all-inclusive manner. The NMMPO public outreach effort rests on utilizing multiple communication channels to distribute information and to solicit input from affected constituencies. The NMMPO typically communicates with the general public through one or more of the following methods:

- NMCOG website
- Public news media (including Lowell Sun and Khmer Post)
- Press releases
- Brochures, Flyers, Newsletters
- Social media including Facebook, Twitter, etc
- Postings at City and Town Halls
- Community Websites
- Mailing and email lists
- Information stands at local events
- Presentations, public meetings, public hearings, open houses, and workshops
- Civic advisory committees and working groups

2.1.1 THE NMCOG WEBSITE

The NMCOG website (www.nmcog.org) is a comprehensive resource for people seeking information about NMMPO programs, projects, and activities. Public notices of all NMMPO meetings, public hearings, and public comment periods are posted on this site, along with information about NMMPO programs, projects, and activities. Some programs and projects have dedicated web pages on the website that include:

- Information about past/upcoming meetings
- Project presentations, flyers and fact sheets
- Summary notes for meetings/workshops on the project

- Draft reports for public review
- Final reports and work products
- Staff contact information

Project websites are important information tools for people who cannot attend meetings. Members of the public can review presentations and meeting summaries and provide comments through emails and letters to the project team. People with disabilities that limit their ability to attend meetings can also review project information and provide comments on the website, and thereby have an alternative to physically attending a meeting.

2.1.2 MEETING NOTICE CONTENT AND DISTRIBUTION

The NMMPO announces all meetings, public meetings, and public comment periods through stakeholder email distribution lists, mailings, social media and the distribution of notices to City/Town Halls through City/Town Clerks, in addition to placing all meeting information on the NMCOG website. Notices are published in the *Lowell Sun*, the region's English newspaper. Given the large Cambodian population in Lowell, NMMPO press releases are also posted in the *Khmer Post*, a regional Cambodian newspaper published every two weeks. Meeting notices include information about getting to a meeting location using public transportation, when transit is available. NMMPO notices also make people aware that they can request foreign language assistance, and that sign-language interpreters and other accommodations are available on request for persons with disabilities (upon notification before the meeting). There is also information that identifying the appropriate contact person should an individual have questions or concerns. The information for these meetings and the informational materials provided at the meetings are translated into languages other than English, as needed.

2.1.3 LANGUAGE SERVICES

Language assistance is provided to LEP individuals through the translation of some key materials, as well as through oral language interpretation when necessary and possible. The NMMPO provides reasonable accommodations and/or language assistance, free of charge, upon request (including but not limited to American Sign Language and foreign language interpreters, open or closed captioning for videos, assistive listening devices and alternate material formats), as available. Translation of all NMMPO plans and materials is not possible due to cost restrictions. However, the NMMPO will provide the following translated/interpreted materials:

- **NMCOG Web Site** – The NMMPO's website, the source for all transportation related materials, provides a free translator program powered by Google Translate which allows the NMMPO and NMCOG website to be translated for users into 80 languages including the five NMMPO regional language groups of Spanish, Portuguese, Khmer, Vietnamese and Chinese.
- **Certification Documents**- An Executive Summary of the following key documents will be made available in Spanish, Portuguese, Khmer, Vietnamese and Chinese:
 - The Regional Transportation Plan;
 - The Unified Planning Work Program; and
 - The Transportation Improvement Program.

- **Outreach Materials** – Spanish, Portuguese, Khmer, Vietnamese and Chinese language outreach materials will be utilized when indicated by the LEP or in response to a request when appropriate.
- **Oral translation services** - The NMMPO will provide limited oral language services to Spanish, Portuguese, Khmer, Vietnamese and Chinese speaking LEP individuals upon request. In order to provide these services, NMMPO staff will do the following:
 - Maintain a list of the points of contact where a LEP person interacts with the organization. At this time, it is anticipated that the key points of contact for LEP individuals are the front-desk receptionist and the NMMPO staff performing outreach activities;
 - Inventory staff language capabilities; and
 - Maintain a list of outside resources that can provide translation and language assistance upon request from the NMMPO.
- **NMMPO Meeting Assistance** – Upon request, the NMMPO can provide Communication Access Real-time Translation (CART) services, sign language, or assistive listening devices for hearing impaired individuals.

2.1.4 PUBLIC OUTREACH ORGANIZATIONS/STAKEHOLDERS

The most recent revisions to the Public Participation Plan were initiated as a result of requirements set forth in MAP-21. MAP-21 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... (with a) reasonable opportunity to be involved in the metropolitan transportation planning process.” Specific groups identified 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; and
- Representatives of the Disabled.

