

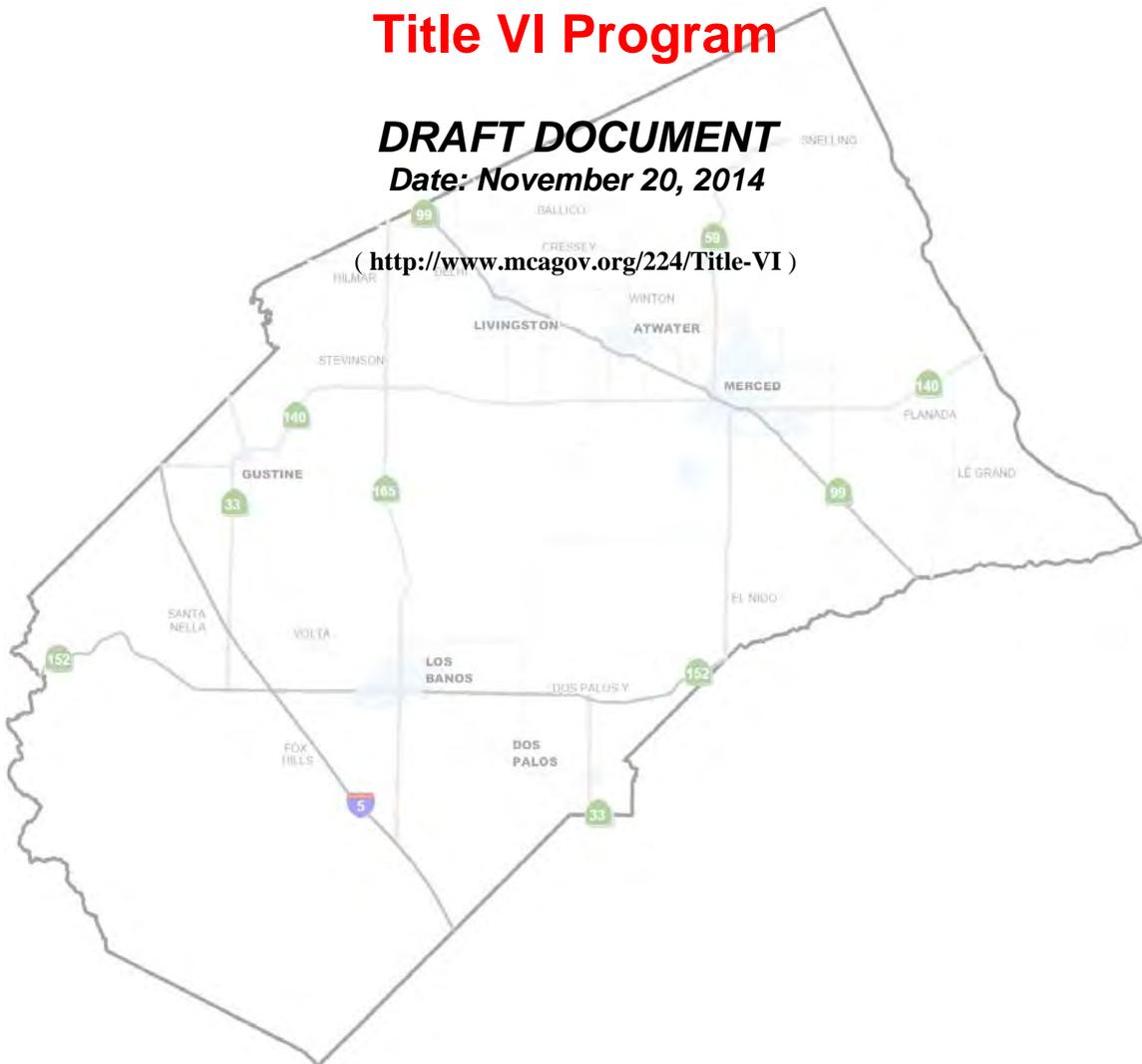


**2014 – 2017
Title VI Program**

DRAFT DOCUMENT

Date: November 20, 2014

(<http://www.mcagov.org/224/Title-VI>)



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Table of Contents

Overview	1
Background	1
Federal Title VI Requirement	1
Federal Financial Assistance	1
General Requirements and Guidelines	2
Statement Policy	3
General Reporting Requirements	4
Monitoring Subrecipients	4
Title VI Complaint Procedures	4
Title VI Complaint Form	5
List of Investigations, Lawsuits, and Complaints	7
Limited English Proficiency plan (LEP)	8
Introduction	8
Plan Summary	8
Summary of Four-Factor Analysis	9
SAFE HARBOR	10
Language Assistance	10
LEP Plan Outline	10
Language Assistance Measures	11
Staff Training	11
Outreach Techniques	12
Monitoring and Updating the LEP Plan	12
Dissemination of the LEP Plan	12
Public Participation Plan (PPP)	13
Introduction	13
Purpose of the PPP	13
PPP Development	14
Public Participation Policies	14
Outreach Procedures	15
Public Participation Outreach Strategies	16
Public Outreach Formats	16
Public Outreach Techniques – Toolbox	17
Program-Specific Requirements for Metropolitan Planning Organizations	20
Regional Transportation Plan (RTP) & Sustainable Communities Strategy (SCS)	20
Outreach Strategy and Participation Plan	
RTP & SCS Outreach Results	24
Representation on MCAG’s Committees	25
Environmental Justice Analysis	26

Appendices

- Appendix A:** Title VI Program Checklist
- Appendix B:** Title VI Complaint Procedures & Form (Spanish)
- Appendix C:** MCAG Notice to the Public
- Appendix D:** MCAG Public Participation Plan
- Appendix E:** Environmental Justice Analysis
- Appendix F:** MCAG Board Resolution

Overview

Background

The Merced County Association of Governments (MCAG) is the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for Merced County. MCAG is a regional planning organization that addresses multi-jurisdictional issues such as transportation, solid waste, and housing. MCAG member agencies consist of the County and the Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, and Merced. MCAG has an eleven-member governing board, which is comprised of five county supervisors and one representative from each of the six city councils.

