



CAPE COD
COMMISSION

2020 REGIONAL TRANSPORTATION PLAN

Technical Appendix L:
Title VI/Nondiscrimination
Program

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TABLE OF CONTENTS

TITLE VI BACKGROUND	1
PUBLIC PARTICIPATION PROCESS.....	3
Meetings and Open Houses	5
Other Outreach Strategies	8
SELECTION PROCESS FOR HIGHWAY REGIONAL TARGET PROJECTS	10
Screening of Highway Regional Target Projects.....	10
Analysis of Highway Regional Target Projects.....	10

LIST OF FIGURES

FIGURE 1. Photographs of Outreach Activities 7

FIGURE 2. Bus Signs 9

LIST OF TABLES

TABLE 1. Regional Transportation Plan Meetings..... 5

TABLE 2. Highway Regional Target Projects – Income, Minority, and LEP
Population Impacts..... 11

Technical Appendix L: Title VI/Nondiscrimination Program

The Cape Cod Metropolitan Planning Organization (MPO) follows federal and state non-discrimination laws and seeks to ensure that all interested parties in Barnstable County have access to the MPO's activities and services and that public involvement in the MPO's decision making comes from a diverse socioeconomic group that is representative of the county's population. The MPO has developed a nondiscrimination program, in accordance with federal and state requirements, to encourage broad public participation, representation, and equity in the region's transportation planning.

TITLE VI BACKGROUND

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin.¹ Organizations that receive Federal funds are obligated to assure nondiscrimination in their programs and activities and are required to have a comprehensive Title VI enforcement program to prevent and eliminate discrimination in their federally funded programs. Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) set forth Title VI compliance requirements for "primary" funding recipients such as MassDOT and sub-recipients such as the MPOs to follow. Effective transportation decision making depends upon understanding and properly addressing the needs of different socioeconomic groups. The MPO's Title VI program includes identifying the demographic distribution of minority and limited English proficiency populations within the region and implementing a comprehensive strategy to ensure that the MPO conducts effective outreach to encourage their involvement in and access to the transportation planning and decision-making process.

The Massachusetts Department of Transportation (MassDOT) is responsible for ensuring that the state's MPOs comply with federal program requirements. Following MassDOT's 2013 Title VI program update, the Cape Cod MPO developed and adopted a Title VI Program in 2014. The Title VI plan provides information about beneficiaries' rights, how to file a complaint, regional demographic

¹ "No person in the U.S. shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving financial assistance." [Civil Rights Act 1964]

data, maps, a public participation plan, a language access plan, and analyses of transportation spending in the region, project locations and potential impacts from projects to ensure equity in the planning and implementation process for the region.

Although Title VI is the focal point of non-discrimination law in the United States, FHWA incorporates a broader spectrum of statutes, executive orders, and regulations into its requirements for states and MPOs. For example, Section 324 of the Federal-Aid Highway Act of 1973 prohibits discrimination based on sex; Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability status, as does the Americans with Disabilities Act of 1990; and the Age Discrimination Act of 1975 prohibits age discrimination. In addition, the Civil Rights Restoration Act of 1987 (FHWA Notice 4720.6) clarified the original intent of Congress with respect to Title VI by restoring the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of federal-aid recipients and enforcing the application of the laws that include nondiscrimination on the basis of race, color, national origin, age, gender, or disability.

In addition to mapping demographic data that identifies areas (census blocks) in the county with higher proportions of low income and minority populations, the staff conducts analyses on the geographic distribution region's transportation spending and project construction, to ensure equity in the distribution of transportation improvements. In examining the Title VI based project distribution analysis, the proximity, frequency, value and nature of projects are identified in relation to statistically significant population concentrations of the Title VI protected categories; i.e. race, color or national origin(including limited English proficiency) for transit related projects with the addition of age, sex and disability for highway related projects. The analysis also includes a review of potential project impacts – positive and negative – to ensure that that potentially underserved areas neither adversely impacted by, nor denied the benefits of, transportation projects. A key piece of the program is engaging such communities in the MPO's activities and decision making through expanded and targeted public outreach. The Public Participation Plan, as discussed below, establishes the MPO's public involvement goals and strategies.

