

DVRPC

COMPLIANCE PLAN

DVRPC's Title VI Implementation Program



NOVEMBER 2024



The Delaware Valley Regional Planning Commission (DVRPC) is the federally designated Metropolitan Planning Organization for the Greater Philadelphia region, established by an Interstate Compact between the Commonwealth of Pennsylvania and the State of New Jersey. Members include Bucks, Chester, Delaware, Montgomery, and Philadelphia counties, plus the City of Chester, in Pennsylvania; and Burlington, Camden, Gloucester, and Mercer counties, plus the cities of Camden and Trenton, in New Jersey.

DVRPC serves strictly as an advisory agency. Any planning or design concepts as prepared by DVRPC are conceptual and may require engineering design and feasibility analysis. Actual authority for carrying out any planning proposals rest solely with the governing bodies of the states, local governments or authorities that have the primary responsibility to own, manage, or maintain any transportation facility.

DVRPC is funded through a variety of funding sources including federal grants from the U.S. Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), the Pennsylvania and New Jersey departments of transportation, as well as by DVRPC's state and local member governments. The authors, however, are solely responsible for the findings and conclusions herein, which may not represent the official views or policies of the funding agencies.

Title VI Compliance The Delaware Valley Regional Planning Commission (DVRPC) fully complies with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related nondiscrimination mandates in all programs and activities. DVRPC is committed to ensuring that no person is excluded from participation in, or denied the benefits of, all programs and activities on the basis of race, creed color, national origin, age, gender, disability, sexual orientation, or income level, as protected by Title VI of the Civil Rights Act of 1964 and other related nondiscrimination mandates.

DVRPC's website, www.dvrpc.org, may be translated into multiple languages. Publications and other public documents can be made available in alternative languages and formats, if requested. DVRPC's public meetings are always held in ADA-accessible facilities, and held in transit-accessible locations whenever possible. DVRPC will work to accommodate all reasonable requests for translation, interpretation, accommodations or other auxiliary services and encourages that requests be made at least seven days prior to a public meeting. Requests can be made by contacting the Commission's ADA and Title VI Compliance Officer Shoshana Akins via email at public_affairs@dvrpc.org, calling 215.592.1800, or while registering for an upcoming meeting.

Any person who believes they have been aggrieved by an unlawful discriminatory practice by DVRPC under Title VI has a right to file a formal complaint. Any such complaint must be in writing and filed with DVRPC's ADA and Title VI Compliance Officer Shoshana Akins and/or the appropriate state or federal agency within 180 days of the alleged discriminatory occurrence. Complaints that a program, service, or activity of DVRPC is not accessible to persons with disabilities should be directed to Shoshana Akins as well. For more information on DVRPC's Title VI program or to obtain a Title VI Complaint Form, please visit: www.dvrpc.org/GetInvolved/TitleVI, call 215.592.1800, or email public_affairs@dvrpc.org.

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Introduction

The United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) ensure nondiscrimination in federally funded activities and recipients under Title VI of the 1964 Civil Rights Act. Title VI states that "no person in the United States, shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."¹ The Executive Order 12898 - Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations² and Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficiency (LEP) Persons³ are also included under the nondiscrimination responsibilities of federal recipients. The Executive Order 12898 supports recipients in "identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." The Policy Guidance for LEP Persons requires federal recipients to provide meaningful access to programs and activities by LEP persons in relation to Title VI's prohibition against discrimination by national origin.

As the Metropolitan Planning Organization of the Greater Philadelphia region and recipient of federal funding, the Delaware Valley Regional Planning Commission (DVRPC) is responsible for maintaining a Title VI Implementation Program to guide, define, and demonstrate the implementation of nondiscrimination in every aspect of DVRPC's activities, including the Unified Planning Work Program (UPWP), Transportation Improvement Program (TIP), and Long-Range Plan (LRP). The Commission's Title VI Program is reviewed by federal and state planning partners and approved by Board Members or the appropriate governing entity or official(s) responsible for policy decisions.

The FTA's Title VI Program Checklist⁴ was used to create this document and includes the Public Participation Plan and Language Access Plan as appendices D and E.

¹ U.S. Department of Justice, "Title VI Of The Civil Rights Act Of 1964 42 U.S.C. § 2000d Et Seq.," Federal Coordination and Compliance Section, January 22, 2016, accessed September 2023, www.justice.gov/crt/fcs/TitleVI-Overview.

² Federal Register, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Population," Presidential Documents, February 16, 1994, accessed September 2023, www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf.

³ US Department of Transportation, Federal Register, Volume 70 Issue 239 (December 14, 2005), accessed September 2023 www.govinfo.gov/content/pkg/FR-2005-12-14/html/05-23972.htm

⁴ Federal Transit Administration, TITLE VI PROGRAM CHECKLIST - Federal Transit Administration (October 2023), accessed September 2023 www.transit.dot.gov/sites/fta.dot.gov/files/Title_VI_Program_Checklist-Appendix_D_Handbook.pdf

Schedule of Title VI document updates

To demonstrate compliance with Title VI and other nondiscriminatory mandates, DVRPC maintains a schedule for the Commission's Title VI-related documents and programs. Below is a table with the product/program name, purpose, and schedule for updating.

Table 1: Schedule of Title VI-Related documents, plans, tools, and analyses

Product/program	Purpose in Title VI compliance	Update schedule
Title VI Program	Document Title VI compliance	Reviewed annually, re-adopted every 3 years or sooner as needed
Public Participation Plan	Outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts	Reviewed annually, re-adopted every 5 years or sooner as needed
Limited English Proficiency (LEP) Plan	Methods to provide language assistance to persons with LEP	Reviewed annually, re-adopted every 5 years or sooner as needed
Public Participation Task Force (PPTF)	Documentation for membership of non-elected committees and councils, the membership of which is selected in part by DVRPC, broken down by race, and a description of the process to encourage the participation of minorities on such committees	Demographic information updated annually
Indicators of Potential Disadvantage (IPD) webmap	Demographic profile of the metropolitan area	Demographic data updated annually or with Census data release schedule

Table continues on next page

Product/program	Purpose in Title VI compliance	Update schedule
Transportation Improvement Programs (TIP) for Pennsylvania and New Jersey “Responding to EJ and Title VI Concerns” chapters	Identification of mobility needs of minority populations and considered within the planning process, impacts of the distribution of State and Federal funds in the aggregate for public transportation projects, and analysis that identifies and addresses any disparate impacts	Data and analysis of project locations and impacts updated annually, alternating between PA and NJ to maintain a 2-year schedule
TIP-LRP Project Benefit Evaluation Criteria	Implementation of Title VI and EJ guidance into DVRPC critical processes	Data and analysis of projects updated annually and criteria updated every 4 years concurrently with the LRP
Equity Through Access: the Region’s Coordinated Human Services Transportation Plan	Identification of mobility needs of vulnerable populations and consideration throughout the planning process	Regional plan and data updated every 4 years
Title VI Policy & Self Certification contract provisions	Review of all mandates, which includes Title VI and EJ	Annually, see Appendix G
Standard Title VI and Nondiscrimination Assurances	Assurance of nondiscriminatory pass-through of federal financial assistance	Annually with DVRPC planning partners and contractors

Source: DVRPC 2024

FTA’s Title VI Program Checklist

The following sections are the items of a Title VI Implementation Program as prescribed by FTA’s Title VI Program Checklist in the order they are listed in Appendix A of Circular FTA C 4702.1B⁵. When a section is not applicable to DVRPC’s governing structure or role, there is a description of why it does not apply.

⁵ Federal Transit Administration “Title VI Requirements and Guidelines for Federal Transit Administration Recipients” (February 2020), accessed September 2023 www.transit.dot.gov/regulations-and-guidance/fta-circulars/title-vi-requirements-and-guidelines-federal-transit

Title VI Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance using federal funds must be accompanied by an assurance that the applicant will carry out the program in compliance with USDOT's and DVRPC's Title VI regulations. This requirement must be fulfilled when the applicant/recipient submits its annual certifications and assurances to DVRPC during the contracting process. The Title VI Assurances are in every contract with a subrecipient, and it is included in the Commission's Standard Articles of Agreement. As the primary recipient, DVRPC collects Title VI assurances from subrecipients prior to passing through federal funds. DVRPC self-certifies that the Commission is in compliance with the federal metropolitan planning requirements by adopting a resolution for self-certification. The resolution includes all nondiscrimination mandates, which includes Title VI of the Civil Rights Act. The text of DVRPC's Assurances are in Appendix A and DVRPC's annual self-certification resolution is in Appendix G.

Title VI Notice to the Public

DVRPC's Title VI Notice to the Public is included on DVRPC's website under the "Policies" section (www.dvrpc.org/policies) as well as the "Title VI and Environmental Justice" section (www.dvrpc.org/getinvolved/titlevi) and in all DVRPC publications. A shorter version appears on public meeting invitations and agendas, and on various printed materials.

DVRPC's Title VI Policy Statement is as follows:

The Delaware Valley Regional Planning Commission (DVRPC) fully complies with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related nondiscrimination mandates in all programs and activities. DVRPC is committed to ensuring that no person is excluded from participation in, or denied the benefits of, all programs and activities on the basis of race, creed color, national origin, age, gender, disability, sexual orientation, or income level, as protected by Title VI of the Civil Rights Act of 1964 and other related nondiscrimination mandates.

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Last updated January 2024

The notice is posted on DVRPC's website, on Board and RTC public meeting agendas, and in TIP, LRP, and Work Program public information, which includes public meeting agendas, reports, and any other relevant documents that inform the public.

Title VI Complaint Procedures

DVRPC's Title VI complaint process is linked on the "Title VI and Environmental Justice" page: www.dvrpc.org/getinvolved/titlevi. From this page, people can find the [Title VI Compliance Plan](#), narrative text on the purpose and process of the Title VI Complaint Procedure, and the Title VI Complaint form in [English](#) as well as [Spanish](#) and [Chinese](#).

Title VI Complaint Form

DVRPC's Title VI Complaint form is available on the "Title VI and Environmental Justice" page in [English](#) as well as in [Spanish](#) and [Chinese](#), which are two priority languages identified in the LEP Plan that require proactive translation for the Commission's critical materials. The Title VI Complaint form is considered one of the Commission's vital documents. An example of DVRPC's Title VI complaint log can be found in Appendix C.

Transit-related Title VI investigations, complaints, and lawsuits

DVRPC maintains a complaint log and can submit this documentation for review from DVRPC's state and federal partners upon request. A blank version of the log can be found in Appendix C.

Public Participation Plan

The DVRPC Public Participation Plan: A Strategy for Citizen Involvement outlines how the Commission is meeting all federal public participation mandates, and it is regularly updated to reflect the Commission's current outreach activities. The Plan can be found on the DVRPC website and in Appendix D of this document:

www.dvrpc.org/Products/TM18012/

Language Assistance Plan

DVRPC's Limited English Proficiency (LEP) Plan operationalizes translation and language access for the region's residents. The plan was adopted by the DVRPC Board in 2019. The U.S. Census Bureau defined LEP speakers as people over the age of five years old that speak English "less than very well." To access this data, DVRPC uses the U.S. Census Bureau's American Community Survey, tables B16001 and C16001. This plan includes training staff on what translation services are available at DVRPC, providing staff with the tools they need to identify when a project area meets the LEP threshold, and providing outreach guidance for LEP communities. The Plan can be found on the DVRPC website here: www.dvrpc.org/Products/TR19014/ and is in Appendix E of this document.

Non-elected committees and councils, broken down by race

Federal recipients are required to provide a table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees. DVRPC has a number of standing committees that report to the DVRPC Board. Of these committees, the Public Participation Task Force (PPTF) is the only committee where the membership is selected in part by DVRPC staff.

The DVRPC Board is made up of elected officials and appointees representing specific jurisdictions. It also has a large nonvoting board that is comprised of ex officio members of many different transportation entities and state and federal government agencies.

Most of the topic-specific standing committees host meetings that are open to the public and do not maintain a closed membership. The complete list of committees can be found here: www.dvrpc.org/committees

The mission of the PPTF is to provide ongoing access to the regional planning and decision-making process, to review timely issues, to serve as a conduit for DVRPC information to organizations and communities across the region, and to assist the Commission in implementing public outreach strategies. The Task Force meets in the evenings every 5-6 weeks. Members are given a stipend, and, when meeting in-person, dinner is provided for all attendees. These public participation methods are a part of the

Task Force’s structure in order to encourage attendance as well as welcome and support regional residents from historically marginalized and underrepresented communities.

The PPTF membership selection aims to be representative of the region as much as possible. Demographic questions are asked on the application and the PPTF Application Review Committee uses this self-reported information as one of the elements in the selection process. DVRPC conducts additional outreach to organizations who support, represent, and/or advocate for historically marginalized and underrepresented communities before PPTF public meetings and the annual recruitment period to encourage participation. Below is a table of the 2023 membership.

Table 2: Demographics of the 2023 PPTF compared to the region

Race	Percent of the PPTF	Percent of the region
White	54%	66%
Black/African American	37%	21%
Asian or Pacific Islander	13%	6%
Native American or Alaskan Native	0%	1%
Hispanic/Spanish Origin	Percent of the PPTF	Percent of the region
Yes	13%	10%
No	85%	90%
Prefer not to answer/did not answer	2%	N/A

Source: DVRPC 2023 and ACS 2021

Description of monitoring subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions

DVRPC monitors its member government subawards and related subrecipients' activities to ensure federal funds are used for authorized purposes, meet the project performance goals and financial reporting objectives, and comply with Title VI. The Subrecipient Monitoring Policy is incorporated in to DVRPC’s Standard Articles of Agreement for Subrecipients. The Title VI Certification for Subrecipients form is included in all pass-through and subrecipient funding during the pre-award risk assessment process. See Appendix F for DVRPC’s Title VI Certification for Subrecipients form.

DVRPC monitors Title VI compliance of subrecipients through pre-award risk questionnaires, signed assurances, and self-certification during the contracting process. As part of DVRPC’s standard contracting process, all formal agreements include Title VI Policy & Self Certification contract provisions, and the terms and conditions include a USDOT Standard Title VI and Non-Discrimination Assurances section to ensure the nondiscriminatory pass through of FHWA/FTA financial assistance.

In addition, DVRPC's Title VI Certification for Subrecipients form requires subrecipients to affirm their compliance with Title VI. In this form, subrecipients affirm that they: (1) understand and affirm compliance of Title VI; (2) have a Title VI Plan implemented, either DVRPC's or their own; and (3) list Title VI complaints, investigations, and/or lawsuits in the last three years. If a subrecipient is not in compliance with Title VI regulations, DVRPC will work with the subrecipient to remedy the situation. This may include providing data, information, guidance, and support for the full development and formal adoption of the subrecipient's Title VI Compliance plan.

Title VI equity analysis of facilities constructed, such as a vehicle storage facility, maintenance facility, operation center, etc.

DVRPC does not manage construction of facilities. The Commission's primary responsibility that is most related to construction is the Pennsylvania and New Jersey Transportation Improvement Programs (TIPs): www.dvrpc.org/tip. The TIP is the regionally agreed upon list of priority transportation projects over a four-year period, as required by federal transportation law. The TIP contains a list of all multimodal projects that intend to use federal funds, along with all non-federally funded projects that are regionally significant, with estimated costs and schedules. For planning purposes, the DVRPC TIP shows a full 10 years of funding in New Jersey and 12 years in Pennsylvania for highway and public transit projects.

Approval of the Title VI Program

DVRPC annually self-certifies and reaffirms its Title VI Program, among other activities and programs, by the DVRPC Board adoption. The most recent self-certification resolution, adopted in June 2023, can be found in Appendix G of this document, as well as online: <https://www.dvrpc.org/committees/board/2024-01.pdf>. The Board most recently approved DVRPC's Title VI Implementation Program in January 2024. The minutes for that meeting can be found in Appendix H of this document.

Chapter IV Requirements - Transit Provider

DVRPC is not a provider of fixed route public transportation; the requirements in the FTA checklist Chapter IV (Transit Provider) are not applicable.

Demographic profile of the Metropolitan Area

DVRPC maintains a demographic profile of the Greater Philadelphia region called the Indicators of Potential Disadvantage (IPD), which visually depicts the nine historically marginalized population groups covered under FTA and FHWA's

Title VI, EJ, and Additional Nondiscrimination requirements: www.dvrpc.org/webmaps/ipd/

The nine populations included in the IPD are Youth, Older Adults, Female, Racial Minority, Ethnic Minority, Foreign-Born, Limited English Proficiency, Disabled, and Low-Income. The IPD is updated annually with American Community Survey (ACS) data and used in DVRPC's programs, policies, and programs to understand demographics in the region.