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

- Stakeholders
 - Libraries;
 - City/Town Clerks;
 - Area Congressional Delegation;

- State Legislators;
- Interested Community Members; and
- Local Neighborhood Organizations.
- Affected Public Agencies and Government Entities
 - MassDOT-Executive Office (NMMPO Member);
 - MassDOT- Highway Division (NMMPO Member);
 - LRTA (NMMPO Member);
 - FHWA (Ex-officio NMMPO Member);
 - FTA (Ex-officio NMMPO 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;
 - Montachusett Regional Planning Commission;
 - MassRides;
 - Local DPWs;
 - Local Planning Boards;
 - City/Town Engineers;
 - City/ Town Managers and Administrators;
 - City/Town Conservation Commissions;
 - City/Town Historical Commissions,
 - Lowell National Historical Park;
 - Massachusetts Department of Conservation and Recreation (DCR),
 - Middlesex Canal Commission; and
 - Transportation Coordinators for Municipal School Departments.
- Representatives of Public Transportation Employees
 - Teamsters Local; and
 - Amalgamated Transit Union.
- Freight Transportation Services
 - United Parcel Service;
 - PanAm/Guilford Transportation; and
 - U.S. Postal Service.
 - Private Providers of Transportation
 - Local Taxi Companies; and
 - Private Transportation Providers.
- Representatives of Senior Users of Public Transportation
 - Councils on Aging; and
 - 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; and
 - Municipal Bike and Pedestrian Committees.

- Advocates for the Community of Individuals with Disabilities
 - Northeast Independent Living Program;
 - Renaissance Club;
 - Greater Lowell Association for the Blind; and
 - Community Disability Commissions.
- Diverse Community Contacts
 - Community Teamwork, Inc.;
 - Coalition for a Better Acre;
 - Lowell Transitional Living Center;
 - Cambodian American League of Lowell;
 - United Teen Equality Center;
 - International Institute; and
 - Cambodian Mutual Assistance Association.
- Agencies and Officials responsible for State and Local Planned Growth
 - Local Planning Boards;
 - City/Town Planners and Community Development Directors;
 - Zoning Boards of Appeal;
 - Northern Middlesex Council of Governments;
 - Mass Housing Partnership;
 - Massachusetts Smart Growth Alliance; and
 - Massachusetts Department of Housing and Community Development.
 - Economic Development Interests:
 - Greater Lowell Chamber of Commerce;
 - Greater Lowell CEDS Committee;
 - Lowell Plan;
 - Lowell Development Finance Corporation;
 - Municipal Economic Development Committees;
 - 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;
 - Massachusetts Executive Office of Housing and Economic Development; and
 - Billerica Development and Finance Corporation.

In addition to receiving input from representative groups, such as Community Teamwork, Inc. (CTI), the Coalition for a Better Acre (CBA) and various neighborhood organizations, NMCOG also 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 public meetings related to the development of Housing Production Plans and Master Plans throughout the region.

The list of stakeholders is dynamic and opportunities to add to the outreach list are outlined in this section. The NMMPO maintains a database of stakeholders with contact information. When a new contact is identified, the NMMPO will send a welcome letter with information relative to the metropolitan transportation planning process. The NMMPO asks the contact to confirm interest in being part of the outreach process, and newly identified participant is given an opportunity to identify new stakeholders who may also be interested in participating. In addition, a similar letter is sent to the existing database of stakeholders on an annual basis, in an effort to maintain contact with existing stakeholders and identify new contacts.

2.1.5 PUBLIC MEETINGS, OPEN HOUSES AND WORKSHOPS

Public Meetings

Public meetings are held to present information and to obtain input from interested members of the public. Meetings provide a time and place for face-to-face contact and two-way communication. They are generally tailored to specific issues or community groups, and can be either informal or formal. Massachusetts Open Meeting Law requires that notice of the time and place of all meetings of a public body be given prior to every meeting. The notice must include reference to the date, time and location of the meeting and be posted forty-eight hours in advance. The NMMPO adheres to all requirements outlined in the Commonwealth's Open Meeting Law.

Open Houses

Open Houses are informal settings where people can obtain information about a plan, program, or project. At Open Houses, people receive information informally from exhibits and staff, and they are encouraged to give opinions, make comments, and state preferences orally or in writing. Informal presentations, slide shows, and one-on-one discussions take place continuously throughout the event, which usually includes a series of stations: a reception table, a presentation area, stations for one-on-one discussions, and displays of background information, activities to date and anticipated next steps. Open Houses usually last between one and three hours, so that people can drop in at their convenience and fully participate.

Workshops

Workshops are organized 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. NMMPO staff provide information, answer questions, and participate as individuals in workshops. Workshops are inherently participatory and encourage dialogue and an exchange of ideas.

2.1.6 MEETING ACCESSIBILITY

State and Federal Law requires that all meeting locations be accessible to those with disabilities. The Massachusetts Public Accommodation Law and the Americans with Disabilities Act (ADA) both mandate that persons with disabilities be allowed to participate in public meetings. Scheduled meetings of the Northern Middlesex MPO are generally located at the NMCOG offices, and are accessible to people with disabilities and close to public transportation (LRTA bus routes 2, 3, 9, 11, 12 stop in front of NMCOG

offices on Church Street). It should also be noted that secure bicycle parking is available on the second floor.

