

# **Southeastern Massachusetts Metropolitan Planning Organization**

**2010 UPDATE**

## **THE PUBLIC PARTICIPATION PROGRAM (PPP) FOR THE REGIONAL TRANSPORTATION PLAN (T-PLAN) THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) TRANSPORTATION STUDIES and SECTION 5307 GRANT APPLICATIONS**

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

To this end, the SMMPO also solicits, to the maximum extent possible, the input of all interested parties in the development of this Program. The PPP policy is issued in “Draft” form and distributed at all public meetings that SRPEDD holds in the three months leading up to its ‘45-day comment period’ in May. **At the combined Joint Transportation Planning Group (JTPG) meeting held on February 21, 2007 draft copies of the PPP were distributed and a presentation was given on the significance of the program and a request for input was made of all who attended. At the MPO meetings on March 27, 2007 and April 25, 2007 draft copies of the PPP were distributed to all attendees. A presentation of the significance of the PPP and a request for comments and input were requested so that amendments to the program could be made prior to the approaching 45-day comment period. The draft PPP was posted on SRPEDD’s web site. The PPP was presented at the three public meetings held by SRPEDD to distribute copies and request comments on the T-Plan at the Wareham Town Hall on March 5, 2007, the Fall River City Hall on March 6, 2007, and Attleboro City Hall on March 8, 2007. The draft PPP was presented and distributed at the SRTA Board Meeting on March 15, 2007 in Fall River. The draft PPP was presented and distributed at a SRPEDD public meeting on June 18, 2007, at a SRTA Consumer Advisory Committee on June 19, 2007, and at the GATRA Consumer Advisory Committee on June 21, 2007. For the 2007 version of the PPP, a comment was received to add a weekly newspaper in New Bedford to the comprehensive mailing lists.**

**The draft PPP was sent to the New Bedford, Fall River, Attleboro, and Taunton Community Development Directors whose duties involve the coordination of federal funds received from HUD for community development. These Development Directors were specifically solicited to provide input to the PPP process on the coordination of their planning activities that are affected by transportation**

within the MPO with the PPP. The draft PPP was distributed at the May SRTA and GATRA **Citizen Advisory Committee (CAC)** meetings. Attendees at the **CAC** represent the public ridership of both demand response and fixed route and the purpose is to solicit their comments about the quality as well as quantity of the public transportation provided in their area. The **CAC** sites for SRTA are Fall River and New Bedford, bi-monthly. GATRA holds its **CACs** in Attleboro and Taunton bi-monthly, as well as Plymouth and Wareham monthly. The purpose of the PPP was presented and input to the process was requested from these public use groups that traditionally represent the underserved segment of the population.

A 1994 Presidential Executive Order directed every Federal agency 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." The MPO's Environmental Justice initiatives will strive to accomplish this by involving the potentially affected public through outreach programs. These programs consist of MPO staff activities designed to develop partnerships with, and enhance the participation in the transportation planning process, by groups and individuals of "traditionally underserved" communities. These communities include minorities, transit dependent citizens, low income, the elderly, and persons with disabilities. Staff activities include, but are not limited to: MPO staff participation in groups and coalitions serving within these communities; targeted communications with local media outlets; conducting meetings at times and locations that are accessible to transit dependant or non-driving individuals when possible; and publication of MPO documents in non-technical, web-based or other easily accessible formats as necessary and appropriate for purposes of obtaining input and comment into the long-range transportation planning process and for Transportation Improvement Program updates.

In carrying out the participation program, the MPO shall to the maximum extent practical – (1) hold any public meetings at convenient and accessible locations and times; (2) employ visualization techniques, such as charts and maps, to describe long-range transportation plans; and (3) make public information available in electronically accessible format and means, such as the SRPEDD website, as appropriate to afford reasonable opportunities for consideration of public comment and opinion. The goal of the SMMPO's outreach program is to ensure that all citizens, regardless of race, color, religion, income status, national origin, age, gender, disability, marital status, sexual orientation or political affiliation, have an equal opportunity to participate in the MPO's decision-making process.