There are two transit entities working out of the MCAG office. These transit entities are the Transit Joint Powers Authority for Merced County (TJPAMC) and the Yosemite Area Regional Transportation System (YARTS). Each transit entity has its own Title VI Plan.

- TJPAMC operates “The Bus” transit system for Merced County, and its governing board is made up of the same members as the MCAG Board. MCAG works closely with TJPAMC in regards to transit planning and implementation.
- YARTS operates the intercity transit system for the Counties of Merced, Mariposa, Mono, and Tuolumne. MCAG provides management, administrative, and accounting support to YARTS.

Annually, MCAG is the designated recipient of FTA 5303 Metropolitan Planning funding. TJPAMC and YARTS are designated recipients of other Federal Transit Administration (FTA) funds.

Federal Title VI Requirement

In accordance with Federal law, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities. Title VI of the Civil Rights Act of 1964 (Title VI) state:

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

As a MPO and a recipient of Federal Transit Administration (FTA) funding, MCAG is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012, the following report describes how MCAG’s activities, programs, and policies adhere to the provisions established in Title VI.

Federal Financial Assistance

The following table identifies the Federal (FTA) financial assistance, in which MCAG is the designated recipient of.

Grant Number	Grant Program	Project Description	Funding Amount
	FTA 5303 Metropolitan Planning	MPO Planning	\$ 78,035

General Requirements and Guidelines

1. MCAG will annually submit Title VI program Certifications and assurances to the Federal Transit Administration.
2. MCAG has developed procedures for investigating and tracking Title VI complaints filed against MCAG and will make procedures for filing a complaint available to members of the public upon request.
3. MCAG will maintain a list of any active investigations conducted by FTA and non-FTA entities, lawsuits, or complaints naming MCAG that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint; a summary of the allegations(s); the status of the investigation, lawsuit, or complaint; and actions taken by MCAG in response to the investigation, lawsuit, or complaint.
4. MCAG will ensure individuals who are Limited English Proficient (LEP) have meaningful access to MCAG programs and activities. Interpreting services are available for individuals, who are LEP. Brochures will be available in Spanish.
5. MCAG operates programs without regard to race, color, and national origin. The Title VI statement policy documents procedures that the public should follow in order to request additional information on MCAG's nondiscrimination obligations as well as procedures to file a discrimination complaint against MCAG.
6. If requested, MCAG will provide information other than that required of FTA C 4701.1B in writing to investigate complaints of discrimination or to resolve concerns about possible non-compliance with Title VI.
7. MCAG will update its Title VI program every three years and submit update to the Federal Transit Administration. The next Title VI program will be submitted and uploaded to TEAM 60 days prior to the due date.

Statement Policy

Merced County Association of Governments (MCAG), a federal grant designated recipient, is required by the Federal Transit Administration (FTA) to conform to Title VI of the Civil Rights Act of 1964 and its amendments. Title VI of the Civil Rights Act of 1964 requires that no person in the United States, shall, on the grounds of race, color or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with Limited English proficiency. The rights of women, the elderly and the disabled are protected under related statutes. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

MCAG is committed to enforcing the provisions of Title VI and protecting the rights and opportunities of all persons associated with MCAG or affected by its programs. MCAG's commitment includes vigorously enforcing all applicable laws and regulations that affect MCAG and those organizations, both public and private, which participate and benefit through MCAG's programs.

MCAG will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in MCAG's programs are given an equal and equitable chance to participate.

MCAG's subrecipients and contractors (if any) are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services.

MCAG is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act. Any person or firm, who feels that they have been discriminated against or would like more information, is encouraged to contact the MCAG or Federal Transit Administration (FTA):

MCAG
Attn: Dawn Yesitis
369 West 18th Street
Merced, CA 95340
(209) 723-3153; (209) 722-0322 (fax)

FTA Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave, SE
Washington, DC 20590

General Reporting Requirements

Monitoring Subrecipients

Chapter III, Section 12 of the Circular requires primary recipients to monitor their subrecipients for compliance with the US DOT Title VI regulations. MCAG is the primary recipient for FTA 5303 Metropolitan Planning funding, and there are no subrecipients.

Title VI Complaint Procedures

This document outlines the Title VI complaint procedures related to providing programs, services, and benefits. It does not deny the complainant the right to file formal complaints with the California Department of Transportation, the Secretary of the US Department of Transportation, Equal Employment Opportunity Commission (EEOC), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 requires that no person in the United States shall, on the grounds of race, color or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

1. Title VI complaint forms may be downloaded from www.mercedthebus.com or requested from Transit Administration. The complainant may also submit a written statement that contains all of the following information:
 - a. Name, address, and telephone number of the complainant.
 - b. The basis of the complaint (race, color, national origin).
 - c. The date or dates on which the alleged discriminatory event or events occurred.
 - d. The nature of the incident that led the complainant to feel discrimination was a factor.
 - e. Names, addresses and telephone numbers of persons who may have knowledge of the event.
 - f. Other agencies or courts where complaint may have been filed and a contact name.
 - g. Complainant's signature and date.
2. If the complainant is unable to write a complaint, MCAG staff will assist the complainant, if requested by complainant.
3. Complainants have the right to complain directly to the appropriate federal agency. Complaints must be filed within one-hundred eighty (180) calendar days of the last alleged incident.
4. MCAG will begin an investigation within fifteen (15) working days of receipt of a complaint.
5. MCAG will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If the complainant fails

to provide the requested information in a timely basis, MCAG may administratively close the complaint.