PUBLIC PARTICIPATION PROCESS

To ensure an inclusive and accessible public engagement processes for development of the Regional Transportation Plan (RTP), staff looked to the framework established in the Cape Cod MPO Public Participation Plan (PPP). Goals of the PPP are to:

1. Obtain Quality Input and Participation
The MPO staff worked to fulfill this goal by holding public meetings across the entire region including meetings on the Upper, Mid, Lower, and Outer Cape regions. These meetings were intentionally scheduled at different times of the day and at many different locations to enable greater participation. Input received from the public during the development of the plan was incorporated into the draft plan. Comments received during the 30-day public comment period were considered by the MPO at their July 20, 2015 public meeting and the document was revised in response to the comments as recommended by the MPO.
2. Establish Consistent Commitment
The MPO staff made a concerted effort to communicate with the communities as it developed and implemented its outreach for the RTP. Part of this effort was building community capacity to provide comment. This included but was not limited to seeking additional venues for public input such as conducting open houses seeking comments at the Hyannis Transportation Center (which enabled passing transit users based upon their familiarity with the transit system to provide detailed comments), creating and hanging signs on Cape Cod Regional Transit Authority (CCRTA buses) in English and Portuguese (which informed the wide ridership public about the RTP and their ability to comment), providing tweets on its Twitter account in both English and Portuguese about the RTP and their opportunity to comment.
3. Increase Diversity
The rollout of the outreach involved for this RTP further engaged the community. In an effort to increase participation, MPO staff sought input from a range of socioeconomic perspectives and traditionally underserved people.
4. Ensure Accessibility
Every effort was made to ensure participation opportunities were accessible for all.
5. Provide Relevance
The message developed for outreach on the RTP was “what is YOUR vision for Transportation on Cape Cod?” The intent was to frame the issue clearly and simply to involve the greatest number of participants.
6. Foster Participant Satisfaction
Recognizing that people who take the time to participate feel it is worth the effort to join the discussion and offer feedback, the MPO staff made certain that there was a Portuguese translator at the added public outreach events in which the analysis showed potential for greater participation. Staff also was readily available to receive the input as it arose in the meetings/open houses and provide that feedback to the MPO.

7. Clearly Define Potential for Influence

The process identified that the comments made would be transmitted to the MPO members who, per the Public Participation plan, would directly consider such comments.

8. Establish and Maintain Partnerships

The MPO staff, working to expand its outreach, developed a broader base in which to connect on the RTP. This included the following groups:

- Community & human services programs and providers
- Community centers
- Councils on aging
- Day care and child development programs
- English language media outlets (print and audio)
- Financial institutions
- Fire districts
- Hospitals and health centers
- Interested citizens (those who requested to be included in the list)
- lesbian, gay, bisexual, and transgender (LGBT) organizations
- Libraries
- Local and area chambers of commerce
- Local and regional housing partnerships, authorities, and groups
- Local and regional transportation providers (all modes)
- Local community-based organizations
- Local financial development corporation and economic development corporations
- Local legislators
- Local police and fire departments
- MPO and CCJTC members
- Portuguese language media (print and radio)
- Public and private educational institutions and school departments
- Religious institutions
- Town clerks, managers, departments of public works directors, town planners, and other similar town personnel
- Town councils
- Transportation consulting firms
- Veterans services

9. Provide Opportunities to Build Consensus

The MPO discussions were structured to allow for conflicting views to be aired with the eye to satisfy the greatest number of community concerns and objectives.

The PPP is available in English and Portuguese at www.capecodcommission.org/ppp

Meetings and Open Houses

Numerous meetings have been held to discuss development of the RTP. Table 1 identifies meetings held solely for the plan, as well as meetings of various organizations at which the RTP was discussed. Meeting locations were selected to provide geographic and demographic diversity as well as ensure that persons with disabilities were able to actively participate. CCRTA DART paratransit services were available to bring interested parties to meetings. Notices were disseminated to English and Portuguese media outlets.