Identification of Mobility Needs of Minority Populations

DVRPC identifies and considers the mobility needs of minority populations in the following ways:

- The IPD webmap is used within DVRPC Work Program projects to understand the location and concentrations of historically marginalized population groups covered under FTA and FHWA's Title VI, EJ, and Additional Nondiscrimination requirements. DVRPC staff use this information to plan outreach and to prioritize organizations with which to consult. The IPD Webmap can be found here: www.dvrpc.org/webmaps/ipd/. A data layer is also available for download by the general public, member governments, and planning partners.
- The LEP Webmap is used by DVRPC staff to identify populations of LEP speakers above the threshold levels. Outreach materials are then translated into those select languages. The LEP Webmap can be found here: www.dvrpc.org/products/web21041. A data layer is also available for download by the general public, member governments, and planning partners.
- The Pennsylvania and New Jersey Transportation Improvement Programs (TIPs) both overlay individual demographic layers with asset condition data as a part of the project selection process with the TIP Committees. More information on that process can be found in "Responding to Environmental Justice (EJ) and Title VI Concerns" chapters of each of the TIPs: www.dvrpc.org/tip
- The Equity Through Access (ETA) project is DVRPC's Coordinated Human Services Transportation Plan (CHSTP) for the region and is updated every four years. It seeks to understand vulnerable populations' access to essential services. Vulnerable populations are individuals who are low income, seniors, physically disabled, and mentally disabled. These populations are more likely to be transit dependent than the general population. Essential services are defined as destinations needed to meet a standard quality of life and include places of employment, grocery stores, schools, medical facilities, recreation/open space areas, senior centers, and centers for the developmentally disabled. More information on this project is available here: www.dvrpc.org/eta

Demographic Maps with Distribution of State and Federal Funds

The Pennsylvania and New Jersey TIPs each show the distribution of state and federal funds for public transportation projects in the chapter titled “Responding to Environmental Justice (EJ) and Title VI Concerns.” The TIPs uses DVRPC's IPD webmap, which maps the populations included in Title VI and EJ guidance, to understand the different population groups that may experience benefits or burdens related to these projects. Economic investment is analyzed by mapping the location of projects in the state TIP over the IPD map layer and tabulating how many projects are in each IPD category, the amount allocated to each IPD category, and a qualitative analysis of the project types in relation to the distribution among the population groups. Current state TIPs can be found here: www.dvrpc.org/tip

Analysis of Disparate Impacts in Transportation System

The Pennsylvania and New Jersey TIPs each include an analysis of disparate impacts in the chapter titled “Responding to Environmental Justice (EJ) and Title VI Concerns.” Potential disparate impacts are analyzed by mapping the location of projects in the state TIP over the IPD map layer and comparing these locations to asset condition maps, the priority areas for different planning needs included in the TIP Benefit Evaluation Criteria, and Project Categorization table to understand the number of projects and their potential impacts. Current state TIPs can be found here: www.dvrpc.org/tip

Description of Nondiscriminatory Passthrough and Assistance to Subrecipients

As part of DVRPC's standard contracting process, all formal agreements include Title VI Policy & Self Certification contract provisions and the terms and conditions include USDOT's Standard Title VI and Non-Discrimination Assurances to ensure the nondiscriminatory pass-through of FHWA/FTA financial assistance. See DVRPC's Standard Articles of Agreements under the “Sample Forms” section: www.dvrpc.org/Business/

DVRPC provides assistance to subrecipients through Work Program projects that provide direct technical assistance or increase capacity for subrecipients to implement equity initiatives.

Appendices

Appendix A - Department of Transportation Standard Title VI
Assurances

See following page

The Delaware Valley Regional Planning Commission (DVRPC) (hereinafter referred to as the "Recipient")

HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race color, or national origin, be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, and HEREBY GIVES ASSURANCE that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its programming:

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all programs and, in adapted form in all proposals for negotiated agreements:

The Delaware Valley Regional Planning Commission (DVRPC), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Part A of this assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Part B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:
 - (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and
 - (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods:
 - (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Appendix B – Title VI Complaint Form

DVRPC's complaint form can be found on DVRPC's Title VI page of the Commission's website: <https://www.dvrpc.org/getinvolved/titlevi/>. The following pages contains the Title VI Complaint Form in English, Spanish, and Chinese. This form is proactively translated into these language in compliance with DVRPC's Limited English Proficiency Plan.

TITLE VI Complaint Form



Name	Phone	Name of Person(s) that Discriminated Against You
Address (Street No., P.O. Box, etc.)		Position of Person (If Known)
City, State, Zip		Organization and Location
Email		Date(s) of Alleged Incident
Discrimination Because of: <input type="checkbox"/> Race/Color* <input type="checkbox"/> Sex <input type="checkbox"/> Disability** <input type="checkbox"/> Religion <input type="checkbox"/> Age <input type="checkbox"/> National Origin* <input type="checkbox"/> Retaliation		
Explain as briefly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Please provide, if applicable, names and contact information of individuals who may have knowledge of the incident or are perceived as parties in the complaint. Include any additional information supporting your complaint (please use additional pages as necessary):		
Signature		Date

*indicates is specific to Title VI of the Civil Rights Act of 1964
1990

**indicates is specific to Americans with Disabilities Act

Please submit this form to any one of the following agencies:



Delaware Valley Regional Planning Commission
ADA and Title VI Compliance Officer, Shoshana Akins
190 N Independence Mall West, 8th Fl. Philadelphia,
PA 19106
Phone: (215) 592-1800
Email: public_affairs@dvrpc.org

Federal Transit Administration - Region 3

U.S. Department of Transportation
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124
Phone: (215) 656-7100

U.S. Department of Justice

Office of Justice Programs
Office for Civil Rights
810 7th Street, NW
Washington, DC 20531
Phone: (202) 307-0690
Phone (TDD): 202-307-2027

U.S. Department of Transportation

Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-314
Washington, DC 20590
Phone: (202) 366-0693

Federal Transit Administration

Office of Civil Rights
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: (202) 366-4043

For Pennsylvania Residents

Pennsylvania Department of Transportation
Bureau of Equal Opportunity
P.O. Box 3251
Harrisburg, PA 17105-3251
Phone: (800) 468-4201
Email: penndotereports@pa.gov

Federal Highway Administration - PA Division

U.S. Department of Transportation
Equal Opportunity Specialist
Pennsylvania Division Office
228 Walnut Street, Room 508
Harrisburg, PA 17101-1720
Phone: (717) 221-3705

For New Jersey Residents

New Jersey Department of Transportation

Division of Civil Rights/ Affirmative Action
P.O. Box 600
1035 Parkway Avenue
Trenton, NJ 08625-0600
Phone: (609) 530-2336

Federal Highway Administration - NJ Division

Civil Rights Program
840 Bear Tavern Road, Suite 202
West Trenton, NJ 08628
Phone: (609) 637-4200



Nombre	Teléfono	Nombre(s) de la(s) persona(s) que lo discriminó(aron)
Dirección (calle y número, apartado postal, etc.)		Puesto de la persona (si lo conoce)
Ciudad, Estado, Código postal		Organización y ubicación
Correo electrónico		Fecha del incidente alegado
<p>Se cometió discriminación por:</p> <p> <input type="checkbox"/> Raza/Color* <input type="checkbox"/> Sexo <input type="checkbox"/> Discapacidad** <input type="checkbox"/> Religión <input type="checkbox"/> Edad <input type="checkbox"/> País de origen* <input type="checkbox"/> Represalias </p>		
<p>Explique de la manera más breve posible lo que ocurrió y cómo sufrió discriminación. Indique quiénes estuvieron involucrados. Asegúrese de incluir de qué manera otras personas recibieron un trato diferente a usted. Por favor incluya, si existen, los nombres y la información de contacto de las personas que puedan estar enteradas del incidente o que se perciban como parte de la queja. Incluya toda la información adicional que sustente su queja (use páginas adicionales si las necesita):</p>		
Firma	Fecha	

*indica que es específica del Título VI de la Ley de Derechos Civiles de 1964

**indica que es específica de la Ley de Estadounidenses con Discapacidades de 1990

Delaware Valley Regional Planning Commission

ADA and Title VI Compliance Officer,
Shoshana Akins
190 N Independence Mall West, 8th Fl.
Philadelphia, PA 19106
Teléfono: (215) 592-1800
Correo electrónico: public_affairs@dvrpc.org

Federal Transit Administration - Region 3

U.S. Department of Transportation
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124
Teléfono: (215) 656-7100

U.S. Department of Justice

Office of Justice Programs
Office for Civil Rights
810 7th Street, NW
Washington, DC 20531
Teléfono: (202) 307-0690
Teléfono (TDD): 202-307-2027

U.S. Department of Transportation

Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-314
Washington, DC 20590
Teléfono: (202) 366-0693

Federal Transit Administration

Office of Civil Rights
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590
Teléfono: (202) 366-4043

Para los residentes de Pennsylvania

Pennsylvania Department of Transportation
Bureau of Equal Opportunity
P.O. Box 3251
Harrisburg, PA 17105-3251
Teléfono: (800) 468-4201
Correo electrónico: penndoteoreports@pa.gov

Federal Highway Administration - PA Division

U.S. Department of Transportation
Equal Opportunity Specialist
Pennsylvania Division Office
228 Walnut Street, Room 508
Harrisburg, PA 17101-1720
Teléfono: (717) 221-3705

Para los residentes de Nueva Jersey

New Jersey Department of Transportation

Division of Civil Rights/ Affirmative Action
P.O. Box 600
1035 Parkway Avenue
Trenton, NJ 08625-0600
Teléfono: (609) 530-2336

Federal Highway Administration - NJ Division

Civil Rights Program
840 Bear Tavern Road, Suite 202
West Trenton, NJ 08628
Teléfono: (609) 637-4200



姓名	电话	歧视您的人(多人)之姓名
地址(街道 门牌号、邮箱等)		歧视人之职位(如知晓)
城市、州、邮政编码		组织和地址
电子邮箱		投诉事件发生的日期

歧视原因:

- 种族/肤色*
 性别
 残疾**
 宗教
 年龄
 祖籍国*
 报复

请简要说明事件经过,以及您如何受到歧视。请指明事件涉及到谁。请务必说明其他人受到的对待与您有什么区别。必要时,请提供知晓该事件的个人或被视为投诉中的当事人的姓名和联系方式。请提供支持您投诉的任何其他信息(必要时可使用附页):

签名	日期
----	----

请将此表提交给以下任一机构：



Delaware Valley Regional Planning Commission

ADA and Title VI Compliance Officer,

Shoshana Akins

190 N Independence Mall West, 8th Fl.

Philadelphia, PA 19106

电话 : (215) 592-1800

电子邮箱 : public_affairs@dvrpc.org

Federal Transit Administration - Region 3

U.S. Department of Transportation

1760 Market Street, Suite 500

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U.S. Department of Justice

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Federal Transit Administration

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1200 New Jersey Avenue, SE

Washington, DC 20590

电话 : (202) 366-4043

对宾夕法尼亚居民

Pennsylvania Department of Transportation

Bureau of Equal Opportunity

P.O. Box 3251

Harrisburg, PA 17105-3251

电话 : (800) 468-4201

电子邮箱 : penndotreports@pa.gov

Federal Highway Administration - PA Division

U.S. Department of Transportation

Equal Opportunity Specialist

Pennsylvania Division Office

228 Walnut Street, Room 508

Harrisburg, PA 17101-1720

电话 : (717) 221-3705

对于新泽西州的居民

New Jersey Department of Transportation

Division of Civil Rights/ Affirmative Action

P.O. Box 600

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电话 : (609) 530-2336

Federal Highway Administration - NJ Division

Civil Rights Program

840 Bear Tavern Road, Suite 202

West Trenton, NJ 08628

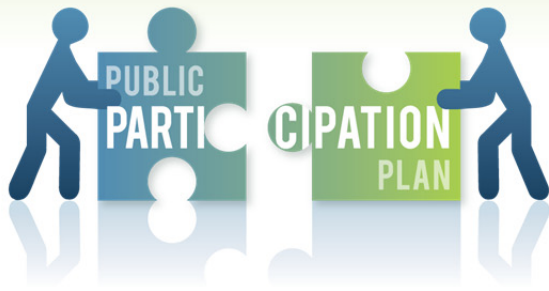
电话 : (609) 637-4200

Appendix C – Example of DVRPC Title VI log
See following page.

Appendix D – Public Participation Plan

DVRPC's Public Participation Plan can be found on the Public Participation page on the Commission's website and in full on the next page:

<https://www.dvrpc.org/getinvolved/publicparticipation/>.



a Strategy for Citizen Involvement



Introduction

The Delaware Valley Regional Planning Commission (DVRPC, “the Commission”) has a long history of public participation and citizen involvement in regional and transportation planning initiatives. Throughout DVRPC’s history, the basic tenet of public participation has remained the same: to reach out to and engage as many members of the public as possible in the decision-making process. Through a constructive dialogue, decision makers, planners, and the public can share their opinions and mutually shape a vision for their community, county, and region.

DVRPC’s *Public Participation Plan* is designed as a resource for DVRPC’s Board, staff, and the general public to better understand the Commission’s overall public participation strategy and procedures, as well as the federal mandates that inform DVRPC’s public participation efforts. The plan conveys DVRPC’s commitment to a transparent and proactive public participation process that strives to engage all residents of Greater Philadelphia.

What is DVRPC?

DVRPC, created in 1965 by an interstate compact between Pennsylvania and New Jersey, plans for the growth and development of the bi-state Greater Philadelphia region, and serves as the Metropolitan Planning Organization (MPO) for the nine-county Greater Philadelphia region. An MPO is a regional organization responsible for comprehensive transportation planning and programming for urbanized areas, and is responsible for approval of federal transportation funding for the region. Federal law requires the formation of an MPO for urban areas with a population of more than 50,000 people.

Vision and Mission Statement

The Delaware Valley Regional Planning Commission is the federally designated Metropolitan Planning Organization for a diverse nine-county region in two states: Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania; and Burlington, Camden, Gloucester, and Mercer in New Jersey.

DVRPC's vision for the Greater Philadelphia Region is a prosperous, innovative, equitable, resilient, and sustainable region that increases mobility choices by investing in a safe and modern transportation system; that protects and preserves our natural resources while creating healthy communities; and that fosters greater opportunities for all.

DVRPC's mission is to achieve this vision by convening the widest array of partners to inform and facilitate data-driven decision-making. We are engaged across the region, and strive to be leaders and innovators, exploring new ideas and creating best practices.

Adopted by DVRPC Board September 2017

MPO Activities

As the MPO for the Delaware Valley region, DVRPC undertakes three significant, ongoing planning processes: the development and adoption of a Long-Range Plan, the adoption and management of the Transportation Improvement Program, and the creation of the annual Planning Work Program.

Long-Range Planning

DVRPC has a mandated responsibility to develop a regional plan that has a timeline of 20 years or greater, with long-range forecasts of population, land use, employment, and travel trends that determine how federal transportation funds will be spent. DVRPC's Long-Range Plan has expanded beyond the traditional transportation element to encompass land use, economic competitiveness, environmental stewardship, and equity issues. All of these factors are taken into account because transportation is affected by and affects each of these other components.

The Long-Range Plan has a significant public participation component, which may include visioning workshops, other public events, focus group meetings, stakeholder outreach, newsletters, and surveys. Before the Long-Range Plan is adopted, a public comment period of at least 30 days must be held.

Transportation Programming

The Transportation Improvement Program (TIP) is an agreed-upon list of priority projects. The TIP lists all projects for which federal funds are anticipated, along with non-federally funded projects that are regionally significant. In Pennsylvania and New Jersey, each TIP covers a four-year period and is updated every other year.

To help establish priorities for the TIP, DVRPC solicits the public's opinion. A public comment period of at least 30 days and public meeting(s) give the public an opportunity to pose questions about the TIP process and projects. The public involvement process for the TIP conducted by DVRPC is in cooperation with the Pennsylvania Department of Transportation (PennDOT) and the New Jersey Department of Transportation (NJDOT) to satisfy the requirements placed on both states by federal legislation and regulation for all Federal Transit Administration and Federal Highway Administration (FHWA) funded

projects in the TIP. For the NJ TIP, public comment meetings are conducted jointly with NJDOT and also serve as an opportunity to comment on the Draft New Jersey Statewide Transportation Improvement Program (often referred to as the STIP). For the PA TIP, DVRPC's public involvement activities also satisfy public involvement requirements for PennDOT's Section 5307 funds – federal transit formula funds.

DVRPC utilizes an online TIP commenting feature that the public may access, in addition to submitting comments through more traditional means, such as by letter and fax. To assist the public in accessing and reviewing the TIP, specific projects can be easily mapped online at www.dvrpc.org/TIP.

DVRPC has adopted Memorandums of Understanding (MOUs) for Pennsylvania and New Jersey, which define the procedures for making amendments and modifications to the TIP. Such agreements between the states, transit operators, and DVRPC outline major and minor amendments, as well as the degree of public review required for each type of action. The MOUs are included with each TIP document.

Annual Planning Work Program

An Annual Planning Work Program (often referred to as the Work Program) incorporates the planning programs and support activities of an MPO and its member governments for a specified time period or fiscal year. DVRPC's fiscal year runs from July 1 to June 30. DVRPC develops its Work Program annually with the DVRPC Board, its committees, and planning partners to reflect the region's short-range planning needs. DVRPC solicits public input while drafting the Work Program, as well as during a public comment period of at least 30 days. Comments are accepted by mail, fax and email.

Other Activities

Beyond these three mandated activities, DVRPC undertakes a variety of other regional planning activities outlined in greater detail on the Commission's website (www.dvrpc.org). Many of these other program areas and projects also provide opportunities for public participation and input.

The DVRPC Board

DVRPC is governed by an 18-member decision-making Board comprising of state, county, and city representatives from the region's member governments, as well as various non-voting members. The governor of each state has three appointees; each county has a voting seat, and the cities of Camden, Chester, and Trenton each have a voting seat. The Executive Committee of the Board is a subset of 10 members, of which at least two seats are rotating among the county Board members.

All DVRPC Board meetings are open to the public to attend, and include an opportunity for public comment. Notifications of DVRPC Board meeting dates and locations are legally published in newspapers of record at the beginning of the calendar year. As part of its

enhanced public participation, DVRPC issues a call for public comments on action items about 10 days before the Board meeting.

DVRPC Committees

DVRPC's committees advise the Board on specific regional issues while ensuring that interested parties, including member governments and interested residents, have an opportunity to participate in the planning process. Meeting dates are advertised on DVRPC's website. All committee meetings are open to the public to attend.

Notification of all meetings of DVRPC's standing committees is provided approximately 10 days prior to each meeting. The public notification includes a copy of the draft agenda, the date, time, and location of the meeting. Changes to the agenda may be made up to the day of the meeting. Auxiliary services, such as interpretation, can be provided to individuals who submit a request at least seven days prior to a public meeting. Requests will be accommodated to the greatest extent possible. Meeting dates and agendas are available at DVRPC's website (www.dvrpc.org).