6. MCAG will complete the investigation within ninety (90) days of receipt of the complaint. If additional time is need for investigation, complainant will be contacted. A written investigation report will be prepared by the investigator. This report shall include a summary description of the incident, findings and recommended corrective action.
7. A closing letter will be provided to the complainant and the respondent or respondent department. Parties will have five (5) working days from receipt of the closing letter to appeal. If neither party appeals, the complaint will be closed.
8. If required, the investigation report will be forwarded to the appropriate federal agency.

Complaints may be mailed, faxed or emailed to the address below:

MCAG
 Attn: Dawn Yesitis
 369 W. 18th St. Merced, CA 95340.
 (209) 723-3153 Fax (209) 723-0322
 Dawn.yesitis@mcagov.org

Appendix B is the Spanish version of the Title VI Complaint Procedures.

Complaint Form: English

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No

Section III:		
I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin
Date of Alleged Discrimination (Month, Day, Year): _____		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____	
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		

Section VI	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	
You may attach any written materials or other information that you think is relevant to your complaint.	
Signature and date required below	
_____	_____
Signature	Date
Please submit this form in person, or mail this form to the address below:	
MCAG ATTN: Dawn Yesitis 369 W. 18th St. Merced, CA 95340 (209) 723-3153 Fax (209) 723-0322 Dawn.Yesitis@mcagov.org	Federal Transit Administration Office of Civil Rights 1200 New Jersey Avenue SE Washington, DC 20590

Appendix B is the Spanish version of the Title VI Complaint Form.

List of Investigations, Lawsuits, and Complaints

MCAG has neither been involved in any civil rights compliance review activities nor has received any Title VI complaints in the past three years. Furthermore, MCAG has not been named in any lawsuit or compliance issue alleging discrimination on the basis of race, color, or national origin.

Limited English Proficiency (LEP) Plan

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the Merced County Association of Governments (MCAG) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

Plan Summary

MCAG has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access public information provided by MCAG. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, MCAG undertook the U.S. Department of Transportation (U.S. DOT) Four-Factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MCAG program or activity.
2. The frequency with which LEP persons come in contact with MCAG programs or activities.
3. The nature and importance of programs or activities provided by MCAG to the LEP population.
4. The resources available to MCAG and overall cost to provide LEP assistance.

Summary of Four-Factor Analysis

Based on the four-factor analysis, MCAG developed its LEP plan as outlined in the following section.

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MCAG program or activity.

Staff used the GIS mapping for LEP populations and reviewed the 2010 U.S. Census Report and determined that 234,256 persons in Merced County [52.0% of the population] speak a language other than English. In Merced County, 54,295 persons [23.5%] have limited English proficiency; that is, they speak English "not well" or "not at all."

In Merced County, of those persons with limited English proficiency, 44,775 (19.1%) speak Spanish, 4,456 (1.9%) speak Asian and Pacific Island languages and 4,965 (2.1%) speak other Indo-European languages.

Subject	Merced County, California			
	Estimate	Margin of Error	Percent	Percent Margin of Error
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
LANGUAGE SPOKEN AT HOME				
Population 5 years and over	234,256	+/-80	234,256	(X)
English only	112,404	+/-2,221	48.0%	+/-0.9
Language other than English	121,852	+/-2,208	52.0%	+/-0.9
Speak English less than "very well"	54,295	+/-1,849	23.2%	+/-0.8
Spanish	98,179	+/-1,942	41.9%	+/-0.8
Speak English less than "very well"	44,775	+/-1,480	19.1%	+/-0.6
Other Indo-European languages	11,964	+/-1,333	5.1%	+/-0.6
Speak English less than "very well"	4,965	+/-823	2.1%	+/-0.4
Asian and Pacific Islander languages	11,238	+/-843	4.8%	+/-0.4
Speak English less than "very well"	4,456	+/-671	1.9%	+/-0.3
Other languages	471	+/-198	0.2%	+/-0.1
Speak English less than "very well"	99	+/-74	0.0%	+/-0.1

Source: Selected Social Characteristics in the United States: 2005-2009; Data Set: 2005-2009 American Community Survey 5-Year Estimates; Survey: American Community Survey

2. The frequency with which LEP persons come in contact with MCAG's programs or activities. MCAG assessed the frequency with which staff have, or could have, contact with LEP persons.

This includes documenting requests for interpreters and translated documents. To date, the most frequent contact between LEP persons is at public Regional Transportation Plan (RTP) workshops during the development process. The majority of the LEP persons encountered by MCAG staff speak Spanish. At these workshops, materials and presentations were provided and translated in Spanish.

3. The nature and importance of programs or activities provided by MCAG to the LEP population.

The largest geographic concentration of LEP individuals in the MCAG service area is Spanish. Approximately 19.1% of the population speaks Spanish, while speaking English less than "very well".

MCAG plays an important role in comprehensive transportation planning and funding in Merced County, which will affect residents in the long-term and not in an immediate manner. MCAG identifies future investments and long-term strategies to maintain, manage, and improve transportation. Unfortunately, not many people, and few LEP persons, were interested in long-range transportation planning. There were limited requests for translated documents and few LEP attendees at the MCAG RTP workshops. Those few LEP workshop attendees were actively engaged with the aid of MCAG's consultant Spanish translator.