For meetings outside of the NMCOG offices, the NMMPO is required to hold public meetings, open houses, and workshops in accessible facilities that are, wherever possible, at locations close to or served by fixed-route transit service. Public meeting notices include information letting people know that the meeting location is accessible. NMMPO staff conducts an analysis of the demographics of the area where the meeting is to be held to determine whether notices should be translated into languages other than English. The availability of handout materials in alternative formats—Braille, large print, and/or audio cassette, and languages other than English—as well as other accommodations (language interpreters, sign language interpreters, CART translators, etc.) is indicated in the meeting notices, along with specific information on how to request these accommodations. Staff will research and make every effort to select the location, size, and setup of meeting facilities based on the specific characteristics of the audience and the type of information to be presented. Whenever possible, meetings, and workshops will be held in places that are centrally located to the project and likely to attract a cross section of the people and businesses representative of the community stakeholders. City/Town Halls, public libraries, public schools, and community centers are often used for public meetings.

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CHAPTER 3: TITLE VI AND ADA PROTOCOLS, POLICIES AND RESOURCES

The NMMPO follows the civil rights protocols and policies set forth in the Public Participation Plan. These protocols have been developed based on those set out in MassDOT's Public Participation Plan as adopted in 2014. This chapter contains two sections: (1) protocols and resources designed to ensure inclusivity and diversity in public engagement activities; and (2) protocols and resources designed to ensure the accessibility of all NMMPO public outreach activities.

3.1 CIVIL RIGHTS PROTOCOLS ENSURING INCLUSIVITY AND DIVERSITY 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 NMMPO protocols for public engagement, particularly in the conduct of meetings, workshops and other interactions. The NMMPO staff incorporates these protocols by reference into other NMMPO documents where relevant.

These protocols include steps and strategies that are to be implemented prior to holding a public meeting or other such activity and during the course of the public involvement process. Due to the varied nature of the NMMPO's engagement with the public, it is not the intent to include all required actions for each stage of the planning process. In the event that an NMMPO staff member encounters a difficult public involvement situation, he/she is advised to contact the MassDOT Title VI Specialist in the Office of Civil Rights to identify strategies and alternatives to address such situations.

The NMMPO intends that these Protocols be flexibly applied to each meeting or public outreach event. Meetings should be tailored to the intended target audience and relevant subject matter. 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.

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 NMMPO's public engagement procedures address federal and Commonwealth-level nondiscrimination obligations.

While the following protocols highlight specific resources, the NMMPO staff uses their 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

The following protocols outline four common types of public engagement opportunities for NMMPO staff members:

- General Public Meetings
- Targeted Outreach
- Open Houses
- One-on-One Interactions

Each of these forms of public engagement is described in greater detail below.

General Public Meetings

Public meetings, both at the project level and more broadly, are an opportunity 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 NMMPO staff involved in planning and conducting such events. Incorporation of these processes and utilization of these resources, when planning or participating in public meetings or workshops will help ensure that these events are Title VI compliant.

Targeted Outreach

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. The NMMPO may at times host selected people within study advisory committees, research efforts, and/or small groups. The general work of understanding the demographics of people in a locality or project area still apply to determine what Title VI groups are impacted. However, there may be a need to include community leaders within Title VI populations. This can require more subtle and challenging efforts to secure participation and needed contribution to discussions.

Open Houses

NMMPO staff may also interact with stakeholders through an “open house” session. The open house method serves to provide the public with opportunities to view project/plan concepts in an informal session. Staff members are available to interested public and regional stakeholders, often raising critical issues relative to the plan/project. NMMPO staff gathers all comments and addresses them during/after each session.

One-on-One Interactions

NMMPO staff members often interact directly with the public. These 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 herein.

3.1.2 GENERAL PUBLIC MEETINGS

Initial and Ongoing Tasks

- Identify the population and composition of the individuals/communities impacted by the NMMPO program, plan, or project by considering the following:
 - Determine project limits, such as location, areas that will be impacted by construction phases, and benefit/burden areas;
 - Consider the nature of the program, plan, study, or project;
 - Determine the Title VI features of the community to be engaged by referring to the NMMPO's Title VI Assessment, which includes the limited English proficient (LEP) and minority populations of the region;
 - Identify key Title VI-related and other community based organizations and community leaders. It may be helpful to utilize well established connections with individuals and groups. These instructions provide the steps to identify previously unknown points of contact to diversify outreach:
 - Use the MassDOT Civil Rights GovDelivery database to update existing NMMPO contact lists
 - Update the NMMPO contact list on a bi-annual basis, reaching out to community organizations to identify any new contacts for inclusion in the process, as outlined in the Title VI plan.