Public Participation Task Force

Since the 1970s, DVRPC has maintained a continuous forum for the public to participate in the regional planning process. This forum has taken various forms throughout the years to respond to the outreach needs of the public and the Commission. The DVRPC Board took action in October, 2011 to replace the long-standing DVRPC Regional Citizens Committee with a Public Participation Task Force (PPTF) that comprises appointed members and members at-large. The mission of the task force is to provide ongoing access to the regional planning and decision-making processes, to review timely issues, to serve as a conduit for DVRPC information to organizations and communities across the region, and to assist the Commission in implementing public outreach strategies.

Member cities and counties represented on the DVRPC Board may appoint members to the PPTF. At-large members are selected through an annual application process. Task force members serve a two-year term and may serve a maximum of two consecutive terms. Meetings are held approximately every six weeks, or as needed. Two task force members are selected to sit on the Regional Technical Committee (often referred to as the RTC), which reviews TIP amendments and other actions, and advises the DVRPC Board. Task Force members may also participate on other DVRPC committees and study advisory committees.

In addition to geographic diversity, the PPTF strives to represent the racial, ethnic, cultural, gender, age, and economic diversity of the region, with members from throughout Greater Philadelphia bringing their own individual experiences to the table. While not mandated to represent a particular segment of the population, ideal Public Participation Task Force candidates may belong to one or more of the following organizations or population groups:

- ▶ regional civic associations;
- ▶ the physically or intellectually disabled;
- ▶ minority groups;
- ▶ Limited English Proficient (LEP) populations;
- ▶ transportation or transit advisory groups;
- ▶ low-income individuals;
- ▶ older adults;
- ▶ affordable housing organizations;
- ▶ environmental groups;
- ▶ environmental justice groups;
- ▶ public health organizations;
- ▶ bicycle or pedestrian advocacy groups;
- ▶ youth programs;
- ▶ community development organizations;
- ▶ economic development organizations;
- ▶ private-sector business organizations; and
- ▶ ethnic organizations.

For more information, visit the PPTF page on www.dvrpc.org. Information is also available by contacting the Office of Communications and Engagement at 215-592-1800.

Mandates Related to Public Participation

A number of federal mandates guide DVRPC’s overall public participation efforts. Together, these laws establish a foundation for involving the public and ensuring that every project undertaken by the Commission considers public comments, engages Delaware Valley residents in the planning process, and provides a transparent public record.

These guidelines and requirements are all addressed in Appendix A, and form the basis of DVRPC’s ongoing outreach strategy and procedures.

DVRPC’s Public Participation Strategy

DVRPC believes that planning must be done with the public’s input. Decisions made at the Commission affect the future of all those who live and work in the Delaware Valley region. DVRPC is committed to understanding the diverse needs and concerns of the public, as well as those of non-profit organizations, business interests, and local governments. Outlined below is the strategy that summarizes DVRPC’s philosophy and intent to place public participation at the forefront of our priorities.

What is Public Participation?

Public participation is the process by which interested and affected individuals, organizations, agencies, and government entities are consulted and included in the decision-making process.

Public participation consists of three related, and often overlapping, processes: information dissemination, consultation, and stakeholder participation:

1. Information dissemination refers to the availability and distribution of timely and relevant information about DVRPC programs and projects.
2. Consultation pertains to information exchanges among the MPO, implementing agency, and stakeholders.
3. Stakeholders are the individuals, groups, or institutions that have an interest in the outcome of a project. The term also applies to those potentially affected by a project.

Effective public participation can also be defined by the following eight criteria:

- ▶ transparency and integrity;
- ▶ coordination;
- ▶ information;
- ▶ appropriateness;
- ▶ responsiveness;
- ▶ inclusiveness;
- ▶ monitoring and evaluating; and
- ▶ learning and sharing¹

Our Philosophy

DVRPC believes that effective public involvement and participation is a dynamic and ongoing process that is essential to meeting the future transportation, land use needs, and economic concerns of all residents in Greater Philadelphia. In order to implement any regional plan or site-specific project, there needs to be cooperative and coordinated action among the public, private, and non-profit sectors, as well as the general public.

Effective planning cannot be achieved without the consideration and cooperation of residents. The Commission commits to promote and sustain a responsive public participation program that supports and actively seeks the public's input and timely response at all levels of planning.

Every DVRPC staff member is informed about the importance of public participation through an orientation program and ongoing interaction with the DVRPC Office of Communications and Engagement. Even when they do not have direct contact with the general public, they know that their work has an impact on how our region functions and on how DVRPC is perceived by the public.

¹ *Planning Aid for Scotland, "SP=EED™ Scottish Planning= Effective Engagement and Delivery: A Practical Guide to Better Engagement in Planning in Scotland," accessed March 27, 2012, www.planningaidscotland.org.uk/.*

Public Participation Goals

DVRPC's public participation goals are to:

1. Provide opportunities for interested parties to identify regional concerns and priorities.
2. Encourage public involvement among our various audiences, including traditionally underserved groups.
3. Increase the public's awareness of opportunities and activities to actively participate in DVRPC plans and programs.
4. Obtain meaningful public input to inform the Commission's planning and decision-making process.
5. Inform and educate our stakeholders, share information, and increase overall awareness of regional planning, land use, economic, environmental, equity, and transportation issues and activities in the Delaware Valley region.

Public Participation Objectives

In order to ensure that DVRPC has a proactive and meaningful public involvement process that provides complete information, timely public notice, full public input to key decision-making processes, and supports early and continuing involvement in developing regional plans and projects, the Commission pursues the following objectives:

- ▶ The dissemination of information will be broad and wide, using multiple communication channels in order to understand the region's needs and strengthen regional policy making.
- ▶ DVRPC's constituency will be broadened by increasing public- and private-sector and intergovernmental communications, and by reaching out to those who are underserved in the region.
- ▶ The Commission will ensure that the public has ample opportunity to participate in the decision-making process for regional projects and plans, including, but not limited to, the TIP and the LRP.
- ▶ DVRPC will coordinate its public participation strategy with ongoing public involvement processes of its member governments, whenever possible, to enhance public participation and reach new stakeholders.

Development of the Public Participation Plan

Federal guidelines require the participation of interested parties in the development of transportation plans. The Fixing America's Surface Transportation (FAST) Act defines "interested parties" as citizens, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties.

To initially develop this plan in 2014, DVRPC conducted a public comment and review process for members of the public, federal and state planning partners, and other

stakeholders to participate. It was amended in 2018 when the Commission updated its Access to Records Policy, Appendix B of this document.

Evaluation of Public Participation Activities

DVRPC's Public Participation Plan is not a static document but an ongoing strategy to meet public outreach needs of DVRPC plans and programs. There is no singular approach to public engagement, and outreach and participation for specific projects may be different. The residents of this region are also not a homogeneous entity; therefore, methods of outreach may also be different depending on the intended audience. At the same time, in order to maintain a successful participation program, the Commission must evaluate what worked and what did not work in the public participation process.

The FHWA recommends the following elements for effective public participation:

- ▶ clearly defined purpose and objectives for initiating a public dialogue on transportation issues;
- ▶ specific identification of the affected public and other stakeholder groups with respect to the plans and programs under development;
- ▶ identification of techniques for engaging the public in the process;
- ▶ notification procedures that effectively target affected groups;
- ▶ methods and measures for evaluating the effectiveness of the public involvement program;
- ▶ education and assistance techniques that result in an accurate and full public understanding of transportation issues;
- ▶ follow-through demonstrating that decision makers seriously considered public input; and
- ▶ solicitation of feedback from the public and stakeholders on the effectiveness of the public involvement process.²

DVRPC uses performance measures, analytics (website, social media, and email), event evaluations, and flash surveys to determine the effectiveness of DVRPC public participation efforts. Staff will monitor and evaluate public participation activities on a regular basis and document efforts in monthly reports available to the DVRPC Board and the general public, upon request. Documentation of public participation and outreach efforts will also be included in DVRPC's mandated documents, specifically the LRP and TIP. Evaluation methods may include both quantitative data and qualitative methods.

Public Participation Procedures: Engaging the Region

To encourage a rich and diverse public participation process, interested parties must be informed and educated about regional issues, as well as about ongoing and planned

² Federal Highway Administration, *Transportation Planning Capacity Building Program*. "The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decision makers, Officials, and Staff." www.transit.dot.gov/about/regional-offices/region-4/transportation-planning-process-key-issues-briefing-book. Accessed April 3, 2018.

projects. DVRPC utilizes the following strategies to ensure that all audiences receive timely information in a variety of formats, and that various opportunities are available for public engagement.

Public Meetings and Other Events

Public meetings, open houses, workshops, and information sessions will be scheduled, when deemed appropriate, to allow the greatest opportunity for attendance by the general public and interested groups (e.g., evening or lunch meetings, meetings held on weekends) based upon available staff and resources. In addition, the Commission utilizes a number of timely public participation strategies that may include listening sessions, facilitated exercises, online surveys, and qualitative research to gather input. The PPTF and DVRPC's standing committees are also resources to gather in-depth input and disseminate information.

Public meetings will be held prior to the adoption of DVRPC's LRP, TIP, and other major amendments. Authorization to proceed with public distribution of pertinent materials, to open public comment periods, and to hold public meetings must be sought from DVRPC's Board.

Meetings will be conducted in locations that are American with Disabilities Act (ADA)-accessible and convenient to public transit, when possible. Sign language interpreters or other auxiliary aid requests can be accommodated if requested seven days in advance. When DVRPC knows there may be a community that has LEP populations within a study area, staff will arrange for language interpretation proactively and promote the availability of language assistance.

Where appropriate, visualization techniques will be employed throughout DVRPC's public participation activities to aid the public in understanding proposed plans. Examples of visualization techniques include sketches, drawings, artistic renderings, physical models and maps, simulated photos, videos, computer modeled images, geographic information systems- (GIS-) based scenario planning tools, wall sized maps, web maps, slide presentations, and computer simulation.

Notification of Meetings and Events

DVRPC Board Meetings

The scheduled meeting dates of the DVRPC Board are published annually in newspapers of general circulation in both New Jersey and Pennsylvania. Any changes to those meetings' dates, times, or locations will require legal notice at least 48 hours prior to the meeting's start time.

Public Meetings for Ongoing Planning Processes

Notification via legal advertisements in newspapers of general circulation, as well as minority and alternative language newspapers, is required for DVRPC Long-Range Plan public meetings, adoption and amendment, and for TIP public meetings and adoption.

Additionally, DVRPC will send out a media advisory announcing the public meeting and public comment period for these significant processes.

Other DVRPC-Sponsored Meetings

All DVRPC-sponsored meetings open to the public are also posted on an events calendar at www.dvrpc.org.

The initial public meeting or activity used to kick off a major public involvement effort or project will be announced broadly to the news media, as well as to the state, county, and municipalities involved most directly in the event. Advance notice will depend upon the project and its timeline, but a minimum of 15 days' notice should be given for public participation events. Email and mail databases will be updated regularly to ensure proper notification to as many contacts as possible. Meeting notification may also be sent to area libraries, community centers, organizations, schools, municipalities, and other entities as required. Community organizations and non-profit groups may be consulted as a source to reach certain constituencies more effectively.

Notification of Public Comment Periods

As per federal requirements, DVRPC will provide adequate time for public review of draft documents. The length of the review and comment period should be at least 30 days for the TIP, LRP, and other major documents; and at least 45 days for review of major changes to the Commission's Public Participation Plan. The Public Participation Plan may be subject to minor changes that do not incur a 45-day public comment period. Major Commission actions are advertised as legal notices in a variety of regional newspapers, including a Spanish-language newspaper.

Draft documents for public review will be placed in regional libraries, DVRPC's Resource Center, and other community locations as determined by staff. DVRPC's website contains draft documents for review, as well as other pertinent public notices and information. Tribal Governments are also sent materials for review.

Use of Public Comments

All public input should be gathered from as diverse a range of stakeholders as possible. As appropriate and whenever possible, public comments should be used to inform work scopes, plans, and programs.

DVRPC staff is responsible for responding to comments received during a public review period in a timely manner and/or forwarding the original public comments to appropriate regional agencies, project sponsors, planning partners, or member governments for their responses.

Public comments submitted to DVRPC during a public comment period are considered part of the public record. Summaries of comments received will be updated, made available to the public, and forwarded to decision makers considering action. Public comments are

reviewed and forwarded to the appropriate agency, and are also provided to the various DVRPC advisory committees, and the DVRPC Board for consideration before final action of the Board.

If a final document, plan, or TIP varies substantially from the one which was made available for public comment and review, DVRPC will provide a summary of changes and may hold an additional public comment period if necessary.

Public Comment on Board Action Items

DVRPC Board meetings will include a time for public comments concerning agenda and non-agenda items during the consideration of business; however, the Board chair may limit the length of comments or provide other options for public comments as he or she deems fit.

The public can also comment on Board action items using an online commenting form on the DVRPC website, available at: www.dvrpc.org/GetInvolved/BoardActionItems/.

Information related to Board action items will be posted approximately 10 days before a scheduled Board meeting. The online commenting form will be live until 12:00 PM the day before the Board meeting. The public may also submit comments:

- ▶ by U.S. mail (c/o Office of Communications and Engagement, DVRPC, 190 N. Independence Mall West, 8th Fl., Philadelphia, PA 19106);
- ▶ by fax at 215-592-9125; or
- ▶ via e-mail at public_affairs@dvrpc.org.

The public may also submit public comments to the Board on non-action items by using a similar commenting form, also available at www.dvrpc.org/GetInvolved/BoardActionItems/, which remains open indefinitely.

DVRPC staff will follow up on any questions or comments; all public comments submitted will be forwarded to DVRPC Board members in their entirety. DVRPC reserves the right to delete comments submitted that are offensive, abusive, or off topic. An archive of comments received and responses issued is available on DVRPC's website with Board meeting minutes.

DVRPC's Communication Tools

DVRPC uses a variety of communication tools, including but not limited to: website, monthly newsletter, social media, HTML emails, media relations, and surveys. DVRPC's website is a continuously updated source of information on every aspect of the regional and transportation planning process. A wide scope of resource material, covering all of DVRPC's planning areas is available, as well as an event calendar, regional data, community resources, meeting notices and agendas, information related to public participation activities, and Title VI/EJ information. The website also includes staff, Board member, and member government contact information; and links to related agencies and

municipalities. The DVRPC website, including this Public Participation Plan, may be translated into multiple languages through Google Translate.

DVRPC's various products include publications, newsletters, web applications, interactive mapping applications and a gallery of maps available for download. Products are available via an online search: www.dvrpc.org/Products/. DVRPC can translate Commission documents into any language or format, if requested.

DVRPC News is the Commission's newsletter and is published digitally every month. The newsletter provides information about the Commission's various projects and activities, and includes information on how to contact the Commission and its staff. The newsletter is emailed, available in a printed format (if requested), and posted online. To receive this newsletter by mail or email, please contact the Office of Communications and Engagement at 215-592-1800 or public_affairs@dvrpc.org or subscribe to the Commission's email lists.

Media Communications

DVRPC regularly issues media advisories and press releases to the region's electronic and print media outlets. Occasions for media advisories or press releases may include announcements for funding programs, a high-profile event, significant Board actions, and high-profile publications.

DVRPC Resource Center

The DVRPC Resource Center serves as a clearinghouse for the many products that DVRPC produces, including a variety of brochures; studies; and assorted transportation, data and planning-related documents that are available both online and in print. The Commission also issues an annual report that summarizes major activities of the agency for the prior fiscal year.

The Resource Center is open during regular business hours. Alternatively, one may contact the Office of Communications and Engagement by phone at 215-592-1800 to make an appointment. Staff can assist with a relevant research question or provide a print copy of a DVRPC publication. The use of the Resource Center is free; however, some fees may apply to some publications or photocopies of documents.

Speakers Bureau

The Commission maintains a Speakers Bureau to promote presentations to residents, organizations, and communities. DVRPC's staff, which comprise professionals in a variety of planning and transportation specialties, are available to speak at meetings on a variety of topics, such as transit planning, freight planning, open space preservation, and regional transportation safety. For more information, please contact DVRPC's Office of Communications and Engagement. DVRPC's Communications Manager receives speaker requests and directs the opportunity to relevant staff members.

Planner's Methodology

DVRPC has developed a *Planner's Methodology*, which is designed to provide guidance to staff in meeting federal non-discrimination mandates and in structuring a public participation plan at the project or study level. Meaningful public participation may differ widely, depending on the type and scope of a project. The *Planner's Methodology* sets a framework for developing public involvement for specific projects, offers a “tool kit” of public participation strategies to meet the goals in DVRPC's Public Participation Plan, and builds upon the Commission's philosophy of placing public participation at the forefront of our priorities. The *Planner's Methodology* is available on DVRPC's website.

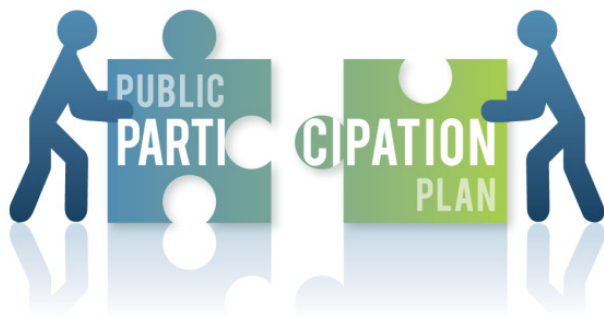
Promoting Open and Accessible Involvement

DVRPC is committed to an open and transparent planning process. The Commission's Access to Records Policy is included in Appendix B.

For More Information

For additional information about DVRPC or the Public Participation Task Force, to have your name added to our email lists, or if you have any questions regarding public participation activities at the Commission, please contact the Office of Communications and Engagement at public_affairs@dvrpc.org, 215-592-1800, or www.dvrpc.org/GetInvolved/.