TABLE 1. Regional Transportation Plan Meetings

CAPE COD METROPOLITAN PLANNING ORGANIZATION MEETINGS			
Meetings beginning in August 2018 and continuing through July 2019			
Generally held once per month on a Monday at 1:00 PM, Cape Cod Commission Office, Barnstable			
CAPE COD JOINT TRANSPORTATION COMMITTEE MEETINGS			
Meetings beginning in September 2018 and continuing through June 2019			
Generally held once per month on a Friday at 8:30 AM, Cape Cod Commission Office, Barnstable			
LISTENING SESSIONS/OUTREACH TABLE EVENTS/PUBLIC MEETINGS LOCATION	DATE	TIME	
Eastham Town Hall – Listening Session	Tuesday, February 5	5:00 PM	
Mashpee Library – Listening Session	Wednesday, February 6	5:00 PM	
Hyannis Transportation Center – Listening Session	Thursday, February 7	2:00 PM	
Bourne Cape Cod Canal Bike Path – Outreach Table at Bike Week Event	Monday, May 13	3:00 PM	
Hyannis Transportation Center – Outreach Table at Bike Week Event	Tuesday, May 14	8:00 AM	
Yarmouth Cape Cod Rail Trail at Station Avenue – Outreach Table at Bike Week Event	Wednesday, May 15	3:00 PM	
Orleans Cape Cod Rail Trail at Main Street – Outreach Table at Bike Week Event	Monday, May 16	3:00 PM	
Falmouth Public Library – Outreach Table	Wednesday, May 22	6:30 PM	
Provincetown Veteran Memorial Community Center – Public Meeting	Monday, June 3	5:00PM	
Hyannis Transportation Center – Public Meeting	Wednesday, June 5	10:00 AM	
Sandwich Town Hall – Public Meeting	Wednesday, June 5	5:00PM	

OTHER MEETINGS/ACTIVITIES LOCATION	DATE	TIME
Lower Cape Regional Bicycle Committees – Harwich Town Hall	Tuesday, January 15	5:00 PM
Cape Cod Commission/Cape Cod Metropolitan Planning Organization Joint Meeting – RTP Presentation and Discussion	Wednesday, January 21	3:00 PM
Eastham Route 6 Study Public Meeting	Wednesday, February 27	5:00 PM
Wellfleet Bike & Walkways Committee – RTP Presentation and Discussion	Wednesday, March 27	2:00 PM
Sierra Club Cape Cod Group – RTP Presentation and Discussion	Monday, April 8	5:00 PM
Mashpee Rotary Study Public Meeting	Thursday, April 11	1:00 PM
Mashpee Rotary Study Public Meeting	Thursday, April 11	5:00 PM
Cape and Islands Association of Realtors Leadership Institute – RTP Presentation and Discussion	Tuesday, April 30	10:00 AM
Bourne Town Administrator's Advisory Committee on Pedestrian Bicycle Pathway - Bourne Rail Trail Public Informational Meeting	Wednesday, May 1	6:00 PM

Collectively, the RTP meetings provided a wide array of opportunities for the public to learn about the document and share their comments. Comments received reflected both regional interests in the Cape Cod transportation system as well as more location specific concerns based on the location of the meeting.

Figure 1 shows a collection of photographs that were taken at various RTP outreach events.

FIGURE 1. Photographs of Outreach Activities



Other Outreach Strategies

In addition to the traditional outreach approaches, staff utilized a number of new strategies in an effort to increase public participation.

EXPANDED EMAIL OUTREACH DISTRIBUTION

In an effort to better connect with the various groups and agencies in the region that interact in different ways with the transportation system every day, an expanded email distribution list was created to share all notices and announcements on the development of the plan. This expanded outreach list including the following groups and agencies that were identified in the region:

- Community & human services programs and providers
- Community centers
- Councils on aging
- Day care and child development programs
- English language media outlets (print and audio)
- Financial institutions
- Fire districts
- Hospitals and health centers
- Interested citizens (those who requested to be included in the list)
- lesbian, gay, bisexual, and transgender (LGBT) organizations
- Libraries
- Local and area chambers of commerce
- Local and regional housing partnerships, authorities, and groups
- Local and regional transportation providers (all modes)
- Local community-based organizations
- Local financial development corporation and economic development corporations
- Local legislators
- Local police and fire departments
- MPO and CCJTC members
- Portuguese language media (print and radio)
- Public and private educational institutions and school departments
- Religious institutions
- Town clerks, managers, departments of public works directors, town planners, and other similar town personnel
- Town councils
- Transportation consulting firms
- Veterans services

PORTUGUESE-LANGUAGE COMMENT LINE

In an effort to ensure that anyone with questions or comments on the plan was heard, a Portuguese-language comment line was set up to field calls from Portuguese-speaking individuals. The recorded message, in Portuguese, thanked the caller for their interest in the plan and asked that they leave their name and number so that staff, with the assistance of a translator, could respond to them.

PLAN WEBSITE AND SURVEY

The website dedicated to the development of the 2020 RTP was created as a place where members of the public could find general information about the plan development, learn about upcoming meeting, access materials from past meetings, complete the online survey, download the draft RTP, and provide comments. A link to the website was included on all project materials and linked from the Cape Cod MPO website. Each page of the website included a statement in Portuguese with contact information should they need the information in another language. A Portuguese-language version of the website was also provided through real-time Google translation.