The principal responsibilities of the SMMPO include the development of a 20-year long range Transportation Plan for the southeastern Massachusetts region (including the cities of Attleboro, Fall River, Taunton, and New Bedford) that is financially constrained and within the projected federal funds available. Planning activities also address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system based on a Congestion Management Process, a four-year Transportation Improvement Program, and related planning studies and projects deemed necessary to address transportation issues in the area.

Local transportation needs are re-evaluated annually. Based on this evaluation, project priorities are established and made part of the SMMPO's Transportation Improvement Program. In addition, the Transportation Improvement Program is forwarded to the **Massachusetts Department Transportation (MassDOT)** for inclusion into its State Transportation Improvement Program (STIP). EOTPW further

programs these projects, in priority order, giving consideration to production schedules and funding constraints. By Federal and State law, all regionally significant multi-modal transportation improvement projects (regardless of funding source) must be included in and be consistent (to the maximum extent feasible) with SMMPO's Transportation Improvement Program and long range Transportation Plan in order to be eligible for Federal-aid and State funding. Therefore, the SMMPO's Transportation Improvement Program is the primary plan that guides all state and federally funded transportation improvements in southeastern Massachusetts.

## **I. THE TRANSPORTATION PLANNING AND DECISION-MAKING PROCESS**

### **A. What is SRPEDD?**

The Southeastern Regional Planning and Economic Development District (SRPEDD) is a public regional planning agency established by state legislature, Chapter 40B, sections 9-19, serving four cities and twenty-three towns in southeastern Massachusetts. SRPEDD is governed by a Commission made up of the chief elected official or designee, and a Planning Board official or designee of each of the 27 municipalities in the region, plus six at-large members representing the interests of low income and minority groups in the region.

SRPEDD has no legislative or regulatory authority, but has advisory powers and is authorized to: prepare plans; conduct studies; provide assistance to cities, towns and agencies; and make recommendations. SRPEDD also serves as technical and support staff to the Metropolitan Planning Organization (MPO) for Southeastern Massachusetts.

### **B. What is the SMMPO?**

The Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) is responsible for transportation policy and federal resource allocation decisions in the region. The SRPEDD Commission is one of thirteen signatories in this MPO. Other signatories include the mayors of each of the region's cities (Attleboro, Fall River, New Bedford and Taunton), selectmen from four of the region's 23 towns, the Southeastern Regional Transit Authority (SRTA), the Greater Attleboro-Taunton Regional Transit Authority (GATRA), **the Massachusetts Department of Transportation (MassDOT)**. The MPO meets when there are enough business items to warrant a meeting, but must meet a minimum of once a year.

The MPO is the body that:

- Endorses the **Transportation Improvement Program (TIP)**—a program of federal highway and transit funding;
- Endorses the **Unified Planning Work Program (UPWP)**— the scope and cost of work tasks of the transportation staff for the coming year;
- Endorses the **Regional Transportation Plan (T-Plan)**—a comprehensive inventory and assessment of the region's highway and transit resources and needs;
- Endorses amendments to the TIP;
- Endorses the Public Participation Program, functional classification of highways, and air quality conformity of TIP and T-Plan;
- Certifies the planning process; and
- May endorse special studies conducted by SRPEDD when necessary.

### **C. What is the Joint Transportation Planning Group (JTPG)?**

The Joint Transportation Planning Group is the advisory group to the MPO for all transportation related issues. Members of the JTPG include the chief elected officials from each SMMPO community, or their designees; all at-large SMMPO Commissioners; FHWA; FTA; **MassDOT**; SRTA; GATRA; transportation interest groups; citizen groups; and SMMPO transportation staff. The JTPG is the forum for citizen involvement in transportation plans and programs, including the TIP, the T-Plan and all transportation studies. The JTPG responsibilities include:

- Prioritizing the list of projects within each TIP funding category;
- Advising the MPO regarding endorsements of the TIP, UPWP and T-Plan;
- Voting to make adjustments to the TIP; and
- Recommending enhancement and transportation demand management applications from the Congestion Management and Air Quality (CMAQ) program of transportation funding.