Last Updated December 28, 2018



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Appendix A: **Federal Mandates**

Federal Mandates

Federal Transportation Legislation

MPO Public Participation Plans are required by federal transportation legislation. Beginning in the 1990s, federal transportation legislation increasingly focused on public participation in planning and the decision-making process. DVRPC has published a formal public participation plan since 2001, with additional significant updates in 2004 and 2008.

Federal transportation statutes require early, continued, and reasonable public access to information and the decision-making process. The MPO must provide:

- ▶ adequate public notice of public participation activities and comment periods at key decision points;
- ▶ timely notice of and reasonable access to transportation information;
- ▶ employment of visualization techniques illustrating the Long-Range Plan, the TIP, and other MPO Planning Work Program projects;
- ▶ electronically available information (e.g., via the internet);
- ▶ public meetings held at convenient and accessible times and locations;
- ▶ explicit consideration of public input received during the development of the Long-Range Plan and the TIP;
- ▶ solicitation and consideration of the needs of those traditionally underserved by transportation;
- ▶ additional public comment opportunities if the final Long-Range Plan or the TIP differs significantly from the draft version reviewed by the public;
- ▶ coordination with statewide public participation activities;
- ▶ periodic evaluation of the effectiveness of the Public Participation Plan; and
- ▶ a summary of comments received and the disposition of those comments, as well as consultation with federal, state, county, and local planning agencies impacting or affected by the transportation planning process.

Title VI and Environmental Justice

DVRPC firmly believes that Title VI and EJ statutes are inherent to all work completed by the Commission and should be incorporated into all aspects of DVRPC's public participation activities. The Public Participation Plan, DVRPC's Title VI Compliance Plan, and *Environmental Justice at DVRPC* all work concurrently to integrate federal mandates for Title VI and EJ throughout DVRPC's Work Program.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 states that "no person in the United States, shall, on the grounds of race, color, or national origin, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

DVRPC, as the MPO for the Delaware Valley region, serves as the primary forum where state departments of transportation, transit providers, local agencies, and the public work together to develop local transportation plans and programs that address the region’s needs. To meet the requirements of these laws, the Commission shall:

- ▶ enhance its analytical capabilities to ensure that the Long-Range Plan and the TIP comply with Title VI;
- ▶ identify residential, employment, and transportation patterns of low-income and minority populations so that their needs may be addressed, and the benefits and burdens of transportation fairly distributed; and
- ▶ evaluate and, where necessary, improve the public involvement process to eliminate barriers and engage minority, disabled, elderly, and low-income populations in regional decision making.

In January 2007, the DVRPC Board approved the Commission’s Title VI Compliance Plan, which established a framework for DVRPC’s efforts to ensure compliance with Title VI as well as with other EJ and non-discrimination mandates. Updated in 2014, the plan outlines how Title VI and EJ considerations are reflected in the Commission’s Work Program, publications, communications, public involvement effort, and general way of doing business. The *Title VI Compliance Plan* is available by contacting 215-592-1800 and is located in the “Get Involved” section of DVRPC’s website.

Title VI Statement

DVRPC’s Title VI statement is included in DVRPC’s publications, website, and other communications as a means of informing the public of compliance with Title VI and of the provision of alternative language services and formats. That statement is reviewed on a regular basis (several times a year) and is updated to reflect relevant federal mandates and agency guidance. It is distributed to DVRPC staff on a regular basis and is always available and up to date on DVRPC’s website at www.dvrpc.org/policies.

As of October 23, 2018, the statement is as follows:

DVRPC fully complies with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related nondiscrimination statutes and regulations in all programs and activities. DVRPC's website, www.dvrpc.org, may be translated into multiple languages. Publications and other public documents can be made available in alternative languages and formats, if requested. DVRPC public meetings are always held in ADA-accessible facilities, and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least

seven days prior to a public meeting. Requests will be accommodated to the greatest extent possible. Any person who believes they have been aggrieved by an unlawful discriminatory practice by DVRPC under Title VI has a right to file a formal complaint. Any such complaint may be in writing and filed with DVRPC's Title VI Compliance Manager and/or the appropriate state or federal agency within 180 days of the alleged discriminatory occurrence. For more information on DVRPC's Title VI program or to obtain a Title VI Complaint Form, please visit: www.dvrpc.org/GetInvolved/TitleVI, call (215) 592-1800, or email public_affairs@dvrpc.org.

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

EJ is the fair treatment and meaningful involvement of all people regardless of religion, race, ethnicity, income, or education level in the planning and decision-making process. EJ programs promote the protection of human health and the environment, empowerment via public participation, and the dissemination of relevant information to inform and educate affected communities.

EJ policy was formalized with the signing of Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which mandates that federal agencies or those receiving federal funds must include EJ as part of their mission.

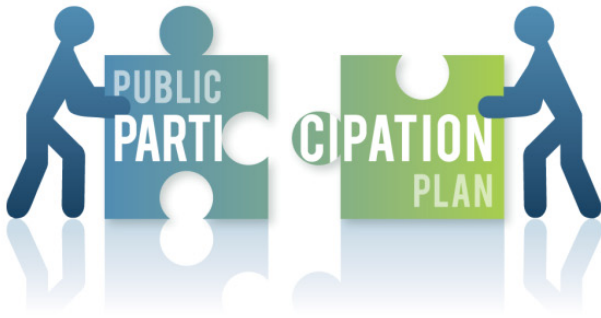
EJ encompasses three basic fundamental principles:

- ▶ to avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, of programs, policies and activities on minority populations, and low-income populations;
- ▶ to ensure full and fair participation by all potentially affected communities in the transportation decision-making process; and
- ▶ to prevent the denial of, reduction of, or significant delay in the receipt of benefits by minority and low-income populations.

EJ requires MPOs to:

- ▶ examine the allocation of benefits and burdens, currently and in the planned future;
- ▶ ensure that minority and low-income communities are treated equitably in the provision of transportation services and projects; and
- ▶ provide an ample opportunity for full participation for minority and low-income communities to advise the MPO during its planning and decision-making process.

Environmental Justice at DVRPC, a publication which is periodically updated, includes data that directs the Commission's public participation efforts, and provides an overview



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Appendix B: Access to Records Policy

Access to Records Policy

I. Overview

The Delaware Valley Regional Planning Commission (DVRPC) was created through an interstate compact between the Commonwealth of Pennsylvania and the State of New Jersey. As such, DVRPC is governed by federal interstate compact law and is not subject to the unilateral control of any one state, including state open records laws. In October 2012, the Pennsylvania Commonwealth Court ruled that DVRPC is not subject to the Pennsylvania Right-to-Know Law, 56 A.3d 40 (Pa. Cmwlth. 2012). In June 2013, the New Jersey Government Records Council ruled that DVRPC is not subject to New Jersey's Open Public Records Act, GRC Case No. 2012-139.

This Access to Records Policy is intended to clarify existing practices of DVRPC regarding public access to DVRPC records and to assist staff in disclosing DVRPC records to the public.

This Policy is intended to balance the benefits of general public access to Commission records with other considerations of privacy, confidentiality, informed decision-making, and security. DVRPC favors the release of and access to records, and will endeavor to make as much information as possible available within the parameters of this Policy. This policy shall apply to all recorded information, regardless of whether the information exists in written or electronic format.

This Policy is not an adjudication or a regulation. It simply establishes a framework within which DVRPC will exercise its administrative discretion on records access issues.

II. Definitions

Certain terms as used herein are defined as follows:

- A. "Application materials" means applications, proposals, and related correspondence pertaining to an application to DVRPC for funding or services.
- B. "Commission" means the Delaware Valley Regional Planning Commission (also known as DVRPC).
- C. "Board" means the decision-making body composed of the 18 voting members of the Commission.
- D. "Executive Committee" means the 10-member body comprised from the full Board. Executive Committee membership consists of the 3 state officials from

each state, the City of Philadelphia, the City of Camden, and one county representative from each state as selected by their respective county members.

- E. "Records Officer" means the officer or employee of the Commission that acts as the records officer or records custodian.
- F. "Privilege" means the attorney-work product doctrine, the attorney-client privilege, the doctor-patient privilege, the speech and debate privilege, or other privilege recognized by law.
- G. "Requester" means a person who requests a record pursuant to this policy. The term can also be applied to an individual representing an organization, business, or government agency that is requesting a record.
- H. "Response" means access to a record or the Commission's written notice to a requester granting, denying, or partially granting and partially denying access to a record.
- I. "Pre-decisional deliberation" means research, writing, communication, notes, or proceedings staff might undertake; and work-product produced by the review or selection committee members, prior to making a recommendation to the DVRPC Board for action.

III. Records Officer

- A. The Records Officer shall receive requests submitted to the Commission pursuant to this policy, direct requests for information to other appropriate persons within the Commission, track progress in responding to requests, and issue interim and final responses to requesters pursuant to this policy.
- B. Any employee, officer or commissioner of the Commission who receives a formal request for access to a Commission record shall immediately forward the request to the Records Officer.

IV. Access to Records

- A. Unless otherwise provided by this Policy or by law, DVRPC records will normally be accessible for inspection and duplication. The Records Officer shall permit Commission records to be inspected, and examined by a Requester during regular business hours; provided that nothing in this Policy shall be construed to require access to any computer owned by the Commission or a Commission employee.

- B. A record being provided to a Requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. All electronic documents will be transmitted to a requester in Portable Document Format (PDF).
- C. When responding to a request for access, the Commission is not required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the Commission does not currently compile, maintain, format or organize the record.
- D. The Commission may make its records available through any publicly accessible electronic means, including the Commission's website. The Commission may respond to a request by notifying the Requester that the record is already available through publicly accessible electronic means, such as the Commission's website, or that the Commission will provide access to the record through its website at a specified time (example: after a Board action).

V. Exemptions

The following types of records (both in hard copy and digital formats) are not subject to public access under this Policy:

- A. Records related to the internal personnel matters of the Commission, including staff, officers, commissioners, alternates, professionals, and committee members.
- B. Records specifically exempted from disclosure by federal or state statute, law, regulation, court rule, court order, or common law privilege.
- C. Trade secrets, proprietary, commercial, or financial information obtained from any source, and considered privileged or confidential at the time it was obtained.
- D. Confidential business information obtained from a person requesting confidentiality.
- E. Any record subject to privilege, including medical files, attorney-client documents, and/or attorney-client work products. Information which is a communication between the Commission and its insurance carrier or manager.
- F. The internal pre-decisional deliberations of the Commission, its members, alternates, officers, legal counsel, committee members, contractors, employees, and the like, or such pre-decisional deliberations with another agency, its officers, legal counsel, employees, and the like relating to any recommendations

including, but not limited to, research, memos, budget, funding, procurement, contract, or contemplated or proposed policy or course of action used in pre-decisional deliberations.

- G. Information which, if disclosed, could give an advantage to competing applicants, competitors, or bidders, including the identity of procurement, review, and selection committee members, and their notes.
- H. Records and data that would impair present or imminent contract awards or negotiations, including records relating to contracts with independent contractors providing personal or professional services to the Commission.
- I. Minutes or notes of the Executive Committee, or any internal documents produced solely for use by the Executive Committee.
- J. Copyrighted material or information subject to a licensing, data-sharing or other legal agreement, the disclosure of which would violate the terms of such an agreement.
- K. A record, the disclosure of which creates a reasonable potential of endangering public safety or the security of a building, public utility, resource, infrastructure, facility or information storage system.
- L. It is the policy of the Commission that application materials shared with members of the Board or review or selection committees as part of carrying out Commission business shall not be subject to public access prior to final Board action. Following final Board action, persons interested in obtaining the applications or proposals may submit a request to DVRPC. The Commission will provide assistance in acquiring and distributing the information as determined by the applicant to be released. However, if such information is not made available to the Commission, the Requester will be directed to the original applicant.
- M. In the event a record involves the privacy rights of an individual, those rights shall be balanced against the public right to access in order to determine whether the record should be made public or declared exempt.

VI. Procedure for Requests

- A. To request a record from DVRPC, the Requester must complete the Access to Records Request Form and mail, fax, or email it to:

Records Officer

c/o Office of Communications and Engagement
Delaware Valley Regional Planning Commission
The American College of Physicians Building - 8th Floor
190 North Independence Mall West
Philadelphia, PA 19106-1520
Phone: (215) 592-1800; Fax: (215) 592-9125;
Email: public_affairs@dvrpc.org

- B. If the Requester needs assistance in completing the Access to Records Request form, the individual can contact the Commission's Office of Communications and Engagement. Copies of the respective request forms are available on the DVRPC website (www.dvrpc.org) or from the Office of Communications and Engagement.
- C. Requests must be sufficiently specific to enable DVRPC to ascertain which records are being requested. The Commission shall not be required to prepare new records in order to respond to a request for information.
- D. The Records Officer may deny a Requester access to a record if the Requester has made more than one request for that same record within a six month period and the record has been provided or previously denied to the Requester. Any such denial shall not restrict the ability of the Requester to request different records. The Records Officer may also deny a request based on any exemption set forth in this Policy or as required by law.

VII. Commission's Response

- A. Upon receipt of a written request, the Records Officer will review the request to determine:
 - a. whether the request is complete and sufficiently specific;
 - b. if the records are the Commission's records, and whether it has possession, custody and control of the requested records;
 - c. whether the records requested are subject to public access under this Policy; and
 - d. the Commission's ability to fulfill the request in the medium selected.
- B. The Records Officer will then recommend to the Executive Director that the request be granted, partially granted and partially denied, or denied.
- C. Pursuant to the Executive Director's review, the Records Officer shall respond to a request for access to a record as soon as possible, but not later than 30

calendar days after the day of receiving the request.

- D. The Record Officer's response may be in the form of:
- a. a grant of access, where the record(s) are immediately accessible;
 - b. a denial of access, where DVRPC does not have care, custody or control of the record, the record does not exist, or the record is exempt from production as provided in this Policy or by law;
 - c. a partial grant and partial denial of access; or
 - d. some other appropriate response including, but not limited to, an explanation that further time is required in order to respond.
- E. DVRPC may take an additional 30 calendar days to respond if additional time is required and may take additional time beyond that date if required to provide a complete response. In the case of an explanation of necessary additional time, the Records Officer will explain why additional time is required and will estimate the date on which a further response is to be expected.
- F. If the Records Officer asserts that part of a particular record is exempt from public access pursuant to this Policy, the Records Officer shall provide a redacted copy of the record, as the redacted portion is exempt from access.
- G. If the record requested is temporarily unavailable because it is in use, in storage, or pending a Board decision, the Records Officer shall so advise the Requester and shall make arrangements to promptly make available a copy of the record.
- H. If DVRPC requires an extension of time to respond to a request because (1) it requires redaction in accordance with this Policy, (2) a response cannot be accomplished due to bona fide and specified staffing limitations, (3) a legal review is necessary to determine whether the record is a record subject to access; or (4) the extent and nature of the request precludes a response within the required time period, the Records Officer shall so advise the Requester and will estimate the date on which a further response is to be expected.
- I. If the Requester has elected not to provide a name, mailing address, email address or telephone number, or other means of contacting the Requester, the Records Officer shall not be required to respond. The request form [link to Form] must be sufficiently completed to enable the Records Officer to respond.

VIII. Appeals Procedure

- A. If a request for DVRPC records is denied, the Requester may appeal that decision to the Executive Committee of the DVRPC Board. The requester shall have 30 days from the date of the denial to file an appeal.
- B. To file an appeal, the Requester must address the appeal in writing, and send by mail or facsimile to the:

Chairperson of the Board
c/o Delaware Valley Regional Planning Commission
The American College of Physicians Building – 8th Floor
190 North Independence Mall West, 8th Floor
Philadelphia, PA 19106-1520
Fax (215) 592-9125
- C. The appeal must include all information, including copies of the original request and all DVRPC responses, as well as any other information deemed appropriate for DVRPC Executive Committee review.
- D. Upon receipt of an appeal to a denial issued under this Policy, the matter will be placed on the next available Executive Committee meeting agenda for review and action.
- E. If the Executive Committee finds that the Executive Director correctly applied the approved policy and the denial was in compliance with the approved policy, a written explanation of the affirmation of the denial will be provided to the Requester. If the finding is that the request should be fulfilled, DVRPC will begin immediately to fulfill the request in accordance with the provisions of this Policy.
- F. DVRPC shall keep copies of documents it provides in response to written requests for records submitted under this Policy for five (5) years, or as instructed by the Commission's document retention policy, whichever is longer.

IX. Fees

- A. For reproduction of existing hard copy information, DVRPC will charge a reproduction fee per page. All reproduction in other formats shall be at the actual cost of the format for reproduction. DVRPC reserves the right to limit the number of copies of any document that will be provided to one person.
- B. Commission staff will estimate the total reproduction fee and the Records Officer will provide the estimate to the Requester.

- C. If the cost estimate of fulfilling the request is less than \$100.00, the fee is due at the time the request is completed. The Commission reserves the right to withhold documents until such time as the fee is paid.
- D. Should the cost estimate of fulfilling the request exceed \$100.00, the fee must be paid before fulfillment has begun.
- E. If the Requester refuses to pay the applicable fee, the request will be deemed denied and subject to the applicable appeal procedures outlined above.
- F. If the Requester owes fees on a prior request, the Requester shall be required to pay the outstanding fees prior to obtaining additional records.
- G. It is at the discretion of the Records Officer to waive all fees that total Ten Dollars (\$10.00) or less.

Adopted: July 2018

[Access to Records Request Form](#)



190 N INDEPENDENCE MALL WEST
8TH FLOOR
PHILADELPHIA, PA 19106-1520
Phone: 215-592-1800
Fax: 215-592-9125
www.dvrpc.org

Access to Records Request Form

Please complete and send to DVRPC by email (public_affairs@dvrpc.org),
U.S. mail, fax (215-592-9125), or in-person at DVRPC's offices.