Meeting Location and Time

Title VI Considerations

- 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;
- Consider factors such as cultural sensitivities and/or professional and academic commitments in setting the number of meetings. Multiple meetings can be held at various locations and times, if doing so promotes meaningful access to the public engagement opportunity; and
- Where possible, select a meeting location near public transportation options (up to a ½ mile walking distance is reasonable)

ADA Considerations

- Identify a public meeting venue that is ADA compliant and accessible to persons with disabilities. MassDOT maintains an Accessible Facilities Database that contains updated information regarding venues that have been previously assessed for ADA compliance;
- If NMMPO staff cannot identify an appropriate venue in the database, check the following additional resources to identify public meeting venues that may be accessible:
 - The Massachusetts Office on Disability <http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/>
 - Municipal Disability Commissions
 - Lowell Commission on Disabilities

- Billerica Commission on Disabilities
- Chelmsford Commission on Disabilities
- Westford Commission on Disabilities
- The Northeast Independent Living Program www.nilp.org
- Once a location is selected, contact venue staff to identify any pre-existing accessibility accommodations, such as assistive listening devices and Communication Access Real-Time Translation (CART) equipment.

Public Meeting Notices

1. Draft the public meeting notice document with a template that ensures that the following civil rights related components are included:
 - Notice of Nondiscrimination;
 - Availability of language services and reasonable accommodations; and
 - Contact information and procedures for requesting the above services or additional information, or to express a concern.
2. Public meeting notices must be accessible;
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:
 - Identifying non-English language media and locations with an LEP population that may be effective in communicating notices to individuals who have limited English proficiency. The following resources may be helpful to consult:
 - MassDOT Office of Diversity and Civil Rights
<http://www.massdot.state.ma.us/OfficeofCivilRights.aspx>
 - MassDOT Public Affairs Office
 - NMCOG Council Members
 - Community Leaders
 - Lowell Regional Transit Authority (LRTA)
 - Public Libraries
 - Schools/Universities – UMass Lowell, Merrimack Community College
 - Greater Lowell Chamber of Commerce
 - Community Teamwork, Inc
 - International Institute
 - Develop translated version(s) of the notice document based on the extent of LEP need and available media sources. If there is a large population of individuals who are LEP in the meeting or project locale, consider translating the meeting notice in full. If there is less likely to be individuals who are LEP, include the following statement translated into the appropriate languages from the English language version of the notice:

“If this information is needed in another language, please contact the NMCOG Title VI Specialist at 978-454-8021.”
 - Consult the following resources for translation needs:
 - UMass Translation Center. To request a translation use the following link:
<http://www.umasstranslation.com/services/request-an-estimate/>

- Statewide Language Services Contract (NMMPO has employed Language Connections in the past and have contacts) website:
<https://www.commbuys.com/bsa/>
4. The final distribution of the public engagement notice should incorporate the following:
- Distribution of the public notice occurred sufficiently in advance of the meeting to ensure adequate processing time for language and accessibility accommodation requests.
 - The public notice/announcement materials have been delivered to non-English language outreach resources and sites, as need is identified in the NMMPO LEP Plan's four factor analysis.
 - The public notice has been delivered directly to individuals, organizations, and other stakeholders that represent Title VI populations in the region. Notice may be sent to the entities below with the instruction that they forward the notice among their own distribution lists and/or post it:
 - MassDOT Office of Diversity and Civil Rights
 - Community Leaders
 - NMCOG Council Members
 - Lowell Regional Transit Authority
 - Community Clerks
 - Public Libraries
 - UMass Lowell and Middlesex Community College
 - Greater Lowell Chamber of Commerce
 - Community Teamwork, Inc.
 - International Institute

Note: This stakeholder listed above is only a small sample of the full NMMPO distribution list.

Preparation for the Meeting

It is important to consider the following questions when preparing for the meeting:

- 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?
- What are the known benefits and burdens of the NMMPO program, service, or activity on Title VI populations? Consult the following resources:
 - Public meeting minutes and notes
 - Written public comments
 - News articles
 - The NMMPO staff involved in planning and/or conducting prior related meetings

NMMPO staff should maintain an ongoing dialogue with the individuals and organizations in order to remain well informed on the level of community interest and likely involvement in the public outreach event.

Electronic documents related to the subject of the public meeting and intended for public dissemination and review should be accessible. Adobe Acrobat Professional and Microsoft Word have built-in "accessibility checkers." 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 large-print), if requested.

Meeting Set-Up

ADA considerations in public outreach are fully articulated in the NMMPO's Civil Rights Protocols designed to ensure accessibility section of this plan. Meeting setup should address the following meeting accessibility questions:

- If the main entrance to the building is not accessible, is the accessible entrance unlocked?
- If the main entrance to the building is not accessible, is there directional signage towards the accessible entrance?
- 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?
- Are there integrated seating areas 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?
- 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 be used as floaters with microphones as an alternative?
- 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?

Title VI considerations can be addressed through the following:

- Based on identified language need requests, has signage in multiple languages been posted?
- Is the space allotted to any foreign language interpreters clearly visible to the entire audience?
- Has space been given to foreign language interpreters to sit with individuals who need language assistance?
- Have Title VI related materials been made available at the welcome desk and/or in the meeting packet? This should include:
 - US Census Language Identification Flashcards (currently located at reception desk)

- Translated versions of materials, as needed.