4. The resources available to MCAG and overall cost to provide LEP assistance.

MCAG assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as needed basis. MCAG has three existing staff, averaging approximately \$48 per hour that are used for translating documents, interpreting over the phone and interpreting at every public event, whenever possible. Staff is required to attend meetings and review documents as part of their regular duties, so there is typically no additional cost for this type of LEP assistance. MCAG has partnered with Raul Juarez (consultant) at a rate of \$50 per hour for outreach and translation efforts when needed. The United Way is another resource that could be used but have limited availability. The annual budget includes costs for printing of materials in both English and Spanish.

SAFE HARBOR

Based off the four-factor analysis, staff has determined that Spanish is the only language that must be translated. The only two groups besides English and Spanish are a small amount, and MCAG will provide interpreters if requested by an individual, free of cost.

Language Assistance

MCAG provides interpreters for anyone who requests, at no cost. When staff conducts special outreach or public meetings, interpreters are always present.

Limited English Proficiency (LEP) Plan Outline

How MCAG and staff may identify an LEP person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to MCAG-sponsored events. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English.
3. Have interpreters available at MCAG meetings. This will assist MCAG in identifying language assistance needs for future events and meetings.

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which MCAG staff responds to LEP persons, whether in person, by telephone or in writing, as well as in-person.

1. MCAG Hispanic Education and Outreach Programs will continue to provide vital information to LEP Groups on MCAG programs and services;
2. Network with local human service organizations, i.e. Golden Valley Health Center, that provide services to LEP individuals and seek opportunities to provide information on MCAG programs and services;
3. Provide a bilingual Community Outreach Coordinator at community events, and public hearings;
4. Placement of statements in notices and publications that interpreter services are available for these meetings, with three day advance notice;
5. Post the MCAG Title VI Policy and LEP Plan and PPP plan on the agency website, www.mcagov.org;
6. The MCAG website has google translate for our LEP persons;
7. All postings and/or newspaper ads, regarding meetings, changes or any important information, are translated. The following is a list of translated documents:
 - Newspaper Ads
 - Surveys
 - Meetings
 - Flyers
8. When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service, which usually is a private consultant or qualified community volunteers.

Staff Training

The following training is provided to MCAG staff:

1. Information on the MCAG Title VI Procedures and LEP responsibilities;
2. Description of language assistance services offered to the public;
3. Documentation of language assistance requests;
4. Use of language line service;
5. How to handle a potential Title VI/LEP complaint.

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed.

Monitoring and Updating the LEP Plan

MCAG will update the LEP every 3 years as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the MCAG service area. Updates will include the following:

1. The number of documented LEP person contacts encountered annually;
2. Determine how the needs of LEP persons have been addressed;
3. Determine the current LEP population in the service area;
4. Determine whether the need for translation services has changed;
5. Determine whether local language assistance programs have been effective and sufficient to meet the need;
6. Determine whether MCAG's financial resources are sufficient to fund language assistance resources needed;
7. Determine whether MCAG has fully complied with the goals of this LEP Plan;
8. Determine whether complaints have been received concerning MCAG's failure to meet the needs of LEP individuals.

Dissemination of the LEP Plan

A link to the MCAG LEP Plan, as it exists in the MCAG Title VI Program, is included on the MCAG website at www.mcagov.org.

Any person or agency with internet access will be able to access and download the plan from the MCAG website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which MCAG will provide.

Public Participation Plan (PPP)

Introduction

As a designated Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA), the Merced County Association of Governments (MCAG) addresses issues of mutual concern to the county and the cities in the Merced County region, and satisfies Federal and State transportation planning and programming mandates. MCAG provides a forum for planning, discussion, and study of area-wide issues, prepares and adopts regional plans and programs, serves as the regional agency for federal and state transportation programs and funding opportunities and addresses other area-wide issues based on the desires of the member jurisdictions. MCAG represents its member jurisdictions as planner, programmer, and broker in developing an efficient and effective inter-modal transportation system that provides for the mobility needs of people, goods, and services while protecting the environment.

MCAG and its member agencies are responsible for determining policy, adopting plans and programs, and awarding funds to implement these plans. This procedural document is intended to give the MCAG elected officials and staff guidance in providing for public involvement and interagency consultation in the regional planning process. It contains procedures and strategies MCAG uses to instigate, seek and foster greater public involvement regarding transportation matters within its discretion. MCAG's documented participation plan defines a process for providing reasonable opportunities to be involved in the metropolitan transportation planning process.

Purpose of the Public Participation Plan

MCAG has developed this Public Participation Plan (PPP), in its entirety in Appendix C, as a guide to meeting the requirements for public participation outlined in PPP. The PPP is intended to provide direction for public participation activities to be conducted by MCAG and contains the procedures, strategies and techniques used by MCAG for public participation. In its public participation process, MCAG will:

1. Provide adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to, a reasonable opportunity to comment on the proposed Regional Transportation Plan (RTP) and the Federal Transportation Improvement Program (FTIP);
2. Provide timely notice and reasonable access to information about MCAG's issues and processes;
3. Employ visualization techniques to describe the RTP and FTIP;
4. Make public information (technical information and meeting notices) available in electronically accessible formats and means, such as the internet;
5. Hold any public meetings at convenient and accessible locations and times;
6. Demonstrate explicit consideration and response to public input received during the development of the RTP and the FTIP;

7. Seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
8. Provide an additional opportunity for public comment, if the final RTP or FTIP differs significantly from the version that was made available for public comment by the MCAG and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
9. Coordinate with the statewide transportation planning public involvement and consultation processes;
10. Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process.