Date Requested: _____

Request Submitted Via: Email U.S. mail Fax In-person

Name of Requester (required): _____

Street Address (required): _____

City/State/Zip (required): _____

Telephone (optional): _____

Email (optional): _____

Records Requested: Please provide as much specific detail as possible so that DVRPC can identify the information. Please use additional sheets if necessary.

Do you want to be notified in advance if the cost exceeds \$10? Yes No

For DVRPC Use Only

Date Received by Records Officer: _____

30-Calendar Day Response Deadline: _____ Extension (if applicable): _____

Date Response Provided: _____

Records Officer Signature: _____

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DVRPC's vision for the Greater Philadelphia Region is a prosperous, innovative, equitable, resilient, and sustainable region that increases mobility choices by investing in a safe and modern transportation system; that protects and preserves our natural resources while creating healthy communities; and that fosters greater opportunities for all.

DVRPC's mission is to achieve this vision by convening the widest array of partners to inform and facilitate data-driven decision-making. We are engaged across the region, and strive to be leaders and innovators, exploring new ideas and creating best practices.

DVRPC is funded by a variety of funding sources including federal grants from the U.S. Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), the Pennsylvania and New Jersey departments of transportation, as well as by DVRPC's state and local member governments. The authors, however, are solely responsible for the findings and conclusions herein, which may not represent the official views or policies of the funding agencies.

Delaware Valley Regional Planning Commission (DVRPC) fully complies with Title VI of the Civil Rights Act of 1964 and related nondiscrimination mandates in all activities. Publications and other public documents can be made available in alternative languages and formats, if requested. For more information, visit www.dvrpc.org/GetInvolved/TitleVI.



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Web:	www.dvrpc.org

Appendix E – Limited English Proficiency (LEP) Plan

DVRPC's LEP Plan can be found on the Commission's website and in full on the next page: <https://www.dvrpc.org/products/tr19014/>.

Limited English Proficiency Plan



OCTOBER 2019



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English

Attention: If you wish to request this publication in another language other than English, or wish to contact DVRPC for our language assistance, please call 215-592-1800. Additional charges may apply for reprint of our publications.

Spanish / Español

Atención: si desea solicitar esta publicación en otro idioma que no sea inglés, o si desea ponerse en contacto con DVRPC para obtener ayuda con nuestro idioma, llame al 215-592-1800. Se pueden aplicar cargos adicionales por la reimpresión de nuestras publicaciones.

Chinese / 中文

注意：如果您希望以英语以外的其他语言申请本出版物，或希望通过我们的语言帮助与DVRPC联系，请致电215-592-1800。我们的出版物可能会收取额外费用。

Vietnamese / Tiếng Việt

Chú ý: Nếu bạn muốn yêu cầu ấn phẩm này bằng ngôn ngữ khác ngoài tiếng Anh hoặc muốn liên hệ với DVRPC thông qua hỗ trợ ngôn ngữ của chúng tôi, vui lòng gọi số 215-592-1800. Phí bổ sung có thể áp dụng cho in lại các ấn phẩm của chúng tôi.

Korean / 한국어

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Tamil / தமிழ்

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Persian / ىفارس

ر از زبان یغ ىگرید ه را به زبان ین نشرید ای خواه یتوجه: اگر م کمک ىبرا DVRPC ل به تماس باى ماى دیدرخواست کن ىس ىانگل د. ممکن است ىرىتماس بگ 592-1800-به زبان ماء، لطفا با شماره 215 چاپ مجلات ما اعمال شود ىبرا ىاضاف ىنه هاىهز.

Yiddish

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Hebrew / עברית

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I. Introduction

Limited English Proficiency (LEP)

The Delaware Valley Regional Planning Commission (DVRPC) is committed to upholding the principles and intentions of the 1964 Civil Rights Act and related nondiscrimination mandates in all of the Commission's work, including publications, products, communications, public input, and decision-making processes. Language barriers may prohibit people who are Limited in English Proficiency (also known as LEP persons) from obtaining services, information, or participating in public planning processes. To better identify LEP populations and thoroughly evaluate the Commission's efforts to provide meaningful access, DVRPC has produced this Limited English Proficiency Plan.

Federal Policy for Language Access

Federal policy related to LEP persons comes from three main components: (1) Title VI of the Civil Rights Act of 1964; (2) *Lau v. Nichols*, 414 U.S. 563 (1974); and (3) Executive Order 13166, signed by former President Bill Clinton in August 2000. According to Title VI of the Civil Rights Act:

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.¹

In 1974, the Supreme Court, in *Lau v. Nichols*, established the legal connection between national origin discrimination and conduct that has a negative, disproportionate effect on LEP persons. In *Lau*, the Supreme Court ruled that the recently desegregated San Francisco Unified School District had violated Title VI of the Civil Rights Act by failing to provide more than half of its non-English speaking students (mostly of Chinese origin) with supplemental English education:

It seems obvious that the Chinese-speaking minority receive fewer benefits than the English-speaking majority from respondents' school system which denies them a meaningful opportunity to participate in the educational program - all earmarks of the discrimination banned by the regulations.²

In August 2000, President Bill Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." This order reaffirmed and clarified the legal connection between national origin and LEP:

...the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and

¹ Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq.

² *Lau v. Nichols*, 414 U.S. 563 (1974).

thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations.³

The order further directs recipients of federal financial assistance, such as DVRPC, to take “reasonable steps” to provide LEP persons with “meaningful access” to the recipient organization’s programs and activities.

“Reasonable Steps” and “Meaningful Access”

In January 2001, the Department of Justice (DOJ) issued a document specifically addressed to recipients of federal agencies’ funding. This document clarified what “reasonable steps” and “meaningful access” for LEP persons means. The document, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, reissued in June 2002 following a public comment period, outlines a series of recommended (“reasonable”) steps that recipients can take and document in an “LEP plan” for the dual purpose of providing “meaningful access” to LEP persons and more fully complying with Title VI obligations.⁴

II. Methodology

U.S. Department of Transportation (USDOT) Guidance

In December 2005, USDOT issued a notice of guidance to recipients of federal financial assistance, including Metropolitan Planning Organizations (MPOs), detailing extensively how best to implement Executive Order 13166.⁵ This document, *Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons*, is consistent with the 2002 DOJ guidance and outlines a series of recommended reasonable steps that recipients can take to provide meaningful access to LEP persons. These specific steps involve a four-factor analysis and a five-step implementation plan.

As per the USDOT guidance, a four-factor analysis includes:

- the number or proportion of LEP persons eligible to be served, or encountered by a recipient’s program, service, or activity;
- the frequency with which LEP persons come in contact with a recipient’s programs;
- the nature and importance of a recipient’s programs, services, or activities to LEP people’s lives; and
- the resources available to the recipient and costs of providing meaningful language assistance measures.

The second part of an LEP plan is in the Implementation Plan, which is based on the results of the four-factor analysis and documents an organization’s commitment to

³ The White House, Office of the Press Secretary. Executive Order 13166: “Improving Access to Services for Persons with Limited English Proficiency.” (August 2000).

⁴ U.S. Department of Justice, *Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, (June 2002).

⁵ U.S. Department of Transportation, *Policy Guidance Concerning Recipients Responsibilities to Limited English Proficient Persons*, (December 2005).

language assistance services. As per the USDOT LEP guidance, an effective Implementation Plan typically includes:

- identifying LEP individuals who need language assistance;
- documenting language assistance measures;
- training staff;
- providing notice to LEP persons; and
- monitoring and updating the LEP plan.

Safe Harbor and Vital Documents

While a flexible set of guidelines, USDOT guidance establishes a clear, universal threshold to which recipients may refer in identifying LEP individuals who need language assistance: the “Safe Harbor” provision. The “Safe Harbor” provision means that if written translations of “vital documents” are provided to LEP language groups that exceed either (a) 1,000 people in the region, or (b) 5% of the regional population, whichever is less, then such translations will be viewed as “strong evidence of compliance with the recipient’s written translation obligations” under the appropriate compliance review.⁶ However, the USDOT LEP guidance also acknowledges that in large cities that serve a wide range of LEP populations, such as Philadelphia, or organizations that have a large service area, such as DVRPC, “it would be unrealistic” to translate all “vital documents” into all “Safe Harbor” languages.⁷ Therefore, the choice not to do so is not an indication of noncompliance, but rather the result of an assessment of organizational resources. “Vital documents” (i.e. which documents will be subject to translation) are determined by the recipient, based on findings from the four-factor analysis.

Data Sources

DVRPC’s Plan uses data from the 2013–2017 American Community Survey (ACS) 5-year estimates, Table B16001: “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over” aggregated from Public Use Microdata Sample (PUMS) and Table C16001: “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over” displayed at the Census Tract level.⁸ For each population who speaks a language other than English at home, the ACS distinguishes those who speak English “very well” from those who speak English “less than very well.” For the purpose of the following analysis, an LEP person will be defined as an individual over the age of 5 who speaks a language other than English at home and speaks English “less than very well.”

The PUMS dataset is a universal dataset covering every county in the United States. Data is reported at the Public Use Microdata Area (PUMA), geographies of at least 100,000 people that are nested within states or equivalent entities. This dataset has lower margins of error but reports at a larger geographic unit than Census Tract level data. The PUMS dataset (ACS Table B16001) is relevant and reliable for identifying LEP languages for regional programs, projects and activities while the Census Tract level data (ACS Table

⁶ Ibid.

⁷ Ibid.

⁸ U.S. Census Bureau, American Community Survey (2013–2017).

C16001) is more useful for identifying LEP languages for smaller study areas (i.e. corridor studies, elements to a municipal comprehensive plan).

III. Four-Factor Analysis

Factor 1: The number or proportion of LEP persons

There are over 5.7 million people in DVRPC’s nine-county metropolitan planning area, and nearly 5.4 million people who are at least 5 years old. Among this population 5 years and older, 363,857 persons, or 6.8%, are limited in their English proficiency. **Table 1** shows how the number and proportion of LEP persons vary by county across the region.

Philadelphia County has the highest number of LEP persons (154,598 residents), while Mercer County has the highest LEP proportion (12.1% of all Mercer County residents). Gloucester County has both the lowest number of LEP persons (8,100) and lowest LEP proportion (2.9%).

Table 1: LEP Population, by County

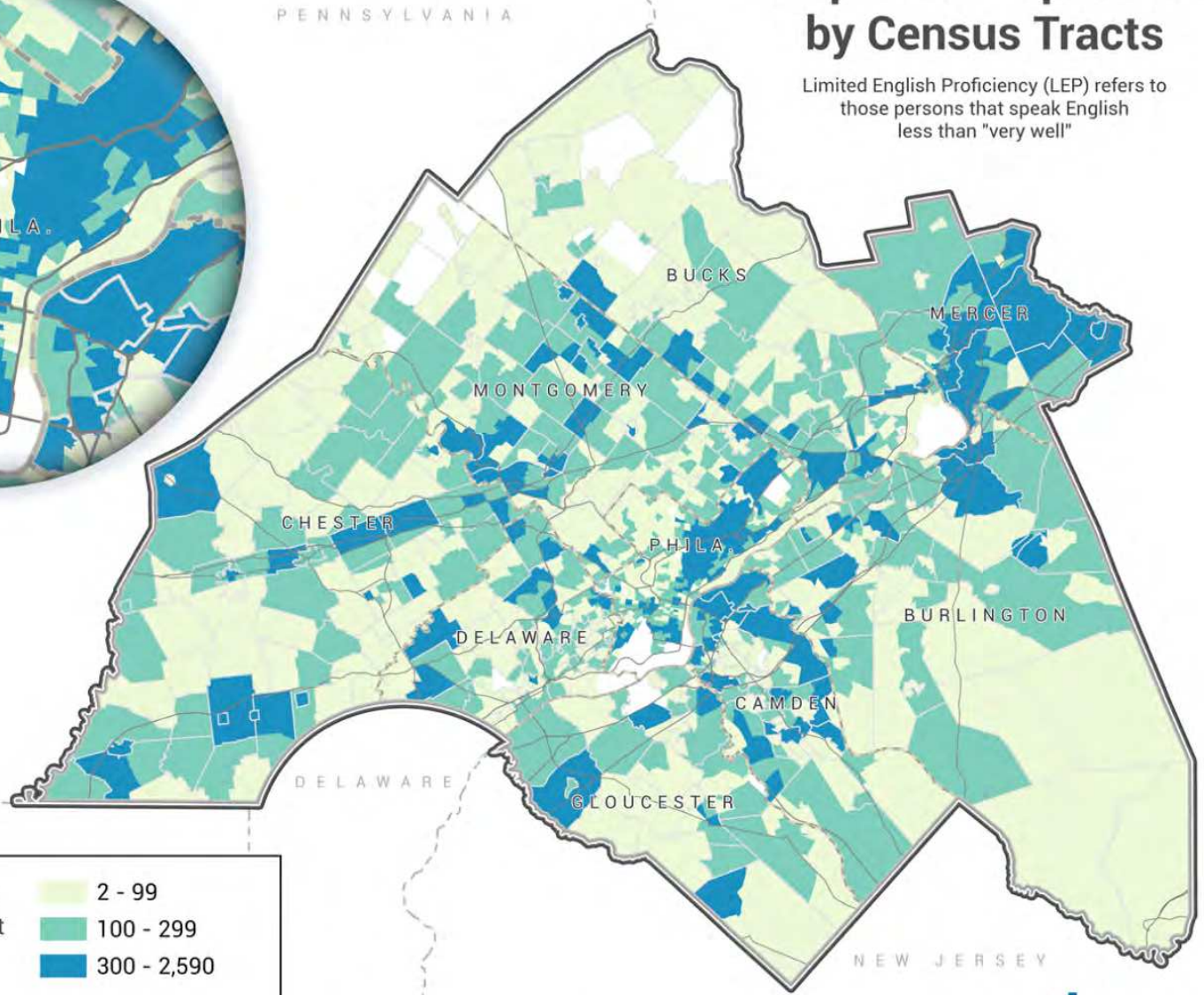
Location		Population 5 Years and Over	Speaks Language Other than English	
State	County	Total	Speaks English Less Than "Very Well" (LEP)	LEP Proportion of Total Population
New Jersey	Burlington	425,916	17,187	4.0%
	Camden	479,309	39,833	8.3%
	Gloucester	275,468	8,100	2.9%
	Mercer	352,249	42,625	12.1%
Pennsylvania	Bucks	595,810	23,547	4.0%
	Chester	485,687	21,972	4.5%
	Delaware	529,663	22,761	4.3%
	Montgomery	772,899	33,234	4.3%
	Philadelphia	1,461,921	154,598	10.6%
Total	DVRPC Region	5,378,922	363,857	6.8%

Source: ACS 2013—2017, Table C16001: “Language Spoken at Home by Ability to Speak English for the Population 5 Years and over.”

The most common language spoken by LEP persons, by far, is Spanish. According to 2013—2017 ACS data, nearly half (43.3%) of the 9-county LEP population speaks Spanish. **Map 1** shows where the LEP populations live in the region by Census tracts. **Map 2** shows only the Spanish-speaking LEP population. Not surprisingly, at the PUMA-level, most of the region has a population of LEP Spanish speakers over the 1,000 person and 5% threshold levels.

Map 1: LEP Speakers by Census Tracts

Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

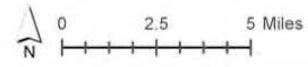


Total LEP Speakers

2 - 99
100 - 299
300 - 2,590

People per Census Tract

ACS 2013-2017, Table C16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.

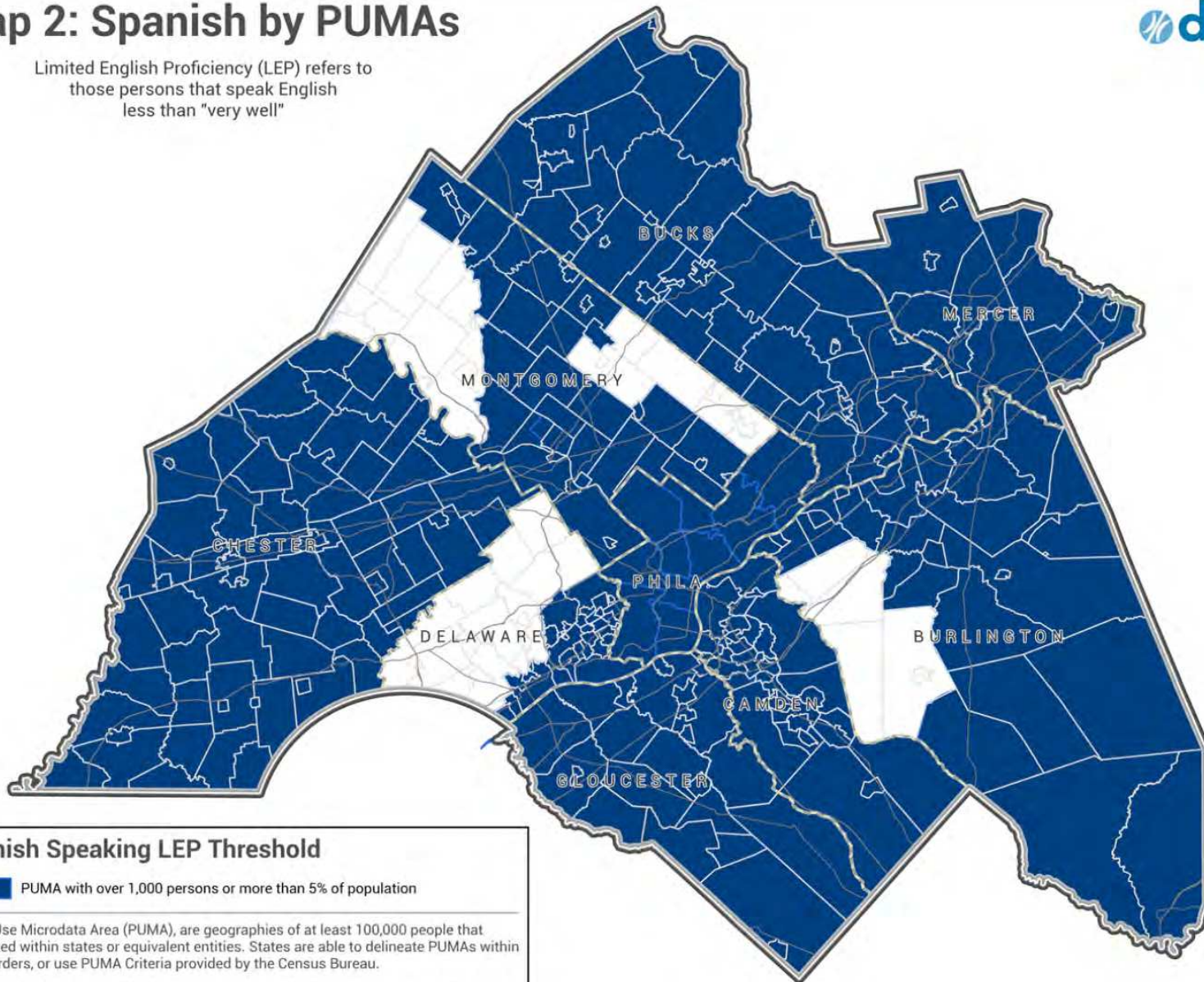



Sources: DVRPC, U.S. Census.