The JTPG generally meets on the second Wednesday of each month at the SRPEDD office. Notice of all regular meetings may be publicized five days in advance by distribution of the meeting notice and agenda to all area news media. Meetings are also posted on the SRPEDD website. Individuals may be placed on the mailing list by a request in writing, and shall be sent notice of regular meetings at least five days before the meeting.

### **D. The Regional Transit Authorities (RTAs)**

The two regional transit authorities, SRTA and GATRA, each have an Advisory Board. The Boards are composed of the chief elected official from member communities or their designee. In addition, each transit authority has Citizens Advisory Committees (CAC) that serve as an open forum for consumer issues related to transit. **GATRA's CACs meets on the third Thursday of the month in Attleboro or Taunton, the third Wednesday of the month in Plymouth and the last Wednesday of the month in Wareham. SRTA's CAC meets on the third Tuesday of the month in Fall River or New Bedford.** All meetings are open to the public.

***In order for the region to receive federal and state transportation funds, SRPEDD must complete and receive SMMPO endorsement of the following documents:***

### **E. Transportation Improvement Program (TIP)**

- The TIP is the official programming document that lists all transportation projects in the region by federal funding category. It is prepared annually and includes projects for a four-year period.
- All federally funded projects must be in the Annual Element of the TIP, with an assigned regional priority, before federal funds are authorized. The project prioritization process combines an exchange of information and evaluation at meetings of the JTPG. Evaluation criteria include: safety, mobility, condition, community effects and support, land use and environmental factors.
- Upon MPO approval, the TIP becomes part of the Statewide TIP (STIP), which must be approved by FTA, FHWA and EPA before funds are obligated for TIP projects.
- MPO approval following a public comment period and public meeting is needed to make TIP amendments (major changes as defined in the TIP document).

- Adjustments to the TIP can be made by a vote of the JTPG. An adjustment requires a notice to be included in the mailed agenda of a JTPG meeting.

**F. The Unified Planning Work Program (UPWP)** describes the scope and cost of work tasks of the MPO transportation staff for the coming year. All public participation for the UPWP will be through regularly scheduled meetings of the JTPG.

**G. The Regional Transportation Plan (T-Plan)**

- Takes a comprehensive look at the region's needs for highway and transit improvements;
- Highlights transportation issues;
- Provides short-range and long-range guidance to local elected officials, the JTPG and state and federal implementing agencies;
- Makes recommendations for transportation improvements;
- Contains air quality and financial constraints;
- Identifies all transportation facilities; and
- Is updated every four (4) years (as amended in SAFETEA-LU legislation).

**H. Transportation Studies**

Transportation studies are defined as any official, non-official or related transportation planning effort in which the SMMPO is principally involved.

**I. Federal Transit Administration Section 5307 Grants**

Section 5307 is a Federal Transit Administration (FTA) formula grant program for urbanized areas providing capital, operating, and planning assistance for mass transportation. Both SRTA and GATRA receive Section 5307 funds. Prior to the Regional Transit Authorities preparing and forwarding grant applications to the FTA and to the state, details of the anticipated grant are published in the TIP.

In accordance with the Planning Rule and Circular C 9030 1B, which streamlined the Public Hearing Requirements for FTA Section 5307 grants, the public involvement process for the development of the TIP satisfies the public hearing requirements for SRTA and GATRA's routine 5307 grants. For FTA projects that are not routine, i.e. Section 5307 applications that require an environmental assessment or an environmental impact statement, additional public involvement as presented in the joint FHWA/FTA environmental regulations, 23 C. F.R. part 771, will be required by FTA for grant approval.

**II. FEDERAL TRANSPORTATION LEGISLATION**

**A. ISTEA - 1991**

The 1991 federal legislation known as the **Intermodal Surface Transportation Efficiency Act (ISTEA)** required States and MPOs to significantly expand opportunities for the public to become involved in the metropolitan and statewide transportation planning processes. The Final Rule on Statewide Planning and Metropolitan Planning for ISTEA states:

"the metropolitan transportation planning process shall include a proactive public involvement process that provides complete information, timely public notice, full public access to key

decisions, and supports early and continuing involvement of the public in developing plans and TIPs."