Public Participation Plan (PPP) Development

While updating the Public Participation Plan (PPP) in compliance with Federal legislation, MCAG embarked upon an evaluation of our current public participation practices by requesting input and consultation on how to best engage the public and interested parties in our transportation planning process. MCAG accomplished public outreach and through regularly standing committee meeting agendas (Technical Planning Committee – TPC, Citizens Advisory Committee – CAC, Technical Review Board – TRB, and Governing Board –GB).

Revisions or updates to the MCAG Public Participation Plan (PPP) include a 45-day public review period and public hearing. MCAG staff will conduct a periodic review of the effectiveness of the Public Involvement Process to determine if current strategies are effective. The last update to the MCAG PPP was made in September 2011.

Public Participation Policies

The following requirements will apply as deemed appropriate by the MCAG management staff and the MCAG Board Chair:

1. No person shall be denied participation;
2. As required, a public notice will be placed in the legal advertising sections of at least one newspaper of general circulation within the affected community, including a Spanish-language publication.
3. MCAG shall provide appropriate assistance, auxiliary aids, a translator/interpreter for non-English speaking and hearing impaired individuals and/or services when necessary if requested 3 working days in advance of the meeting, to afford disabled individuals an equal opportunity. If MCAG is unable to accommodate a request for a public hearing, then the hearing will be continued on a specified date when accommodations are available;
4. MCAG meeting agendas and minutes are currently made available upon written request via regular mail, and they are added regularly to the MCAG internet website

<http://www.mcagov.org/agendacenter>. Agendas are also posted at meeting locations are posted at least 72 hours before regular meetings of advisory or standing committees or 24 hours before special meetings.

Note: The Brown Act (CA Government Code 54954.1) also states that any person may request a copy of the agenda or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. That request is valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service;

5. Public hearings will be held prior to a decision point as a formal means to gather citizen comments and positions from all interested parties for public record and input into the decision making process. MCAG public outreach is required in many facets of state or federal transportation programs or planning documents. Notices for public hearings will be published in a general circulation newspaper. MCAG will accept comments from the public during the period between the notice and hearing date. These comments will be considered part of the public record. Also during this period, MCAG will accept questions and provide clarification on issues raised by the public;
6. MCAG's outreach media list includes newspapers, radio and television broadcast media, and appropriate business or government publications and contacts;
7. If major amendments are made to any plans or programs during the review and comment period, the plan(s) will be made available for an additional 30-45 day (as appropriate) public review and comment period prior to final adoption. Such changes shall also be advertised via news release to all media outlets, on community flyers and on the MCAG website as deemed necessary in the specific project area prior to final adoption.
8. The MCAG Executive Director or a designee will coordinate with the state to enhance public consideration for public transit related projects in the State Transportation Plan (STP) or the Federal State Transportation Improvement Plan (STIP); and
9. For high-profile projects/plans MCAG may form an ad hoc citizens' advisory committee specific to that particular plan or project, or determine what, if any, existing committees would appropriately review the plan or project.

Outreach Procedures

In its public participation process, MCAG will utilize the following procedures:

1. Provide adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to, a reasonable opportunity to comment on the proposed implementation or changes to: the Regional Transportation Plan (RTP); the Sustainable Communities Strategy (SCS); the Alternative Planning Strategy (APS); the Regional Transportation

Improvement Program (RTIP); the Federal Transportation Improvement Program (FTIP) and Amendments; and the Environmental Impact Report (EIR);

2. Provide timely notice and reasonable access to information about MCAG's issues and processes;
3. Employ visualization techniques to describe or any changes;
4. Make public information (technical information and meeting notices) available in electronically accessible formats and means, such as the internet;
5. Hold any public meetings at convenient and accessible locations and times;
6. Demonstrate explicit consideration and response to public input received during the implementation or changes to the MCAG programs and publications;
7. Seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
8. Coordinate with the statewide transportation planning public involvement and consultation processes;
9. Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process;
10. Update the PPP document every 3 years as a requirement component of Title VI Requirements and Guidelines for Federal Transit Administration Recipients (FTA Circular (FTA C 4702.1B).

Public Participation Outreach Strategies

Among the best public outreach opportunity includes being able to speak and present with established groups and organizations.

1. Participate in or speak at meetings of existing agencies/community groups;
2. Co-host workshops with community groups, business associations, etc.;
3. Partner with community-based organizations in low-income and minority communities for targeted outreach.

Public Outreach Formats

A list of participation format options that includes tried-and-true approaches as well as new suggestions received during the Public Participation Plan development process. MCAG staff will define appropriate outreach strategies for each plan/program on a case-by-case basis, and select appropriate options from the following lists.

- Open houses;

- Facilitated discussions;
- Question-and-Answer sessions with planners and policy board members;
- Break-out sessions for smaller group discussions on multiple topics;
- Interactive exercises;
- Customized presentations;
- Information booths at community events and public gathering spaces.

Public Outreach Techniques – Toolbox

MCAG staff uses several techniques to provide interested parties with reasonable opportunities to be involved in the planning process. Staff understands that, prior to involvement in MCAG's planning activities, members of the public must understand what MCAG's mission is, and what issues are under consideration.

Visualization

- Maps;
- Charts, illustrations, photographs;
- Table-top displays and models;
- Web content and interactive games;
- Electronic voting;
- PowerPoint slide shows.

Polls/Surveys

- Telephone polls;
- Electronic surveys via web;
- Interviews where people congregate, such as at transit hubs;
- Printed surveys distributed at meetings, transit hubs, on transit vehicles, etc.

Focus Groups

- Participants recruited randomly from telephone polls;
- Participants recruited by interest area.

Printed Materials

- User-friendly documents (including use of executive summaries and simplified language);
- Post cards;
- Maps, charts, photographs, and other visual means of displaying information.