Map 2: Spanish by PUMAs

Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

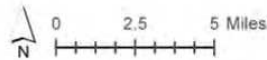


Spanish Speaking LEP Threshold

PUMA with over 1,000 persons or more than 5% of population

Public Use Microdata Area (PUMA), are geographies of at least 100,000 people that are nested within states or equivalent entities. States are able to delineate PUMAs within their borders, or use PUMA Criteria provided by the Census Bureau.

ACS 2013-2017, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.



Sources: DVRPC, U.S. Census.

The rest of the languages spoken at home by the LEP population in the region vary greatly. Including Spanish, 36 languages or language groups have populations over the 1,000 person threshold across the region (see Table 2). These 36 language groups fall under the “Safe Harbor” provision as explained in the USDOT guidance; they will be referred to when identifying LEP individuals who may need language assistance.

Table 2: LEP Population, by All Languages Spoken

Language Spoken	Regional Estimate	Margin of Error	Percentage of Total Population 5 Years or Older	Percentage of LEP Population
Spanish	157,707	+/- 4,034	2.9%	43.3%
Chinese (incl. Mandarin, Cantonese)	38,771	+/- 1,959	0.7%	10.7%
Vietnamese	17,883	+/- 1,500	0.3%	4.9%
Russian	15,418	+/- 1,073	0.3%	4.2%
Korean	14,518	+/- 1,151	0.3%	4.0%
Gujarati	7,768	+/- 933	0.1%	2.1%
Haitian	7,729	+/- 987	0.1%	2.1%
Arabic	7,104	+/- 929	0.1%	2.0%
Italian	6,986	+/- 642	0.1%	1.9%
Other Indo-European languages	5,823	+/- 817	0.1%	1.6%
French (incl. Cajun)	5,802	+/- 790	0.1%	1.6%
Portuguese	5,737	+/- 816	0.1%	1.6%
Polish	5,671	+/- 687	0.1%	1.6%
Tagalog (incl. Filipino)	5,506	+/- 713	0.1%	1.5%
Malayalam, Kannada, or other Dravidian languages	5,448	+/- 855	0.1%	1.5%
Bengali	5,154	+/- 722	0.1%	1.4%
Khmer	4,940	+/- 883	0.1%	1.4%

Language Spoken	Regional Estimate	Margin of Error	Percentage of Total Population 5 Years or Older	Percentage of LEP Population
Ukrainian or other Slavic languages	4,514	+/- 661	0.1%	1.2%
Other languages of Asia	4,489	+/- 869	0.1%	1.2%
Hindi	3,906	+/- 597	0.1%	1.1%
Yoruba, Twi, Igbo, or other languages of Western Africa	3,869	+/- 674	0.1%	1.1%
Nepali, Marathi, or other Indic languages	2,910	+/- 816	0.1%	0.8%
Greek	2,838	+/- 445	0.1%	0.8%
Urdu	2,653	+/- 489	0.0%	0.7%
German	2,205	+/- 347	0.0%	0.6%
Punjabi	2,099	+/- 529	0.0%	0.6%
Telugu	1,912	+/- 455	0.0%	0.5%
Tamil	1,828	+/- 438	0.0%	0.5%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	1,710	+/- 417	0.0%	0.5%
Thai, Lao, or other Tai-Kadai languages	1,457	+/- 492	0.0%	0.4%
Other and unspecified languages	1,442	+/- 360	0.0%	0.4%
Japanese	1,426	+/- 304	0.0%	0.4%
Amharic, Somali, or other Afro-Asiatic languages	1,368	+/- 452	0.0%	0.4%
Persian (incl. Farsi, Dari)	1,286	+/- 356	0.0%	0.4%
Yiddish, Pennsylvania Dutch or other West Germanic languages	1,282	+/- 351	0.0%	0.4%
Hebrew	886	+/- 300	0.0%	0.2%
Serbo-Croatian	553	+/- 219	0.0%	0.2%

Language Spoken	Regional Estimate	Margin of Error	Percentage of Total Population 5 Years or Older	Percentage of LEP Population
Other Native languages of North America	113	+/- 172	0.0%	0.0%
Armenian	491	+/- 232	0.0%	0.1%
Navajo	27	+/- 164	0.0%	0.0%
Hmong	0	+/- 162	0.0%	0.0%

Source: ACS 2013—2017, Table B16001: “Language Spoken at Home by Ability to Speak English for the Population 5 Years and over,” aggregated from Public Use Microdata Sample (PUMS).

After Spanish, the most common languages spoken by LEP persons are Chinese, Vietnamese, Russian, and Korean. **Maps 2 through 6** show where these LEP populations are located in the region by PUMAs.

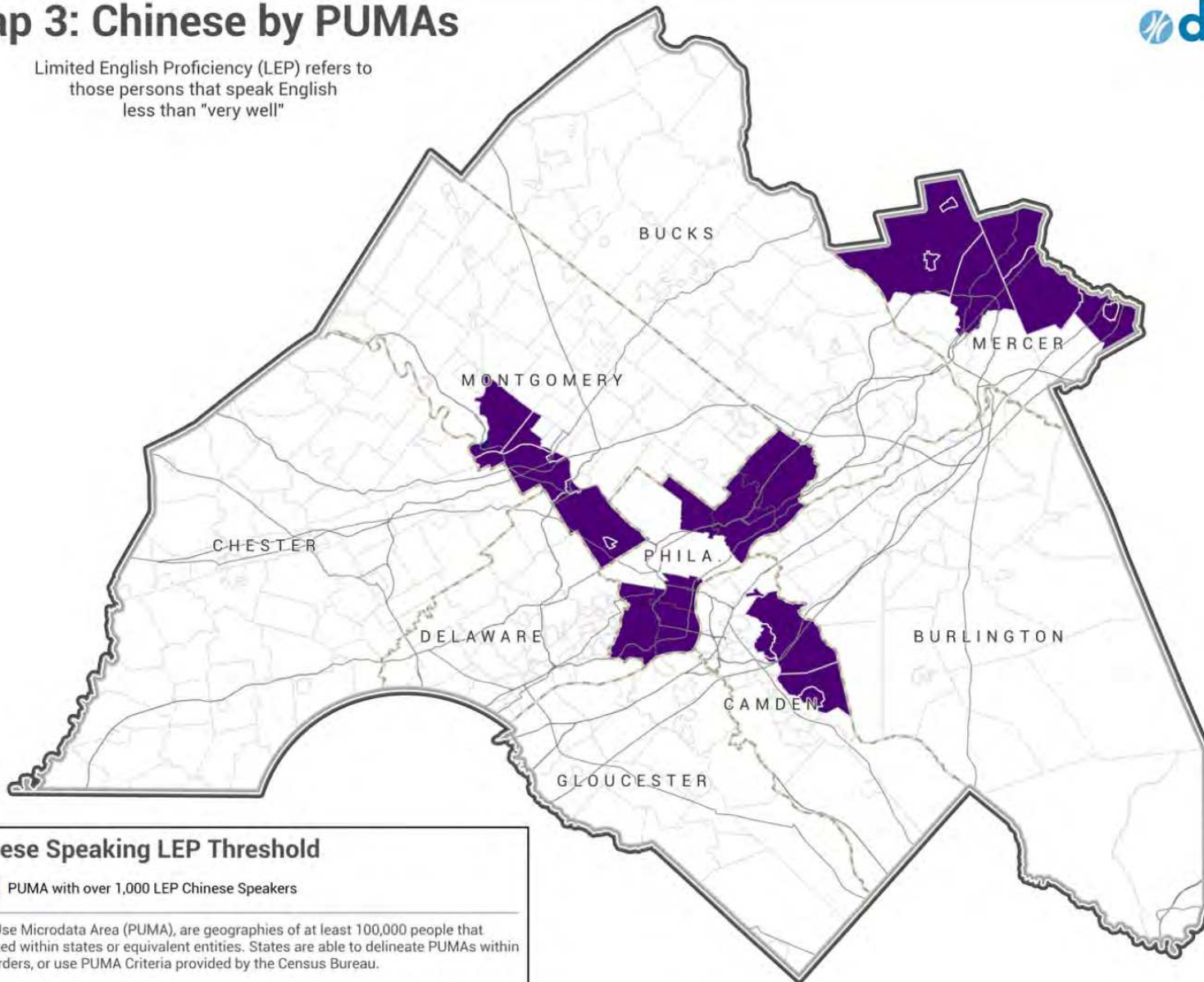
Factor 2: The frequency of contact between LEP persons and DVRPC

DVRPC offers both written translation and oral interpretation language assistance measures in any language, upon request. Additionally, to increase public participation among LEP persons in the planning process, DVRPC currently utilizes a variety of outreach tools, focused mostly on engaging the region’s Spanish-speaking community for specific projects or on specific topics. DVRPC proactively translates into Spanish: (1) all legal notices and publishes notices in the regional Spanish-speaking newspaper, *Al Dia*; (2) air quality warnings through the Air Quality Partnership with *Al Dia*; and (3) all transit surveys (see inset on following page: **Transit Surveys**).




Map 3: Chinese by PUMAs

Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

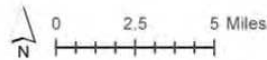


Chinese Speaking LEP Threshold

 PUMA with over 1,000 LEP Chinese Speakers

Public Use Microdata Area (PUMA), are geographies of at least 100,000 people that are nested within states or equivalent entities. States are able to delineate PUMAs within their borders, or use PUMA Criteria provided by the Census Bureau.

ACS 2013-2017, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.

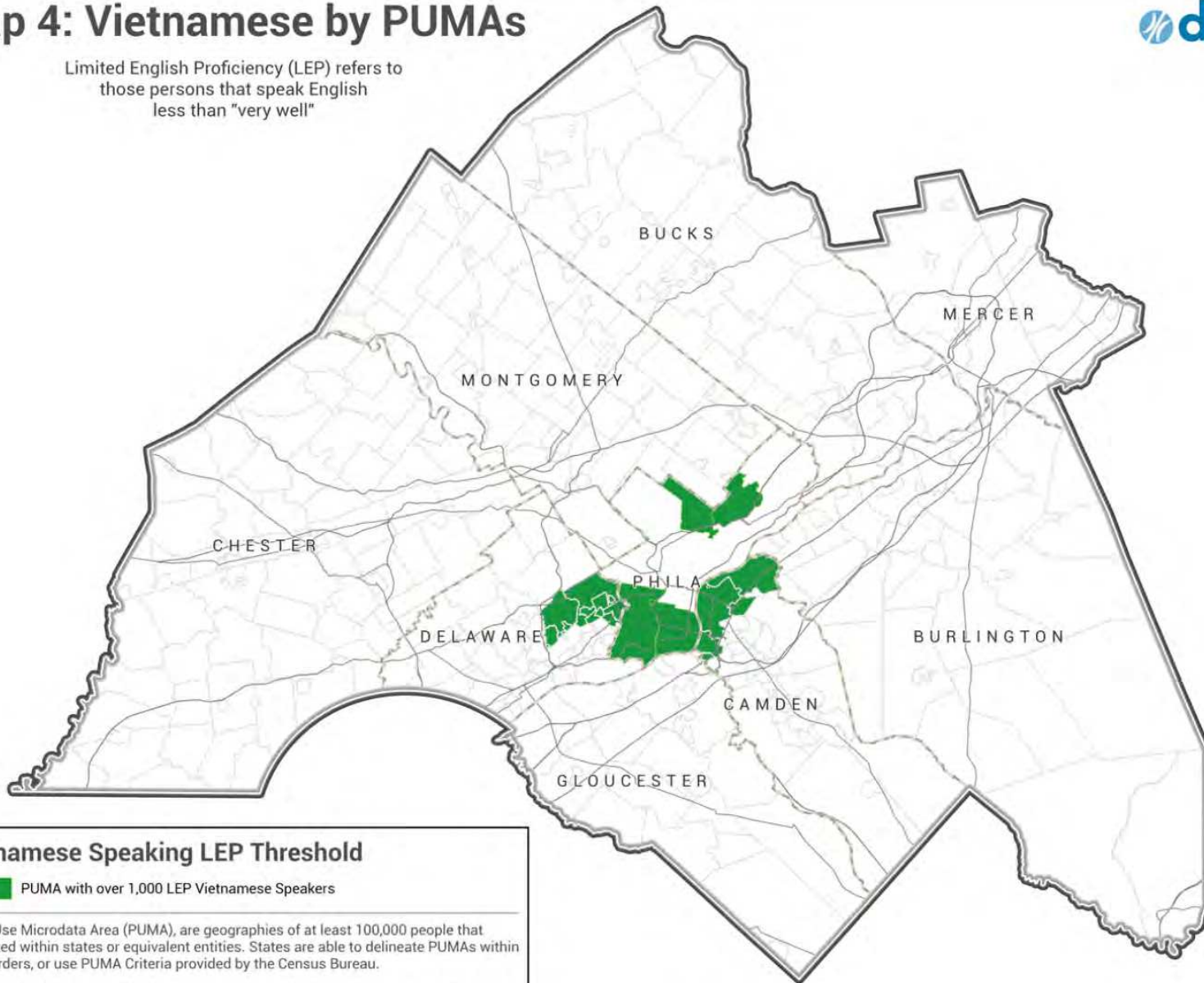


Sources: DVRPC, U.S. Census.

Map 4: Vietnamese by PUMAs



Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

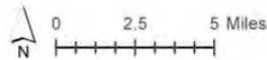


Vietnamese Speaking LEP Threshold

PUMA with over 1,000 LEP Vietnamese Speakers

Public Use Microdata Area (PUMA), are geographies of at least 100,000 people that are nested within states or equivalent entities. States are able to delineate PUMAs within their borders, or use PUMA Criteria provided by the Census Bureau.

ACS 2013-2017, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.

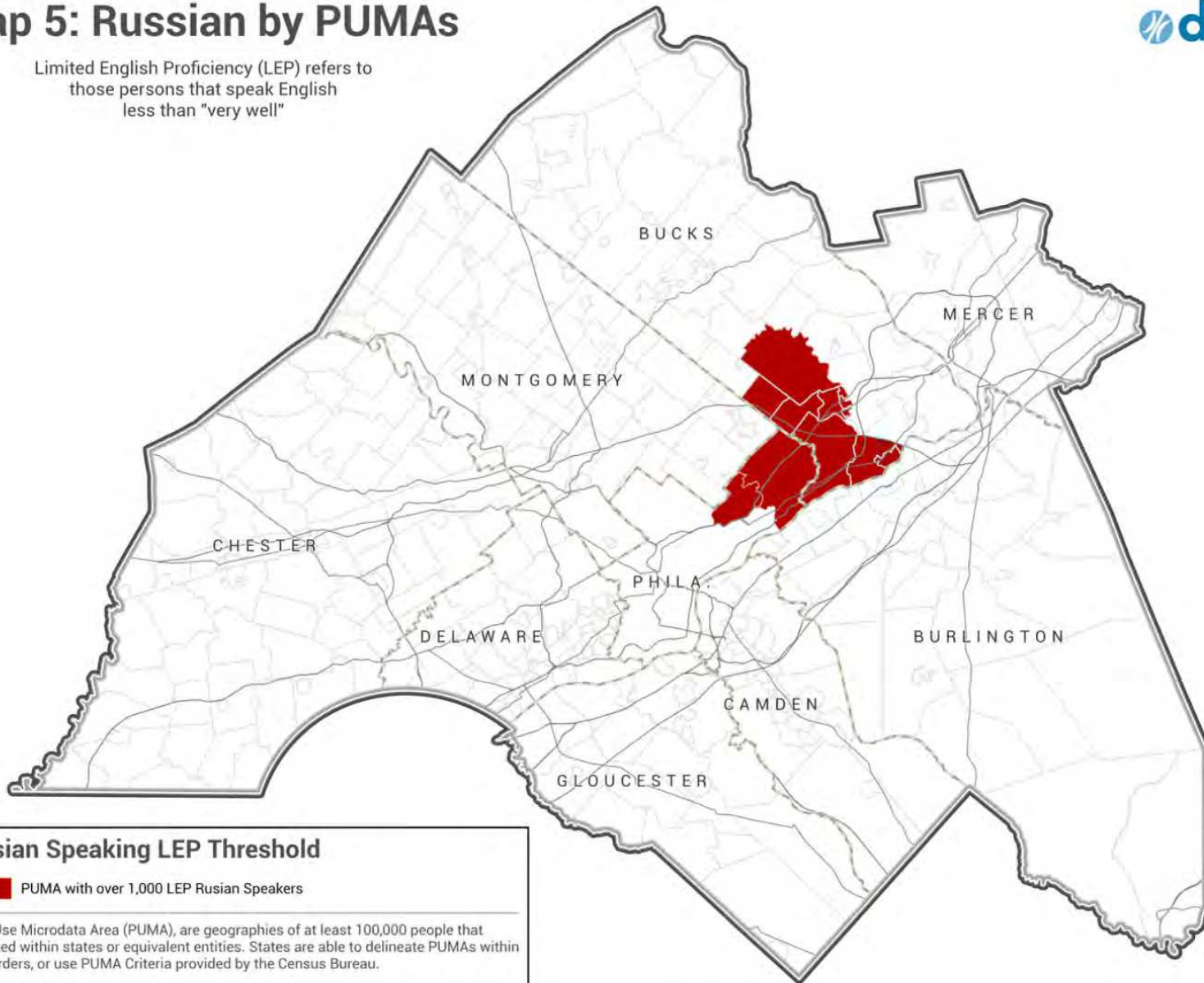


Sources: DVRPC, U.S. Census.