During the Meeting

1. At the official start of the meeting, make the following statements. If a foreign language translator(s) is present, instruct them to repeat.
 - General statement regarding nondiscrimination and availability of language and accessibility accommodations.
 - Include instructions on site-specific accessibility considerations, such as accessible emergency exits.
2. The NMMPO is required to “demonstrate explicit consideration and response to public input” (Title 23 CFR 450.316 (2) – Interested parties, participation, and consultation). 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 or at subsequent public outreach opportunities. All comments received from the public during the meeting should be noted by NMMPO staff, compiled and be made available post meeting.

Post Meeting

1. All public comments (written and oral), testimonials, and sentiments expressed during the public outreach event have been gathered/documentated by NMMPO staff that attended the meeting and passed on to the appropriate NMMPO staff member.
2. Once received, NMMPO staff catalogue all public comments. All comments received will be followed by a response indicating that the comment has been received and presented to the NMMPO.
3. NMMPO staff members are responsible for coordinating responses to public comments. Methods of responses can include:
 - Individualized written responses;
 - General distribution written statements (web, email, newsletter, newspaper, etc.);
 - Postings to project specific website, if available; and
 - In-person or telephone conversations with individuals/organizations regarding the topics of discussion at the public outreach event.
4. NMMPO staff reviews the public comments to determine and draft an appropriate response that “demonstrate[s] explicit consideration... to public input” (23 CFR 450.316).
 - NMMPO staff should prepare a summary of comments received and note the response made to each comment. This summary should be noted in the appropriate plan or study and should be presented to the NMMPO.
5. In instances where the NMMPO will draft a written response to a public comment, the content of the response should consider the following:
 - Description of considerations made for how the comment received will prompt changes to the plan/study;
 - Description of mitigation measures prompted by the comment received;
 - Description of what agencies were consulted during formulation of the response;
 - Notation describing whether the comment is new or has been previously noted; and
 - Notation of whether the comment has been received from multiple sources or one source.

6. Responses should contain contact information and/or notice of upcoming related public engagement opportunities.
7. The NMMPO Title VI specialist will track all civil rights considerations experienced throughout the process including translation requests or foreign languages encountered during a public engagement event.

3.1.3 OPEN HOUSES

Title VI Considerations

1. US Census Language Identification Flashcards have been provided at the reception desk. <http://www.lep.gov/ISpeakCards2004.pdf>
2. If the NMMPO is providing interpretive services during the open house session, their availability should be made clear through signage and/or announcements. After the session, the NMMPO staff in attendance should relay the nature of questions and concerns identified through interaction with the public to the Transportation Program Manager (or designee). It is important for NMMPO staff to know and understand community concerns.
3. Written descriptions of display items may need to be translated depending on requests received and/or the anticipated level of LEP participation.

ADA Considerations

1. The open house set up should be ADA compliant. Refer to the “Civil Rights Protocols Designed to Ensure Accessibility” section outlined in this plan.
2. Consider the following protocols when setting up an open house style meeting:
 - Consult the following “best practices” guide for text and color considerations when preparing materials for the open house. <http://www.lighthouse.org/accessibility/design/accessible-print-design/>
 - Pathways in and around the room that guide attendees to displays and staff should be clear of obstruction.
 - Display materials should be set up at proper heights and viewing angles to make the accessible. (Maximum 48” above the floor for mounted wall displays. The clear floor space should be 30”-48” wide. For tabletop displays, the table should be 28”-34” in height and there should be at least 27” of knee space from the floor to the underside of the table.)
 - NMMPO staff should be able to describe visual displays to blind or visually impaired attendees.
 - Alternate versions (large print, Braille, etc) of public documents should be made available if requested prior to the meeting date.

3.1.4 TARGETED OUTREACH GATHERINGS

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

Preliminary Steps

1. Identify and analyze the project/study area to determine the Title VI populations affected.
2. Establish a clear objective and role for the envisioned targeted group.
3. Create a public participation database to identify the different types of community representation and interests that reflect the community affected by an initiative, with careful attention to Title VI populations. Types of organizations or interests that may include representatives of Title VI populations:
 - transit-dependent community
 - affected businesses
 - civic organizations (women, seniors, youth, people with disabilities)
 - freight interests
 - the disability community
 - neighborhood associations
 - schools
 - churches
4. Beyond demographic data and identification of the types of Title VI related groups or individuals in the community, there are certain key questions to help determine the individuals or groups to invite to a targeted outreach gathering. Consider answering the following questions:
 - Who can represent these diverse groups and constituencies in a credible and responsible way?
 - Who needs to be at the table for the work to be accomplished?
 - 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?
 - Are there any critical stakeholders who may be reluctant to participate in the process? What would be the impact of their refusal to participate in the process? Are there any alternatives to alleviate their concerns/issues with participation?
 - What commitments do you want from participants?
 - Other than known stakeholders, what other individuals or groups may have an interest in the project that are (a) not in the immediate project area, and/or (b) are not otherwise represented in the outreach strategy?