Targeted Mailings/Flyers

- Work with community-based organizations to hand deliver flyers;
- Mail to targeted database lists;
- Distribute flyers to key community organizations;
- Place notices on board transit vehicles and transit hubs.

Utilize local media

- News releases;
- Submit human interest stories that center around projects;
- Invite reporters to news briefings;
- Meet with editorial staff;
- Opinion pieces/commentaries;
- Purchase display ads/radio & TV advertising;

- Negotiate inserts into local printed media;
- Visit minority media outlets to encourage use of news releases;
- Place speakers on Radio/TV talk shows;
- Public Service Announcements on radio and TV;
- Develop content for public access/cable television programming;
- Civic journalism partnerships.

Electronic Access

- Web site with updated content and simplified layouts;
- Audio/video casts of current and past public meetings/workshops;
- Electronic duplication of open house/workshop materials;
- Interactive Web with surveys, comment line;
- Access to maps, charts, plans;
- Provide information in advance of public meeting;
- Post event/meeting information on online news sites, calendars, community & discussion websites.

Public Notification

- E-mail;
- Notice widely disseminated through new partnerships with community-based and interest organizations;
- Newsletters;
- Printed materials;
- Electronic access to information;
- Local media;
- Notices placed on board transit vehicles and at transit hubs.

Newsletters

- MCAG's newsletter;
- Project specific email and print newsletters;
- Board action summaries;
- Submit articles for publication in community/corporate/online newsletters.

Reporting Techniques - Impact of Public Comments

- Summarize key themes of public comments in staff reports and report to MCAG standing committees;
- Use direct mail and/or email notification summaries of public comments received at meetings and from survey participants;
- Direct mail and/or email final report outcomes to stakeholders;
- Newsletter articles;
- Regularly update web content.

Environmental Justice (EJ) Communities -Involvement Techniques

- Make regular reports to MCAG's ongoing committees;
- Grants to community-based organizations to organize & tailor meetings, customize presentation materials, provide incentives and remove barriers to participation in their communities;
- Flyers on transit vehicles and at transit hubs;
- Establish public outreach during community functions (flea markets, churches, health centers, etc.);
- Translate materials; have translators available at meetings as requested;

- Include information on meeting notices on how to request translation assistance
- Robust use of “visualization” techniques, including maps and graphics to illustrate trends, choices being debated, etc.;
- Use of community and minority media outlets to announce participation opportunities.

Program-Specific Requirements for Metropolitan Planning Organizations

Regional Transportation Plan (RTP) & Sustainable Communities Strategy (SCS) Outreach Strategy and Participation Plan

Introduction

The Merced County Association of Governments (MCAG) is required by federal and state law to prepare a Regional Transportation Plan (RTP), and the RTP is required by Senate Bill 375 (SB 375) to contain a new element called a Sustainable Communities Strategy (SCS) or an Alternative Planning Strategy (APS).

The RTP is MCAG's long-range plan, which specifies the policies, projects, and programs necessary over a 25 year period to maintain, manage, and improve the region's transportation systems. The purpose of the SCS is to demonstrate how a feasible combination of future land use patterns and transportation investments can result in greenhouse gas emission reductions that meet targets set by the California Air Resources Board. If the targets cannot be met, an APS must be prepared. An APS does not need to meet feasibility standards.

MCAG will develop the RTP, which will involve extensive public outreach. As part of the RTP, MCAG will also be preparing an SCS for the first time.

SCS Participation Plan

MCAG is required by SB 375 to adopt a public participation plan for development of the SCS / APS. This document includes that required plan – see the next section. It includes all of the required elements of state law. Additionally, this document outlines the specific strategies that MCAG will use in outreach for not only the SCS but the RTP, which the SCS is a part of.

MCAG is also working with its seven sister agencies in the San Joaquin Valley ("Valley" or "SJV") on a Valleywide Outreach Strategy. Most of the agencies have a similar timeframe for their RTP and SCS adoptions, and have joined forces to share some common tasks, while retaining their individual processes.

Note that this document is complementary to MCAG's Public Participation Plan (PPP), which was last updated in September 2011 and is available on the MCAG website or on request. However, this document is not the same as the PPP, nor is it a part of it. This document concerns the 2012-2013 RTP/SCS cycle specifically, whereas MCAG's Public Participation Plan details how MCAG meets Federal and State requirements for public participation in all aspects of transportation planning.

To summarize, this serves two purposes:

- Regional Transportation Plan outreach strategy;
- Public participation plan for development of the Sustainable Communities Strategy.

Sustainable Communities Strategy Participation Plan

Meeting or exceeding the requirements of SB 375, MCAG will do all of the following:

1. Notifications:

- Any interested party may make a request to receive notices, information, and updates on the development of the RTP and SCS. That request may be made by: contacting Matt Fell at matt.fell@mcagov.org, or by phone (209-723-3153) or regular mail (MCAG, 369 West 18th St, Merced CA 95340). Also note that all updates will be posted on the MCAG website at mcagov.org.

2. Outreach:

- MCAG will make significant outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, consistent with the agency's adopted Federal Public Participation Plan, including, but not limited to, affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations.

3. Public Agency Consultation:

- MCAG will consult with transportation agencies, transportation commissions, and other public agencies.

4. Public Workshops:

- MCAG will hold several workshops (only one is required by SB 375) during development of the RTP, including the SCS or APS, to provide the public with information and tools necessary to provide a clear understanding of the issues and policy choices. Some of the workshops will include urban simulation computer modeling to create visual representation of the SCS or APS.
- MCAG will prepare the workshop materials in Spanish, and have a consultant interpreter on-hand to translate the presentation and to translate questions, comments, and staff responses.