In addition, the Rule states that any modification to this public participation program requires a comment period of not less than 45 days. A 30-day public comment period must be provided prior to the approval or revision of any plan. In addition, MPOs must seek out and consider the needs of those individuals and groups that have been traditionally underserved by transportation systems.

Metropolitan Planning Organizations must establish and periodically review and update public involvement processes. The process should assure early and continued public awareness of, and access to, the transportation decision-making process.

#### **B. TEA-21 - 1998**

**The Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)** enacted in 1998 reaffirms the requirement for public involvement opportunities and additionally requires that:

"before approving a long-range transportation plan [or the annual TIP], each metropolitan planning organization shall provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan [or the TIP]."

#### **C. SAFETEA-LU – August 10, 2005**

**The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)** authorizes the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009. **President Obama extended the funding for SAFETEA-LU through September 30, 2010 by signing the HIRE (Hiring Incentives to Restore Employment) Act on March 18, 2010.** The SAFETEA-LU Act requires the Metropolitan Planning Organizations (MPO) to provide for consideration of projects and strategies that will serve to advance eight (8) transportation planning factors identified under SAFETEA-LU as follows:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
2. Increase the safety of the transportation system for motorized and non-motorized users
3. Increase the security of the transportation system for motorized and non-motorized users
4. Increase the accessibility and mobility of people and for freight
5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns

6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
7. Promote efficient system management and operation; and
8. Emphasize the preservation of the existing transportation system.

### **III. PUBLIC PARTICIPATION PROCESS**

#### **A. Public Information Dissemination**

The SMMPO will keep the public informed of on-going transportation related activities on a continuous basis by making all publications and work products available electronically via its web site. The SMMPO staff will be available to provide general and project specific information during normal business hours and after hours at the request of community interest groups with reasonable notice. The SRPEDD web site will be maintained in compliance with the ADA requirements for disabled users, as well as users with Limited English Proficiency.

#### **B. Public Participation Techniques**

Public participation is an ongoing activity and an integral part of one-time activities, such as corridor studies, and regularly repeated activities, such as the annual Transportation Improvement Program process and long range Transportation Plan updates. The following public participation techniques may be used concurrently or individually as the situation dictates.

##### **(1) Public Comments**

- Public comments will be incorporated into documents and presented to the MPO for acceptance.
- Comments may be received by fax, mail, email, or verbally at public meetings.
- Substantive changes to the RTP or TIP, as a result of comments received, shall cause a revised document and additional comment period that follows the same procedure as the initial comment period.
- **The MPO, at their discretion, may vote to abbreviate the standard 30-day comment period for the RTP, TIP and major amendments under what they consider to be extraordinary circumstances. For instance, a funding opportunity with a grant application deadline of fewer than 30 days (such as the American Recover and Reinvestment Act) would require a shortened public comment period.**

##### **(2) Public Meetings**

- All public meetings shall be held in accessible locations.
- Public meetings may be combined with other regularly scheduled meetings, as long as it is listed in a mailed meeting agenda.

**(3) SRPEDD Website - [www.srpedd.org](http://www.srpedd.org)**

- The start of all comment periods will be posted on the SRPEDD website, along with an invitation for comments and questions.
- The SRPEDD website includes bilingual announcements and bilingual staff persons are available to speak to at SRPEDD.
- All draft documents will be posted on the SRPEDD website.
- All final documents will be maintained on the SRPEDD website.

**(4) Visualization Techniques –upon request for Visual Impaired**

- Charts
- Graphs
- Photo interpretation
- Maps
- Use of GIS systems
- Artist renderings
- Physical models
- Computer simulation

**(5) Other Media**

- Direct Mailings
- Press Releases
- Newspaper Advertisements
- Public Access Television
- Public Hearings
- Surveys
- Planners actively cultivate regular contacts with reporters
- Planners are available for radio interviews on public projects