Map 5: Russian by PUMAs



Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

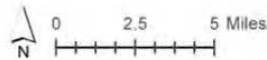


Russian Speaking LEP Threshold

■ PUMA with over 1,000 LEP Russian Speakers

Public Use Microdata Area (PUMA), are geographies of at least 100,000 people that are nested within states or equivalent entities. States are able to delineate PUMAs within their borders, or use PUMA Criteria provided by the Census Bureau.

ACS 2013-2017, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.

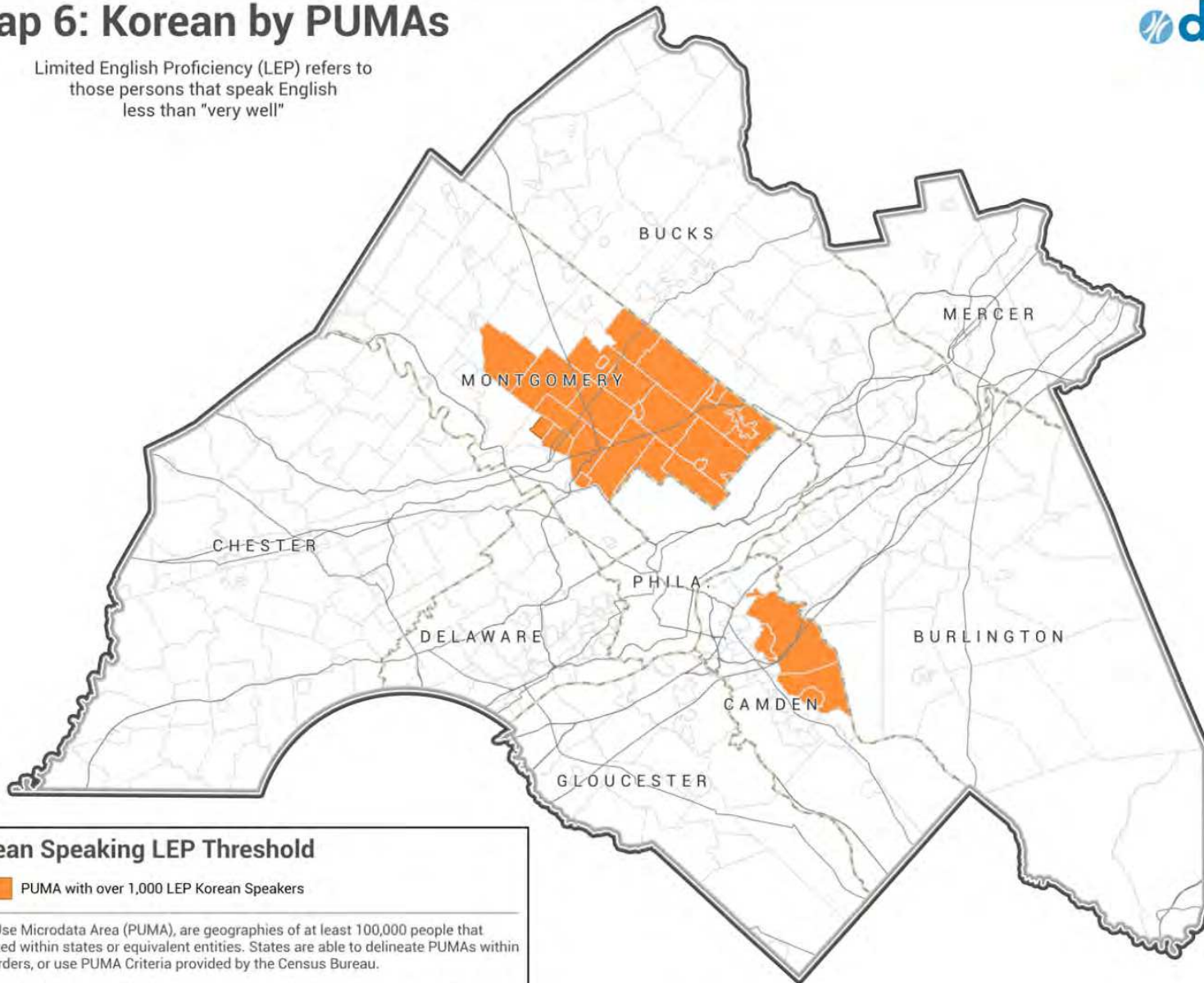


Sources: DVRPC, U.S. Census.

Map 6: Korean by PUMAs



Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"

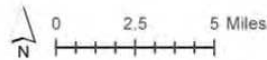


Korean Speaking LEP Threshold

PUMA with over 1,000 LEP Korean Speakers

Public Use Microdata Area (PUMA), are geographies of at least 100,000 people that are nested within states or equivalent entities. States are able to delineate PUMAs within their borders, or use PUMA Criteria provided by the Census Bureau.

ACS 2013-2017, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.
ACS data are derived from a survey and are subject to sampling variability.



Sources: DVRPC, U.S. Census.

DVRPC also monitors its website, DVRPC.org, for contact with LEP persons, which it

makes available for translation through a user’s web browser and through a Google Translate plug-in. Between January 1, 2018, and January 1, 2019, there were 855 sessions originating for the United States and translated into a language other than English, or 1.1% of all total sessions (see **Table 3**). In 2018, visitors most commonly translated DVRPC.org into various dialects of French, various dialects of Spanish, and simplified Chinese. Notably, when comparing 2017 web translations to 2018 web translations, the top languages were observed to change. In 2017, Chinese was the top language with over 500 sessions. This change illustrates the need to annually evaluate DVRPC’s language access measures.

Transit Surveys

On a regular basis, DVRPC conducts surveys to collect primary data generally about individuals’ travel patterns and transportation choices. Any such survey that DVRPC administers is translated into Spanish and distributed to those who indicate that Spanish is their first or primary language. Each survey agent is given a card in Spanish that explains what the survey is, why we are conducting the survey, and reassures that the data is kept confidential. Agents are also advised to remind people that it is not required to take the survey.

DVRPC has also started conducting interview (or intercept) surveys. Again the survey is translated into Spanish for those whose primary or only language is Spanish. Each survey agent has a card in Spanish which explains what the survey is, why it is being conducted, and reassures that all data is kept confidential. In the case of interview surveys, DVRPC has hired survey agents who are conversant in Spanish to conduct the survey.

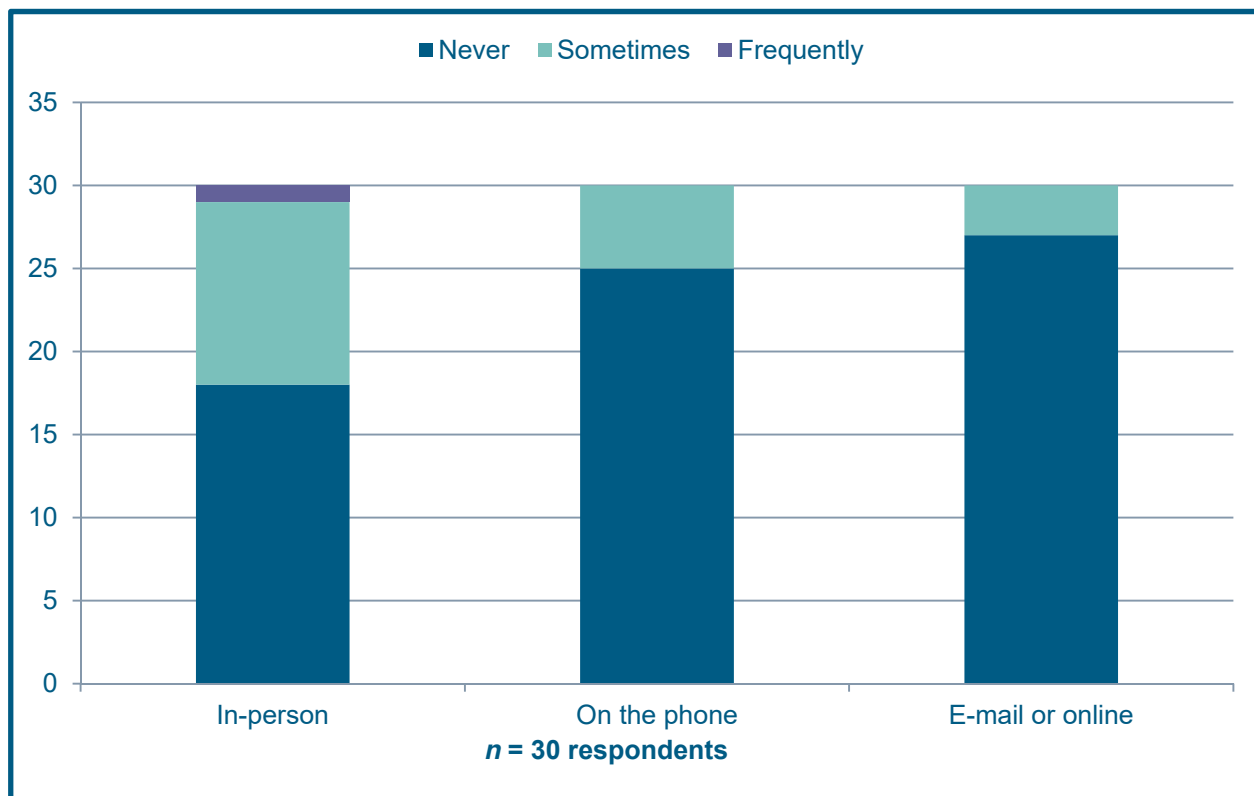
Table 3: Language Translations, DVRPC.org, 2018 Calendar Year

	Sessions	Average Duration
Total Sessions	79,071	3:17
Total Translations	885	NA
1 French (various dialects)	274	NA
2 Spanish (various dialects)	160	NA
3 Chinese	90	1:41
4 Portuguese (Brazil)	80	0:06
5 Italian	37	0:33

Source: DVRPC, 2019.

Generally, by this quantitative measure, frequency of contact seems limited. To better ascertain the frequency of contact between the Commission and LEP persons more broadly, DVRPC also conducted a survey of its employees in October 2017. In the survey, employees were asked how frequently they came in contact with LEP persons in their work at DVRPC over the last five years, including whether the contact was in-person, on the phone, via email, or online (see **Figure 1**).

Figure 1: Frequency of Contact, LEP Persons and DVRPC Staff in Last Five Years



Source: DVRPC, 2017.

In October 2017, staff members were also asked if they had received any requests from LEP persons for interpretation or translation requests in the “last five years of working at DVRPC.” In total, one staff member reported receiving a request for sign language interpretation, and one staff member reported receiving a request for Spanish translation. See **Appendix A: “Frequency of Contact” Staff Survey** to find the survey administered in Fall 2017. Staff were also asked to include any anecdotes related to interactions with LEP persons at public meetings or elsewhere that would be helpful to consider for the purpose of developing an LEP plan (see inset on the following page: **DVRPC Staff Survey: LEP Engagement Anecdotes**).

In the spring of 2018, DVRPC used USDOT’s guidance and principles from the commission’s Public Participation Plan to conduct public outreach for local area studies. One such project was a corridor study focused on a section of Vine Street local in Philadelphia’s Chinatown North and Callowhill neighborhoods. An open house for the general public was held in April 2018. DVRPC staff looked at ACS data to identify LEP populations and planned the location, format, content, and promotion based on input from a local organization, the Philadelphia Chinatown Development Corporation. All of the promotional materials (posters/flyers and social media posts) appeared in English and Chinese. Open house materials, namely posters illustrating recommendations and surveys,

were in English and Chinese. Local translators were hired to provide Cantonese, Mandarin, and Spanish interpretation at the open house if needed. Only Cantonese was requested, and a DVRPC staff member made a formal presentation, and a translator translated the material to a smaller group sequentially.

Additionally, an exit survey was designed to capture individual attendees' feedback after seeing the proposed recommendations. The survey was available in English and Chinese. Over 50% of the surveys were returned in Chinese.

Factor 3: The importance of DVRPC programs to LEP persons

As a recipient of federal funding, DVRPC is responsible for directing transportation capital programs and making recommendations for other programs and policy areas that shape the built environment and influence socioeconomic outcomes.

DVRPC has three mandated programs and core documents that require regular public outreach and public comments, and are therefore important to LEP persons: the Long-Range Plan (LRP); the Transportation Improvement Program (TIP); and the annual Planning Work Program (Work Program). Underlying these core planning documents are DVRPC's Public Participation Plan (PPP), which outlines the Commission's public outreach process and sets policy regarding public comments, and this document, the Commission's Limited English Proficiency (LEP) Plan.

- The LRP creates a 20-plus-year vision for the region's growth and development to prioritize capital transportation investments. In addition to direct transportation impacts, the LRP also considers the effects of projects on land use, the environment, economic development, and equity. The interactions between these areas are addressed in the LRP's five core principles: Sustain the Environment; Develop Livable Communities; Expand the Economy; Advance Equity and Foster Diversity; and Create an Integrated, Multimodal Transportation Network. The plan is updated and published every four years. DVRPC also publishes an Executive Summary of the plan and analytical and research reports that support the evaluation of long-range planning and updates to plans.
- The TIP is the regionally agreed-upon list of priority transportation projects, including those that intend to use federal funds; all nonfederally funded projects that are

DVRPC Staff Survey 2017: LEP Engagement Anecdotes

"I learned that all of my Camden outreach materials should also be in Spanish as a result of our experience at [a public event]."—Staff member in the Office of Environmental Planning

"I thought we had a good process for translating the TIP [Transportation Improvement Program] Handbook into Spanish... We struck a balance between retaining some design elements and not going overboard with design, which would have required a lot of staff time [to reproduce at the same quality in Spanish]."—Staff member in the Office of Capital Programs

regionally significant; and other state-funded capital projects. The projects are multimodal; that is, they include bicycle, pedestrian, Intelligent Transportation Systems (ITS), and freight-related projects, as well as the more traditional highway and public transit projects. DVRPC updates and publishes separate TIPs for Pennsylvania and New Jersey, alternating every two years. DVRPC also publishes an Executive Summary (called “Highlights”) for each TIP; an interactive map of TIP-related projects, and documentation of public comments, administrative changes, and board actions to the regional TIPs. Finally, DVRPC also publishes the TIP Handbook, which provides an overview of capital programming, including how the regional TIPs are developed and maintained, and how citizens can participate in the process.

- The annual planning Work Program incorporates the planning programs and support activities of DVRPC and its member governments for each fiscal year, spelling out the priority planning activities, as proposed by member governments and stakeholders. DVRPC publishes project links for each of the last three work programs, including: (1) Chapter One - A Comprehensive Overview of the Planning Work Program, which functions as an executive summary; (2) summary tables detailing project funding sources and programs for New Jersey and Pennsylvania Transit Support and Supportive Regional Highway Planning; and (3) descriptions for each program area and individual plans, studies, and projects.
- DVRPC’s adopted PPP is entitled *DVRPC Public Participation Plan: A Strategy for Citizen Involvement* and outlines how the Commission is meeting all federal public participation mandates. It is regularly updated to reflect the Commission’s current outreach activities, in particular the Public Participation Task Force. It was last adopted by the DVRPC Board in July 2018 to include the Work Program as a significant planning process, more ways to submit public comments, and an updated "Access to Records" policy. The PPP reaffirms the Commission's commitment to an accessible, open, and inclusive planning process.
- The LEP Plan is a part of DVRPC’s Title VI and Public Participation programs. The LEP Plan identifies LEP populations, evaluates the Commission’s language access efforts, and commits resources and procedures to provide more access to DVRPC’s work, including publications, products, communications, public input, and decision-making processes.

The importance to LEP persons of the above programs and core planning documents will help guide DVRPC in determining implementation steps that are to be considered per the 2005 USDOT guidance.

Factor 4: The organizational resources of DVRPC

Organizational resources are subject to a variety of factors, both internal and external, and therefore assessed on an ongoing basis. Such factors can include financial constraints, time constraints, new legislation, or changing local priorities. For DVRPC, ensuring meaningful access to its programs, for all members of the public, continues to be important. DVRPC will continue its current efforts to ensure that LEP persons can meaningfully access its programs; additionally, as resources become available or new needs present themselves, DVRPC will regularly assess its ability to expand its existing language assistance efforts.

DVRPC prioritizes translating outreach materials—materials designed to solicit feedback, such as surveys and workshop materials—into Spanish (the primary LEP language group for the region), and thoughtfully evaluates whether outreach materials for specific study areas should be translated into additional languages before a scheduled engagement or meeting, without receiving a request. For example, see the description of the Vine Street corridor study’s open house on page 15, and the example of a poster used to gather input for Camden City’s Health Element, to the left.