5. 55+ day review of draft:

- MCAG will prepare and circulate the draft RTP, including the draft SCS or APS, at least 55 days before adopting the final RTP.

6. Info meeting(s):

- MCAG will conduct an informational meeting on the draft RTP and SCS with members of the County Board of Supervisors and the six Cities' Councils, to consider their input and recommendations.
- A second informational meeting will be held if the first is not attended by representatives of the Board of Supervisors AND City Council members representing a majority of the cities representing a majority of the population in incorporated areas.
- Notice of the meeting(s) will be sent to the clerks of all 7 local jurisdictions (the county and the six cities).

7. Public Hearings:

- MCAG will hold at least two publicly noticed public hearings on the draft RTP, including the draft SCS or APS.

RTP Outreach Strategy

The MCAG Public Participation Plan describes in detail what the federal and state requirements for public participation are and how MCAG meets and exceeds them. This section instead focuses on the overall strategy and themes that MCAG will use as it prepares the Regional Transportation Plan, including the Sustainable Communities Strategy or Alternative Planning Strategy.

Objectives

- Build awareness and understanding of the RTP and SCS;
- Gather meaningful input;
- Reach under-represented groups (Valleywide SCS Outreach and working with Golden Valley Health Center, and such low-income assistance groups, will help achieve this).

Key Messages

- The public's input MATTERS;
- The RTP is not just about transportation;
- The RTP and SCS position our communities for economic development and future funding opportunities.

Tools and Visuals

- Voting "clickers";
- Maps and charts "worth a thousand words";
- Fact sheets that simplify complex matters;
- High-tech computer simulations.

Electronic Outreach

- "One stop shop" RTP/SCS web page;
- MCAG Newsletter sent via email;
- Social media – Facebook and Twitter;

Key Groups

- Everyone is invited!
- Board of Supervisors and all six City Councils;
- Municipal Advisory Committees;
- Chambers of Commerce;
- Farm Bureau;
- UC Merced, Merced College, School Districts;
- Community groups, service clubs, organizations (i.e. Golden Valley Health Center);
- MCAG standing advisory committees (Citizens Advisory Committee, Technical Planning Committee, Technical Review Board).

Approach

MCAG will go above and beyond the public outreach required by law, including making an extra effort to include traditionally underrepresented groups, and creating a frequently-updated web page, where all materials will be made available. We will conduct two main rounds of preliminary public outreach followed by outreach after the draft RTP is released:

- Education and Visioning:
 - Education:
 - “What is the RTP?”
 - “What is the SCS?”
 - “Why do they matter?”
 - Visioning:
 - Gather input on community values, goals, concerns;
 - Transportation and housing preferences and goals;
 - Specific enough to feed into Round 2.

- Scenarios and Choices:
 - Scenarios:
 - Interactive mapping of future land use;
 - Sets of transportation investments;
 - Choices:
 - Via “clickers” choose options to build scenarios;
 - Explore implications of those choices and trade-offs;
 - “What the MCAG Board has to do” when they select an option.

- Receiving Comments:
 - Release of draft RTP, SCS/APS, Environmental document (EIR);
 - About 2+ months comment period, including informational meeting with elected officials and public hearings;
 - Adoption in 2014.

In addition to this outreach, the San Joaquin Valley COGs have received a grant to help us all do SCS-related outreach. The grant includes assistance with developing materials and preparing and purchasing advertising for workshops and public hearings. Fresno COG is administering this grant for the Valley COGs, and they have hired a consultant (MIG).

RTP & SCS Outreach Results

A total of 10 public outreach workshops and presentations were held in August, September, and October 2013. Over 100 people participated in total. The workshops were held at the following locations on the indicated dates:

- **Planada**, August 27, at 6:00 p.m.;
 - Where: Planada Community Center;
 - Attendees: 4;
 - This workshop was conducted in English and Spanish.

- **Atwater**, August 28, at 5:30 p.m.;
 - Where: Atwater Community Center;
 - Attendees: 4;
 - Spanish translation was available at this workshop.

- **Los Banos**, September 3, at 6 p.m.;
 - Where: Los Banos Community Center;
 - Attendees: 12;
 - Spanish translation was available at this workshop.

- **Merced**, September 11, at 6 p.m.;
 - Where: Merced City Hall Sam Pipes Room;
 - Attendees: 13;
 - Spanish translation was available at this workshop.

- **Merced (“CA4Health” meeting)**, September 18, at 12 noon;
 - Where: “CA4 Health” meeting at County Public Health Department;
 - Attendees: 15;
 - Spanish translation was available at this workshop.

- **Los Banos**, October 8, at 7 p.m.;
 - Where: Los Banos Community Center;
 - Attendees: 8;
 - Spanish translation was available at this workshop.

- **Delhi**, October 22, at 6:30 p.m.;
 - Where: Delhi High School;
 - Attendees: 25;
 - This workshop was conducted in English and Spanish.

- **Franklin/Beachwood**, October 23, at 6:30 p.m.;
 - Where: Franklin School;
 - Attendees: 6;
 - Spanish translation was available at this workshop.

- **Merced (LAFCO meeting)**, October 24, at 1 p.m.;
 - Where: “LAFCO” meeting at County Board Chambers;
 - Attendees: 7;
 - Spanish translation was not requested / required.

- **South Merced** (with assistance from the **Golden Valley Health Center**), October 24, at 6 p.m.;
 - Where: Golden Valley Center Senior Health & Wellness Center;
 - Attendees: 12;
 - This workshop was conducted in English and Spanish.