BUS SIGNS

In addition to hosting an open house at the Hyannis Transportation Center, a regional intermodal hub, further efforts were made to ensure that transit riders had an opportunity to participate in the development of the document. Signs, as shown in Figure 2, were placed on all Cape Cod Regional Transit Authority buses and paratransit vehicles. The message on the sign was presented in both English and Portuguese.



FIGURE 2. Bus Signs

OUTREACH CARDS AND OTHER MATERIALS

Business card-sized outreach cards were developed to hand out at all public events attended by staff during the development in the plan. A few versions were created through the process,

including a version to guide people to the online survey, but included a link to the website where information was kept up to date. Similar information was contained on water bottles and a banner used in outreach activities.

SELECTION PROCESS FOR HIGHWAY REGIONAL TARGET PROJECTS

Of the funding represented in the plan, a portion is available for “regional target projects.” These are projects that the Cape Cod MPO has jurisdiction to select and prioritize. To ensure equity in the prioritization of these funds, Title VI and other equity considerations were incorporated in both the screening and analysis phases of the project selection process.

Screening of Highway Regional Target Projects

In order to determine the projects to be contained within the financial constraint of the document, analysis was conducted on the universe of projects (includes all potential projects identified during the development of the document). Analysis of projects was limited to projects \$10 million or greater as staff determined this is the scale of project appropriate for specific inclusion in this document. Analysis was conducted with a subcommittee of the Cape Cod Joint Transportation Committee (CCJTC, an advisory body to the Cape Cod MPO) where each project was considered for potential benefit, estimated cost, consistency with the objectives of the RTP, equity as it relates to minority, low income, Limited English Proficiency (LEP) and other protected populations, and GHG reduction potential. Considering these factors and the anticipated available funding, a financially-constrained program of projects was developed with the CCJTC subcommittee, reviewed by the CCJTC, and ultimately endorsed by the Cape Cod MPO.

Analysis of Highway Regional Target Projects

Following the screening process, a more detailed analysis of potential impacts (positive or negative) on low income, minority, and LEP populations was conducted as presented in **Error! Reference source not found..**

Of the approximately \$138 million programmed for specific projects, approximately 61% was on projects within and proximate to minority populations, 84% was on projects within and proximate to low income populations, and 72%, was on projects within and proximate to LEP populations. Given the regional nature of these projects, even projects that are not proximate to these identified population are likely to positively impact these identified populations as they travel through these locations to access regional services. This represents an investment in transportation infrastructure serving these areas proportionally higher than other areas on Cape Cod. In summary, the areas with higher proportions of low income and minority populations see more transportation dollars spent than other areas on Cape Cod.

TABLE 2. Highway Regional Target Projects – Income, Minority, and LEP Population Impacts

PROJECT	LOW INCOME [I], MINORITY [M], OR LIMITED ENGLISH PROFICIENCY [LEP] POPULATION AREA PROXIMATE	NATURE OF IMPACT ON LOW INCOME, MINORITY, OR LEP AREA
Mashpee: Route 151	M, LEP	Improved bicycle/ pedestrian access, safety, traffic flow
Route 28 Multimodal Improvements: Various Locations	TBD	Improved bicycle/ pedestrian access, safety
Rail Trail Extensions (Mid- and Upper-Cape)	I, M, LEP	Improved bicycle/ pedestrian access, safety
Scenic Highway Median Barrier	M	Improved traffic flow, safety
Rail Trail Extensions (Outer Cape)	I, LEP	Improved bicycle/ pedestrian access, safety
Hyannis Access Phase II (Yarmouth Road Corridor)	I, M, LEP	Improved bicycle/ pedestrian access, safety, traffic flow
Route 6 Outer Cape Safety & Multimodal Improvements	I, LEP	Improved bicycle/ pedestrian access, safety, traffic flow
Scenic Highway/Route 25 Connector Ramp	M	Improved traffic flow, safety
Interchange Improvements – Priority Locations	TBD	Improved traffic flow, safety
Bike Path Connectors to Town Centers	TBD	Improved bicycle/ pedestrian access, safety

For reference, demographics maps will be included on the following page.

CAPE COD COMMISSION

3225 MAIN STREET • P.O. BOX 226 • BARNSTABLE, MASSACHUSETTS 02630
(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