Conduct Targeted Research

NMMPO staff should research communities and targeted groups/individuals that have been identified.

Reaching out to Potential Title VI Group Members

1. Outreach approaches:
 - Look for formal and informal opportunities to engage, collaborate, and build relationships.
 - Use multiple outreach methods including email, phone calls, etc.

- Prepare materials based on the targeted audience, including translations
- Identify existing channels of communication
- Experiment and reflect on the effectiveness of new approaches.

In Title VI communities, a range of factors can lead to reluctance to participate for individuals and/or groups that could be helpful in the transportation planning or development process. For example, many times natural leaders are leaders of agencies or community groups, often limiting their ability to participate because of the many demands on their time, resources and commitment. Identify the factors that would encourage participation and involvement before reaching out, to be in the best position to explain how it is important for this individual or group to participate.

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:

- **Limited English language skills and/or limited literacy** – it is first important to know that the NMMPO convey the message that the organization 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.
- **Lack of trust due to past experiences** - it is important to be in a position to respond with as much information as will demonstrate that both participation and the project are being honestly and openly addressed.
- **Lack of experience with transportation decision making processes** – if this process is not well understood, it is important to have NMMPO staff on hand to clearly explain the process.
- **Economic barriers** – transportation costs, work schedules – meetings should be located in the community of interest to avoid cost factors, and they should be timed to meet the schedule of the majority of participants, after consideration of all schedules, alternatives and needs.
- **Cultural barriers** – There may be intergroup dynamics that make bringing groups together problematic due to class, racial, ethnic or political differences. Research on these issues will help build a better understanding and provide suggestions to mediate the different groups or determine whether there is a need for separate meetings.
- **Common Barriers** – Time and other demands may hinder public participation. The key is to clear convey the importance of an effort to the stakeholder, including the benefits to the representative(s) being recruited to participate.

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

1. If a person or group declines to participate in a particular effort, thank them for their time, keeping in mind that the group may choose to participate in another effort in the future.
2. Consider sending the individual or organizations updates on the effort that are sent to others. This effort could be informative and demonstrate inclusiveness for the project.

Documenting the Effort to Achieve Diversity and Next Steps

Given the obstacles to participation in the transportation planning process, it is likely impossible to achieve a perfectly diverse committee. Nonetheless, it is important to document outreach efforts made towards Title VI inclusion. NMMPO staff should consider the following steps:

1. Staff should keep files on available resources and methods used to identify individuals and groups, the nature of the outreach effort, the people invited and the results of recruitment efforts. Possible resources include:
 - Lists of potential invitees who were considered and/or accepted
 - Samples of research conducted and/or consultations made for recruitment
 - Copies of invitation e-mails or other correspondence
 - Group membership lists, with indications of the Title VI communities represented
 - Meeting sign in sheets
2. NMMPO staff should plan to 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.
3. Document NMMPO relationships with the Title VI community and demonstrate that the NMMPO has considered Title VI stakeholder input in development of policies, plans, studies, and projects.

3.1.5 ONE-ON-ONE INTERACTIONS

The following protocols for interactions with Limited English Proficiency (LEP) individuals are generally recommended for NMMPO staff, based on type of interaction.

1. In-person (such as NMCOG offices)
 - The first step is to identify the preferred language of the individual. The following resources are available:
 - Language Identification Flashcards (currently located at the NMCOG office reception area) <http://www.lep.gov/ISpeakCards2004.pdf>
 - Google Translate (<http://translate.google.com/>) or a similar real-time free online language translator can be used to identify the language.
 - Assistance from co-workers that may be able to identify the language.
 - Interpretive services (Note: Language Connections can provide real time telephonic interpretations on an as needed basis)
 - Once the language has been identified, the methods you use to address the needs of the individual will depend on the circumstances.
 - Simple inquiries can be solved with the aid of Google Translate (<http://translate.google.com/>) or a similar product. Staff and LEP individuals can communicate by typing into Google Translate software.
 - For more intricate conversations about issues, NMMPO staff should inform LEP individuals that professional language services are available.
 - Professional language services often take time to secure. NMMPO staff should attempt to convey this message with Google Translate or a similar service.

2. Phone Interactions - The NMMPO staff is proficient in English only. In the event that the NMMPO staff receives a call in a language other than English, staff will transfer a caller to NMCOG's voice mail system so that the caller's request can be recorded and replayed by persons with language skills other than English.

The staff has the ability to request language identification and translation services through several agencies and/or professional translation services. The NMMPO staff is considering how partner with local organizations, i.e. CMAA, CTI, CBA and/or the International Institute, to access these services.

3. Electronic Interactions – email, website comments, online surveys, etc., translation services will be sought through either UMass or Language Connections.
4. For correspondence in a language other than English, Google Translate may be used; more complex interactions may require professional translators/interpreters (Note UMass Translation Services or Language Connections have provided services to the NMMPO in the past).