As noted, Spanish translation was available at all but one of the workshops (the LAFCO meeting), and 3 of them were conducted jointly in English and Spanish.

Representation on MCAG’s Committees

MCAG’s committees include representatives from local government bodies, transit agency, public and private organizations, the University of California, and the general public. In addition to active participation of these committees, MCAG’s newsletter mailing list is continually updated to include additional individuals and organizations.

Citizens Advisory Committee (CAC)

The Citizens Advisory Committee (CAC) is a standing committee comprised of 17 residents from Merced County. The CAC is made up of representatives from different fields: Real estate (1); Economic development (1); Construction (1); Civil engineering (1); Goods movement (1); Agriculture (1); Small business (1); Education (1); Student representative (1); Finance/commerce (1); Water/irrigation district (1); Health (1); Citizens at-large (5). The CAC reviews and makes direct recommendations, from the public’s perspective, on committee agenda items to the Policy Board. Membership is open to all members of the public, including minority population groups that are underrepresented and/or underserved.

Racial Category	Number of Persons
Caucasian	16
Hispanic/Latino	1

Technical Planning Committee (TPC)

The Technical Planning Committee is made up of Caltrans, transit, and planning, engineering, and/or public works staff of the member agencies (six cities and county).

Social Services Transportation Advisory Council (SSTAC)

As the administrator of the Transportation Development Act (TDA) funds for Merced County, MCAG is responsible for performing the annual “unmet transit needs” process. The purpose of this process is to ensure that all “unmet transit needs” that are “reasonable to meet” are met before funds are expended for non-transit uses, such as streets and roads. Each year, the Social Services Transportation Advisory Council (SSTAC) conducts these Unmet Transit Needs public hearings.

The SSTAC has slots that are filled by representing parties for the low income and individuals with disabilities. With also other open slots for individuals, staff encourages the participation of minorities, by posting flyers on all of transit buses regarding how to

get information to be a part of the committee and sending the information to the transit contacts at the various agencies, and programs.

Racial Category	Number of Persons
Caucasian	3
Hispanic/Latino	1
Asian	1
African American	1

Environmental Justice Analysis

Introduction

“Are the high minority and low-income populations sharing equitably in the Regional Transportation Plan (RTP) investments?”

The environmental justice (EJ) equity analysis focuses on minority and low-income residents. Minority refers to the total non-white, non-Hispanic population. Low-income refers to households with incomes that fall below 200 percent of the federal poverty level (200% of ~\$25,000/household = \$50,000).

The environmental justice equity analysis mainly assesses whether all racial and income areas will benefit equally from transportation investments.

The goal of this process is to ensure racial, low-income, and geographic equity of transportation investment benefits. Populations considered high minority or low-income should realize equal levels of benefit from transportation investments compared to other population groups. Also, transportation investments should not be concentrated in one geographic region, but rather should be fairly distributed.

The Environmental Justice Analysis, full report and maps, is provided in Appendix F.

Merced County Demographic View

The U.S. Census estimates for Merced County indicate the following. The minority grouping, which consists of non-Caucasians or of Hispanic/Latino ethnic origin, makes up 68.2% of the total population for Merced County.

The majority of Merced County households, at 56.0% of total number of households, will make less than \$50,000 annually, which classifies this group as low-income.

Transit operations, Congestion Mitigation Air Quality (CMAQ) projects, and regionally significant roadway projects have been programmed and identified. The State-Managed Programs, which have approved projects, have also be programmed and identified.

Analysis Observations

Transit Investments

Transit operations investment pays for fixed urban and rural inter-community bus route service for most of the population areas, and also provides for Americans with

Disabilities Act (ADA) paratransit service. The bus transit operation, “The Bus,” continues to streamline its routes, to provide increased frequencies, and has extended its service to nights and weekends to accommodate its riders. Most riders are transit dependent, and most have incomes less than \$20,000. Note that transit service, with its limited funding, must meet farebox revenue thresholds to justify system routes. Therefore, fixed-route transit services urbanized areas, while limited dial-a-ride service is also available to those in the demand-response areas.

The fixed-route service operates in more-densely populated cities and communities along primary corridors in order to meet the demands of the majority of transit riders. Additional demand-response service provides deviated fixed-route transit to those in the rural Transit Service Areas (TSA's). The transit operations must demonstrate cost-effectiveness (i.e. meeting farebox recovery ratio) of the provided transit services.

When overlaid with high minority and low-income areas, transit investments do provide equitable service to these EJ interest groups in the populated areas.

CMAQ Investments

The primary goal of the CMAQ program is to fund eligible projects that will relieve congestion and reduce ozone and particulate matter emissions. CMAQ projects include pedestrian/bicycle facilities, traffic flow improvements, and diesel-powered equipment replacements. Note that CMAQ equipment procurement projects will not be part of this analysis.

Even though pedestrian/bicycle projects are not very cost-effective, these quality of life projects are still desirable, because they offer Merced County residents an alternative to driving their vehicles. Some of the pedestrian/bicycle projects provide driving alternatives during peak times in close proximity to schools. Other projects include installing bike lanes to visibly distinguish these mode corridors to motorists, so that they are more aware of bicyclists sharing the roadway. These projects are very beneficial to the EJ groups, who do not have access to cars.

Once again, when overlaid with high minority and low-income areas, CMAQ pedestrian/bicycle projects do provide equitable benefit to these EJ interest groups in the populated areas.

Regionally Significant Roadway Projects

Overlaid with high minority and low-income areas, regionally significant projects would provide equitable benefit to these EJ interest groups in the populated areas. Also, these projects will not impact many households (located within 500 feet of project), especially those pertaining to the determined high minority and low-income groups.