## Transportation Planning Program Development

Program	Public Meeting requirement	Comment Period (minimum)	Advertising
Public Participation Program (PPP)	No requirement	45 days	Advertise in daily newspapers—prior to comment period.
Transportation Improvement Program (TIP)	1 meeting	30 days (The MPO may vote to abbreviate this time period under what they consider to be extraordinary circumstances.)	Advertise in daily newspapers—prior to comment period with announcement of public meeting
Regional Transportation Plan (T-Plan)	1 meeting at early development. 2 <sup>nd</sup> meeting to present Draft prior or during comment period. 2 different locations with one being transit-accessible.	30 days (The MPO may vote to abbreviate this time period under what they consider to be extraordinary circumstances.)	Press release to daily and weekly papers at start of development. Advertise in daily newspapers--2 meetings and start of 30-day comment pd.
Major Amendments	1 meeting	30 days (The MPO may vote to abbreviate this time period under what they consider to be extraordinary circumstances.)	Same as initial requirement
TIP Adjustment	JTPG meeting	None	Notice in mailed agenda of JTPG meeting
Transportation Study	1 meeting at start of study, if requested. 2 <sup>nd</sup> meeting to present draft results and recommendations.	No requirement	Press release to relevant news sources announcing study and inviting public participation. Advertise public meeting of draft presentation, no less than 3 days prior.
FTA Section 5307 Grants	Included in TIP process for routine projects	30 days	Included in advertisement for the Draft TIP
Unified Planning Work Plan (UPWP)	No requirement	No requirement	Invitation to suggest future planning studies is added to the advertisement for the Draft TIP.

## ONGOING PUBLIC INVOLVEMENT TECHNIQUES

### PPP Evaluation

The MPO shall perform periodic reviews of the PPP to evaluate the public's involvement, education and feedback regarding transportation issues in the region with an emphasis on the success obtained in engaging minority and low-income populations. This review will consider attendance at public meetings, interest in transportation topics on the SRPEDD website, comments received and characteristics of citizen participation.

### Distribution Lists

Copies of the PPP, T-Plan and a condensed version of the TIP shall be mailed to the following:

- State legislators representing the region
- Chief elected officials
- SMMPO Commissioners
- Highway or public works departments
- Town/City Clerks
- JTPG delegates
- SRTA and GATRA administrators
- SRTA and GATRA advisory board members
- SRTA and GATRA consumer advisory committee chairs
- State agencies (including EOT, MHD and DEP)
- **FHWA and FTA**
- The T-Plan is distributed to the main libraries at each of the four cities in SRPEDD's region

A notice of the availability of the PPP, T-Plan and TIP on the SRPEDD website or a printed version upon request shall be mailed or emailed to the following:

- Planning boards
- City/Town Planners
- Community Development Directors
- Airport managers
- Main Public libraries in every community
- Councils on Aging
- Conservation Commissions
- Natural Heritage & Endangered Species Program
- Chambers of Commerce
- Industrial development commissions
- Private transportation companies (freight and passenger)
- Agencies representing minority and low income populations (see Environmental Justice mailing list)

The SMMPO may seek to gain additional public input and involvement for the TIP, T-Plan and individual transportation studies through the following methods:

- Advertise and hold local meetings with businesses and residents

- Conduct public surveys (e.g., onboard transit vehicles, housing authority residents)
- Attend transportation or social service committee meetings (e.g., New Bedford Intermodal Committee, Greater Taunton Health & Human Services Coalition, Department of Transitional Assistance Quartets)
- Attend GATRA and SRTA CAC meetings
- Attend regional job fairs and business expos
- Hold educational workshops, visioning sessions or transportation forums
- Prepare a portable transportation plan display or presentation to take on the road
- Publish articles in the SRPEDD newsletter, and prepare articles for other regional publications as requested
- Seek out and contribute to other agency newsletters
- Participate in cable TV and/or radio interviews
- Distribute public service announcements to local cable TV stations
- Post notices, as appropriate, at intermodal centers in the region
- SRPEDD staff will speak at group meetings about any transportation issues upon request.

In addition, SRPEDD maintains and strives to continually add to a set of comprehensive mailing lists that include environmental justice contacts and transportation providers.

Following is a list of sources utilized for advertisement **and/or press releases**, as relevant.