3.2 CIVIL RIGHTS PROTOCOLS DESIGNED TO ENSURE ACCESSIBILITY

Specific civil rights criteria must be fulfilled in order to ensure that all public meetings are fully accessible to persons with disabilities similar to those with limited English proficiency, as outlined in this accessible meeting policy. State and Federal laws require that all members of the community be allowed to access and participate in NMMPO related public meetings. The Massachusetts Public Accommodation Law and the Americans with Disabilities Act mandate that persons with disabilities must not be denied participation in public meetings, and that reasonable accommodation requests made by attendees shall be honored.

This section provides policy guidelines for ensuring the accessibility of public meetings hosted by the NMMPO. Public meeting guidelines such as the meeting location, room setup, alternate formats and translations of handouts, and the requirement to provide CART and/or sign language and/or foreign language interpreters (upon request) are presented in the following section.

General Considerations

- The NMMPO will designate a staff member to be responsible for ensuring that the public meeting is accessible for all attendees. This individual shall serve as the contact for attendees requesting reasonable accommodations.
- Public meetings will be planned and publicized as early as possible. An ideal planning/publicizing period is at least fourteen (14) days, but no less than ten (10) days in advance. Meeting notices will include a date by which attendees would request reasonable accommodations. Attendees should make such requests at least seven (7) days before the meeting. After the cutoff date, staff will still try to provide an accommodation but cannot guarantee provision of the requested accommodation.
- Attendees are not charged for any reasonable accommodation provided.

Choosing a Meeting Location

- 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.

- 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. The path of travel from the parking area 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.

Identifying the Accessible Entrance

The accessible entrance to the building hosting the meeting should be identified. 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.

Alternate Accessible Entrance

The NMMPO will 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.

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.

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).

Meeting Room

The public meeting room shall be made accessible for persons with disabilities. The following shall be provided:

1. The room shall have an integrated seating area for wheeled mobility device users.
2. 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.
3. A well-lit area and chairs facing the audience shall be made available for sign language interpreters at the front of the room.
4. If using a CART provider, a small table for the laptop and space for a screen and projector should be provided near an electrical outlet.
5. Priority seating at the front of the audience and in direct line of sight of the interpreters/CART provider shall be provided for attendees who are deaf/hard of hearing.

6. For foreign language interpreters, provide space where they can sit with individuals requiring language assistance.
7. Aisles within the meeting room shall be clear of tripping hazards (e.g. electric cords), and at least three (3) feet wide.
8. 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.
9. Podiums: If any attendee may have an opportunity to speak at a podium, NMMPO staff 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 inches 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.
10. 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 feet wide;
 - Does not have a slope that exceeds 1/12;
 - A Platform lift.
11. 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.

3.2.1 AMERICAN SIGN LANGUAGE AND FOREIGN LANGUAGE INTERPRETERS, ASSISTIVE LISTENING, DEVICES, CART, AND VIDEO REMOTE INTERPRETING

The NMMPO provides reasonable accommodations and/or language assistance free of charge upon request (including but not limited to interpreters in American Sign Language and foreign languages, open or closed captioning for videos, assistive listening devices and alternate material formats), as funding allows. To request accommodations, individuals must contact the NMMPO Title VI Coordinator at 978-454-8021 or email to jhoward@nmcog.org. Requests should be made as soon as possible for services requiring advanced arrangements, including sign-language, CART or language translation or interpretation. Procedures for provision of ASL, interpreters, assistive listening devices, CART, and video remote interpreting are as follows:

1. American Sign Language and/or foreign language interpreters will, to the best of the NMMPO's ability, be provided at all public meetings upon request. Interpreters should be requested at least ten (10) days in advance of the public meeting by contacting the NMMPO Title VI Specialist. Attendees will not be charged for any costs associated with providing sign language or foreign language interpreters for the meeting.

2. Assistive Listening Devices for attendees who are hard of hearing will, to the best of the NMMPO's ability, be provided at all public meetings upon request.
3. CART services will, to the best of the NMMPO's ability, 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 NMMPO 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.
4. Video Remote Interpreting will, to the best of the NMMPO's ability, be provided at all public meetings upon request via a computer/laptop with a webcam and high speed internet connection.
 - 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 staff cannot secure the requested technology.

3.2.2 ALTERNATIVE FORMATS AND TRANSLATION OF HANDOUTS/PRESENTATION MATERIAL

These accessibility protocols are identical for translation into foreign languages, where the language requested is identified through application of the NMMPO Title VI Limited English Proficiency Plan (LEP). Strong evidence of compliance with Title VI under the "Safe Harbor" provision involves providing written translations of vital documents for each language group of LEP persons that constitutes 5% of the population or 1,000 persons, whichever is less, eligible to be served or likely to be affected or encountered by the recipient. If that 5% is comprised of less than 50 persons, then translation of vital documents can be provided orally. Also, under the "Safe Harbor" provision, oral translation of non-vital documents is deemed sufficient to meet the requirements of Title VI. 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. Attendees will not be charged for any cost affiliated with the creation of alternate formats of meeting material.

Large Print Version

Large print versions of all printed material shall be available at all public meetings upon request to the NMMPO Title VI specialist. Requests should be made at least twenty-four (24) hours prior to the meeting. If requests for alternative formats are made at or following the meeting, the alternative format shall be provided within seven (7) days of the request.

Large print meeting materials shall:

1. Be created using a sans serif font at 16 point font size
2. Have the same information as the original handout
3. Have the highest contrast possible (e.g. black on white)
4. 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

5. If images are used in the large print document, a brief description of the image shall be provided as alternative text. Alternative text image descriptions shall be brief and provide the viewer of the document with a general idea of what is in the image.
6. If tables or graphs are used in the large print document, a summary of the table or graph shall be provided in the document narrative.

Electronic Versions

If an electronic version of materials is requested within twenty-four (24) hours of the meeting to the NMMPO Title VI specialist, this version shall be available for the meeting. If no advance request is made, but rather is requested at or after the meeting, then the meeting materials shall be made available electronically, within seven (7) days of the request.

Note: Whenever possible, NMMPO staff should bring several copies of an electronic accessible version of the material to the 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.

Braille Versions

If a Braille version of materials is requested within one week in advance of the meeting to the NMMPO Title VI specialist, 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) days of the request.

Audible Versions

If an audible version of materials is requested within one week in advance of the meeting to the NMMPO Title VI specialist, 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) days of the request.

Foreign Language Versions

If a common foreign language version of materials is requested to the NMMPO Title VI specialist within one week 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) days of the request.

Other requests for alternate formats

Individual attendees may have unique specifications for alternate formats. All reasonable requests for alternate formats made to the NMMPO Title VI specialist shall be honored within seven (7) days of the request.

3.2.3 PUBLICIZING THE MEETING

Public meetings shall be publicized as early as possible—ideally 14 days in advance, but not less than 10 days in advance. This allows attendees time to submit requests for reasonable accommodations and for NMMPO staff to set deadlines for accommodation requests to be made in a timely manner. The meeting notice should also be translated into the languages that are identified through application of the four factor analysis set forth in the NMMPO Title VI Assessment. Based on the 2010 US Census, these languages include:

- Spanish
- Portuguese
- Khmer
- Chinese
- Vietnamese

All meeting notices shall be publicized on the NMCOG website www.nmcog.org and in local newspapers, namely the *Lowell Sun* and *Khmer Post*.

All meeting notices shall include:

- The statement “This location is accessible to persons with disabilities”.
- A statement outlining the public transportation service available.
- A brief listing of accessibility features that either are available or may be made available upon request, or 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.
- Information on how to request language interpreter assistance.

3.2.4 ADDITIONAL CONSIDERATIONS

Within 48 hours of receiving a request, NMMPO staff should respond to the attendee that the request has been received and is being processed.

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, meeting presenters shall 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 shall 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 shall:

- Speak slowly and clearly so that the sign language interpreters have time to interpret.
- Verbally describe information presented visually (e.g. PowerPoint) so that visually impaired attendees can process the information.
- Ensure that any videos shown during the meeting are encoded with closed captioning and are shown on a closed caption compatible device. Subtitles are an acceptable alternative.
- Provide an alternate version of the video 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.

Updates and Revisions

The NMMPO staff will utilize this Plan in order to fully understand the region's needs and be more responsive in its interaction with community members. Due to varied and evolving nature of the transportation planning process, it is expected that there will be a need to revise and update this plan periodically. To ensure that current and effective methods for public involvement are used, NMMPO staff will monitor the effectiveness of the strategies and techniques outlined in this plan. Toward this end, NMMPO staff will track attendance at public events, compiling figures on number of comments received and track social media and website activity. As mandated, the NMMPO will evaluate the effectiveness of its Public Involvement and Civil Rights strategies and practices on an on-going basis to ensure that low income and minority population classes are not adversely impacted. Adjustments to the PPP will be made as soon as deficiencies are noted. Any updates or revisions to the Plan will require a 45-day public comment period before NMMPO action is taken to adopt the proposed revisions.

Appendix A: Summary of Comments Received

NORTHERN MIDDLESEX MPO PUBLIC COMMENT SUMMARY

Draft Public Participation Plan

COMMENT PERIOD: MARCH 11-APRIL 25, 2016

PUBLIC MEETING DATE: APRIL 5, 2016

Comment 1: March 31, 2016

- Mark Goldman, a Lowell Resident, called staff to offer complete support of the draft public participation plan as presented. He offered two amendments to the report:
- Add Historic Commissions from each community to the outreach list in Section 2.1.4 beginning on page 19 of the document.
- Add Massachusetts Department of Conservation and Recreation (Mass DCR) to the outreach list in Section 2.1.4 beginning on page 19 of the document.

NMCOG Response:

- *These organizations will be added to the Draft Public Participation Plan prior to endorsement of the document.*