<b>Community</b>	<b>Name</b>	<b>Notes</b>
Attleboro	<u>Attleboro Sun Chronicle</u>	<b>DAILY</b>
Brockton	<u>The Brockton Enterprise</u>	<b>DAILY</b>
Carver	<u>Carver Reporter</u>	
Dartmouth	<u>The Chronicle</u>	
Fairhaven	<u>The Advocate</u>	
Southcoast Region	<u>The South Coast Insider</u>	
Fall River	<u>El Latino Expreso</u>	Spanish
Fall River	<u>The Herald News</u>	<b>DAILY</b>
Fall River	<u>O Jornal</u>	Portuguese
Fall River	<u>O Jornal Brasileiro</u>	<b>Brazilian</b>
Lakeville	<u>The Call</u>	
Mansfield	<u>Mansfield News</u>	
Mattapoisett	<u>The Wanderer</u>	
Middleborough	<u>The Middleborough Gazette</u>	
New Bedford	<u>Portuguese Times, Inc.</u>	Portuguese
New Bedford	<u>Vocero Hispano</u>	Hispanic
New Bedford	<u>The Standard Times</u>	<b>DAILY</b>
Norton	<u>Norton Mirror</u>	
Providence	<u>Providence Journal</u>	<b>DAILY</b>
Providence	<u>The Providence American</u>	Minority community in RI & SE Mass.
Raynham	<u>The Call</u>	

Raynham  
Somerset/Swansea  
Taunton  
Taunton  
Wareham

The Raynham Journal  
The Spectator  
Taunton Daily Gazette  
The Call  
The Courier

**DAILY**

Online newspaper sources:

The Southcoast Today

Dartmouth & Westport - [www.southcoasttoday.com/chronicle](http://www.southcoasttoday.com/chronicle)  
Fairhaven & Acushnet - [www.southcoasttoday.com/advocate](http://www.southcoasttoday.com/advocate)  
Swansea & Somerset – [www.southcoasttoday.com/spectator](http://www.southcoasttoday.com/spectator)

Wicked Local

Berkley – [www.wickedlocal.com/berkley](http://www.wickedlocal.com/berkley)  
Carver – [www.wickedlocal.com/carver](http://www.wickedlocal.com/carver)  
Dighton – [www.wickedlocal.com/dighton](http://www.wickedlocal.com/dighton)  
Fall River - [www.wickedlocal.com/fall-river](http://www.wickedlocal.com/fall-river)  
Lakeville - [www.wickedlocal.com/lakeville](http://www.wickedlocal.com/lakeville)  
Mansfield - [www.wickedlocal.com/mansfield](http://www.wickedlocal.com/mansfield)  
Marion - [www.wickedlocal.com/marion](http://www.wickedlocal.com/marion)  
Mattapoisett - [www.wickedlocal.com/mattapoisett](http://www.wickedlocal.com/mattapoisett)  
Middleborough - [www.wickedlocal.com/middleborough](http://www.wickedlocal.com/middleborough)  
North Attleborough - [www.wickedlocal.com/northattleborough](http://www.wickedlocal.com/northattleborough)  
Norton - [www.wickedlocal.com/norton](http://www.wickedlocal.com/norton)  
Plainville - [www.wickedlocal.com/plainville](http://www.wickedlocal.com/plainville)  
Raynham - [www.wickedlocal.com/raynham](http://www.wickedlocal.com/raynham)  
Rehoboth - [www.wickedlocal.com/rehoboth](http://www.wickedlocal.com/rehoboth)  
Somerset - [www.wickedlocal.com/somerset](http://www.wickedlocal.com/somerset)  
Swansea - [www.wickedlocal.com/swansea](http://www.wickedlocal.com/swansea)  
Taunton - [www.wickedlocal.com/taunton](http://www.wickedlocal.com/taunton)  
Wareham - [www.wickedlocal.com/wareham](http://www.wickedlocal.com/wareham)  
Westport - [www.wickedlocal.com/westport](http://www.wickedlocal.com/westport)

**Southeastern Massachusetts  
Metropolitan Planning Organization (SMMPO)**

**Title VI Complaint Process**

**Approved by the SMMPO ...date here**

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

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

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

**Filing of Complaints**

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

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

All complaints will include the following information:

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

## **Processing of Complaints**

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

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

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

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

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

## **Resolution**

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

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