Source: Amy Verbofsky, DVRPC, 2017.

Example of Materials in English and Spanish used at a public event to receive input into Camden City’s Health Element

While DVRPC staff members were not specifically hired to be translators, and DVRPC devotes financial resources for professional translation, the staff’s language abilities are a portion of organizational resources. In early 2019, DVRPC’s Office of Communications and Engagement released an internal survey asking staff a number of questions, several of which were about language abilities. Staff members were asked:

- Do you speak any other languages besides English?
- [If yes,] what language?
- If yes, at what level?
- If yes, would you be willing to be a resource for DVRPC if a staff member receives a phone call or we need to review a document that is already professionally translated?

From the survey responses, DVRPC’s Office of Communications and Engagement staff are able to create a list of staff who are conversant or fluent in a foreign language *and* are willing to serve as a resource for other staff who may unexpectedly interact with someone with limited English proficiency. Those languages include: Italian, German, Spanish, French, Arabic, and Vietnamese.

One particular area in which DVRPC is committed to expanding its existing efforts is the translation of more “vital documents.” The region has a large and diverse LEP population, with 36 language groups spoken at home by at least 1,000 LEP persons each. While translating all “vital documents” into 36 or more different languages could constitute a “burdensome step” for DVRPC, a more reasonable step would be to offer translations of certain vital documents or elements of those documents into the most common LEP language, and to provide other language translations by request.

IV. Implementation Plan

Step 1: Identifying LEP individuals who need language assistance

To better help DVRPC staff identify LEP persons in the communities that their particular projects and/or programs may affect, DVRPC has created a composite map of the most common LEP language spoken in each Census tract (see **Map 7**). This composite map will also be available on DVRPC’s website, in its collection of interactive web maps (www.dvrpc.org/Mapping/Webmaps/). More information about reaching out to LEP individuals is included in the subsection on “Outreach Efforts for Area-Specific Projects and Plans” in Step 2 of the Implementation Plan.

“Safe Harbor” Languages

According to the 2005 USDOT *Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons*, the “Safe Harbor” provision means that if written translations of “vital documents” are provided to LEP language groups that exceed either (a) 1,000 people in the region or (b) 5% of the regional population, whichever is less, such translations will be viewed as “strong evidence of compliance with the recipient’s written translation obligations.”⁹ However, the USDOT guidance also acknowledges that in larger metropolitan areas that serve a wide range of LEP persons, “it would be unrealistic” to translate all vital documents into all Safe Harbor languages.

In DVRPC’s nine-county region, there are 36 languages or language groups that are spoken by at least 1,000 LEP persons each, and which therefore, fall under the Safe Harbor provision. As the 2005 USDOT guidance contends, “it would be unrealistic” to provide translations in all 36.¹⁰ However, DVRPC remains committed to ensuring meaningful access for all LEP persons, regardless of language spoken at home. While DVRPC will continue to focus its proactive translation efforts on the Spanish-speaking community, as the primary LEP population, it will also aim to use ACS data and input from

⁹ U.S. Department of Transportation, *Policy Guidance*, 2005.

¹⁰ *Ibid.*

member governments and community organizations to predict contact with LEP persons for area-specific projects and plans.

DVRPC will also continue to offer translation and interpretation services upon request, in any language.

Step 2: Documenting Language assistance measures

Written Translation of DVRPC's Core Regional Planning Products

DVRPC will provide Spanish translations of the organization's core regional planning products, namely:

- DVRPC Transportation Improvement Program (TIP) Handbook, published in Spanish in September 2017 and available at: www.dvrpc.org/Products/17065es/;
- DVRPC TIP Highlights (which serve as the Executive Summary) for each regional TIP, starting with Fiscal Year 2020 TIP for New Jersey;
- Long-Range Plan Executive Summary or Summary Report; current *Connections 2045* Summary Report published in Spanish in March 2018 and available at: www.dvrpc.org/Products/17069es/;
- Chapter One (which serves as the Executive Summary) of the Annual Planning Work Program, starting with Fiscal Year 2020;
- DVRPC's current Public Participation Plan, published in Spanish in February 2019 and available at: www.dvrpc.org/Products/TM18012es/; and
- DVRPC's current Limited English Proficiency Plan, starting with this document.

Additionally, DVRPC will publish simple text (aka taglines) in the core planning products identified above. The tagline will convey that language assistance is available by calling a specific phone number.

Legal Notices and Announcements for Public Comment Periods

DVRPC's Office of Communications and Engagement publishes legal notices for public comment periods in up to five regionally significant newspapers, including the Spanish newspaper, *Al Dia*. Additionally, DVRPC posts legal notices and other announcements about public meetings and funding opportunities on its website, allowing for translation into numerous languages via web browsers.

DVRPC sends announcements about public comment periods, among other topics, through its HTML email provider. Already included in the email template is a short Title VI statement explaining the Commission's nondiscrimination policies. A Spanish version of this statement will be added to the HTML email template starting on July 1, 2019.

Announcements for Public Comment Periods, Public Meetings and Workshops

DVRPC maintains strong relationships with 50 libraries throughout the nine-county region. Libraries regularly receive agenda and materials for DVRPC's board meetings as well as legal notices and documents released for public comments. These libraries are also included in public outreach for long-range plans.

Going forward, DVRPC will mail translated materials, such as flyers and posters, announcing public comment periods, public meetings, and public input opportunities in Spanish to these libraries. DVRPC will evaluate if libraries should receive materials translated in additional languages based on their feedback about which primary LEP populations they serve. (See Step 5 of the Implementation Plan for more about this evaluation measure.)

Real-Time Oral and American Sign Language Translation Services for General Public Meetings and Workshops

If requested seven days in advance, DVRPC can provide real-time oral and American Sign Language translation services for any general meeting (a meeting that the public can attend, but is not a legally noticed public meeting) that it is hosting. DVRPC has created a web-based translation request form that appears on DVRPC's online calendar (www.dvrpc.org/Calendar/) and alongside individual event listings. A person can also make the request by contacting DVRPC's Office of Communications and Engagement via phone, email, or U.S. mail.

DVRPC's translation and interpretation policy is included on DVRPC's website, invitations to meetings, and agendas prepared in advance of the meetings.

On-Call Interpretation

DVRPC has an over-the-phone interpretation vendor. DVRPC will attempt to contact a translator through this service in the event that: 1) a LEP speaker calls DVRPC; 2) a DVRPC staff member in a centralized position receives a phone call from an LEP speaker; and/or 3) a LEP speaker attends a publicly noticed meeting and a translator is not available. Examples of a publicly noticed meeting include a Board meeting or a public information session for a regional TIP.

Other Publicly Available DVRPC Documents

DVRPC has created a web-based translation request form that is on the abstract webpage for every publicly available final product. A user/viewer is able to request to have a product, translated into another language, and how they would like to receive the translated product (electronic by email or weblink, or hard copy by mail). An individual can also make the request by contacting DVRPC's Office of Communications and Engagement via phone, email, or U.S. mail.

Other Translation Measures

DVRPC's Office of Communications and Engagement will provide the following products translated in Spanish:

- Title VI complaint form;
- survey tools and forms (transit surveys, on-board surveys, and household travel surveys);
- select materials, including paid advertisements, produced for the Air Quality Partnership; and
- overview brochures and postcards intended for large or regional distribution.

See **Appendix B** for an example of an Air Quality Partnership brochure translated into Spanish.

Web-Based Translation Measures

DVRPC's products and services are increasingly interacted with online and in electronic formats. DVRPC's website is designed in accordance with website accessibility standards (see DVRPC's Website Accessibility Policy available here: www.dvrpc.org/policies/). It adheres to responsive design principles, meaning that the website's display is optimized based on what type of device (desktop, mobile, or tablet) accesses it. More and more online content is being accessed through mobile and tablet devices, and more and more individuals and households have access to Wi-Fi than broadband internet, suggesting that a public organization, such as DVRPC, could reach more LEP population groups online than in other formats.

Publishing content as web pages (not as static PDFs) allows for more visitors to view content in their preferred language via their web browsers. This medium also allows DVRPC staff to more regularly update the content. To that end, DVRPC will:

- provide more applications and request forms as web-based forms;
- add translation request forms to Product Abstract web pages and calendar listings;
- continue to publish select text materials as HTML text. Please see:
 - TIP Handbook at www.dvrpc.org/Reports/17065/
 - 2018 Public Participation Plan at www.dvrpc.org/GetInvolved/PublicParticipation/, and
- publish the adopted LEP Plan as HTML text.

Oral Interpretation Measures

DVRPC offers oral interpretation services at any of its public meetings with seven days' notice.

Language Access Measures for Area-Specific Projects and Plans

For public meetings, workshops, and outreach activities held in a neighborhood- or community-setting, a separate analysis using ACS data will be performed to identify if there is an LEP population over the 5% or 1,000 person threshold (whichever is lower) in the vicinity of the meeting place and/or study area. If so, materials used to promote the event, such as flyers, paid advertisements, or social media posts, will be translated into the primary LEP language(s) and distributed as part of the outreach plan. Translated surveys will be made available in the primary LEP language(s) at the meeting.

See **Map 7** for an illustration of the top LEP languages in each Census tract across the region. See **Appendix C** for an example survey tool developed as part of creating a Health Element to Camden's Master Plan. It is to be administered at a public event to capture residents' input. It is in English and Spanish.

For area-specific projects and plans, the DVRPC project team will reach out to or directly partner with local organizations that work with different LEP populations, as well as other

traditionally underrepresented groups, in the study area. These partnerships will help inform the best ways to advertise the meeting, the format of the meeting or public engagement opportunity, and/or if a professional translator(s) should be on-hand at the meeting.

Regardless of Census-level analysis or input from a local organization, an individual can make a request for real-time translation services seven days in advance of the meeting or workshop.

Step 3: Training staff

All DVRPC staff members have the opportunity to participate in training on Commission policy and procedures, communications best practices, public outreach, and other topics. Upon release of this LEP plan, staff will be sent via email an internal circular informing them of implementation procedures for language access. DVRPC's website will be updated to include translation and interpretation request forms. DVRPC's Title VI statement, which appears on the website, in every published product, and on public meeting invitations and agendas, will be updated to reference translation forms.

DVRPC's Office of Communications and Engagement staff meets with all new staff members during a formal orientation process and regularly advises staff on area-specific projects, plans, and studies. This office will instruct DVRPC staff about language access measures, and policy and procedures outlined in this plan.

Staff who regularly answer phone calls from the public, interact with the public, and/or execute DVRPC's public meetings will receive training on the following procedures:

- responding to requests for translation or interpretation;
- providing notice to LEP persons on the DVRPC website, selected documents, social media, and through other media-related outreach tools;
- greeting LEP persons in person; and
- communicating with LEP persons in person and over the phone.

Step 4: Providing notice to LEP persons

Prior to creating an LEP Plan, DVRPC provided notice to LEP persons through the following actions:

- proactively translating into Spanish transit surveys, such as on-board surveys and the household travel survey;
- proactively translating into Spanish community outreach survey/engagement tools for certain events and programs;
- providing automated translations of DVRPC's website into 103 languages and dialects via Google Translate and the user's web browser;
- providing professionally translated Spanish versions of the Air Quality Partnership website, advertisements, and brochures;
- publishing all legal notices in the Spanish-speaking paper of record for the region, *Al Dia*; and

- including DVRPC’s Title VI statement, which includes the commission’s translation and interpretation upon request policy, in all DVRPC products, on public meeting agendas and invites, and on various webpages.

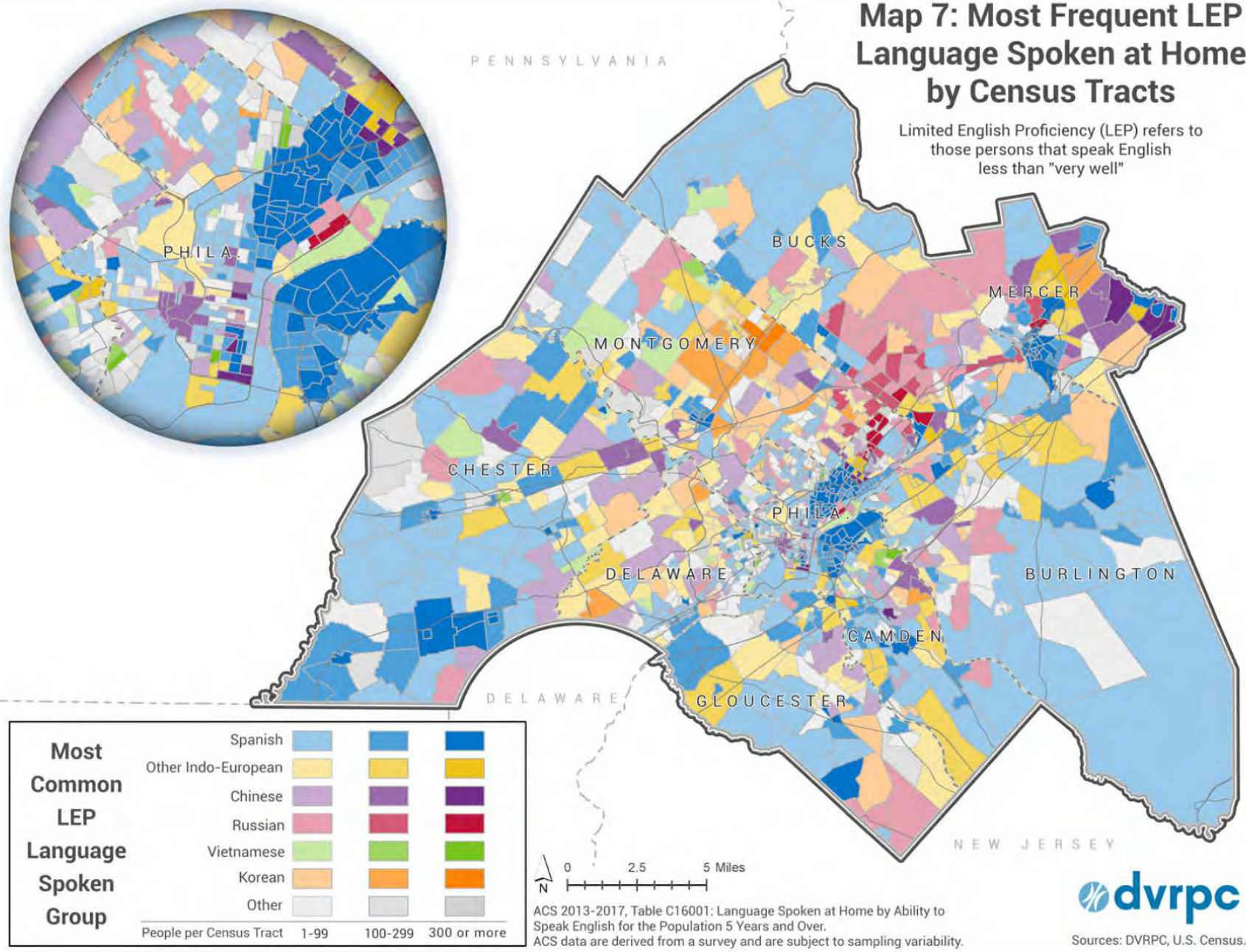


Source: Henry Felsman, DVRPC, 2018.

Welcome sign at 2018 Workshop for DVRPC’s “ReViving Vine” study in Philadelphia’s Chinatown. All information appears in both Chinese and English.

Map 7: Most Frequent LEP Language Spoken at Home by Census Tracts

Limited English Proficiency (LEP) refers to those persons that speak English less than "very well"



To implement this LEP Plan and better engage the LEP population in the region, DVRPC will continue the activities above, and will proactively reach out to LEP communities by taking the following actions:

- proactively translating certain materials used to generally promote DVRPC into Spanish, Chinese, and other languages (an example is the DVRPC “About Us” bookmark);
- publishing simple text (aka taglines) in the 36 threshold languages or language groups in the core planning documents (see Step 2 of Implementation Plan), which explains that translation and interpretation are available; and
- partnering with Spanish-speaking or other LEP language-speaking community organizations to provide notice of public meetings or availability of documents, programs, and/or language services, such as the recent partnership with the Philadelphia Chinatown Development Corporation for DVRPC’s “Reviving Vine Street” project in Chinatown.

Step 5: Monitoring and updating the LEP plan


DVRPC will monitor its language access measures annually and report on them through its monthly progress reports for Public Participation and/or Title VI/Environmental Justice program areas.

On an annual basis, DVRPC will:

- Administer a staff survey with questions about “frequency of contact” and language capabilities among current staff members. (See **Appendix A** for the “Frequency of Contact” survey administered in Fall 2017.)
- Review website translation analytics.
- Review ACS data at the Census tract level and PUMS-level to see if the region’s LEP population groups are changing.
- Review requests made through online translation and interpretation forms and compile translation costs.

On an interval less frequent than one year but more frequent than every five years, DVRPC will survey all (or a subset) of the libraries that receive DVRPC materials for review to determine if announcements should be provided in additional languages other than English and Spanish. A similar survey was last completed in 2018.

The LEP plan will be formally updated and readopted every five years or more frequently, if needed. Minor updates, such as updating population analyses and maps, will not constitute a major update to the plan.



**Appendix A:
“Frequency of
Contact” Staff Survey**

Limited English Proficiency (LEP) Staff Survey

A person is limited in their English proficiency (LEP) if they do not speak English as their primary language, and they have a limited ability to read, write, speak, or understand English. The U.S. Census definition that we use here at DVRPC is individuals who speak English "less than very well."

The basis for creating an LEP plan comes from Title VI of the Civil Rights Act of 1964 and Executive Order 13166, signed by President Clinton in 2000.

In an effort to assess and improve upon DVRPC's current efforts in providing "meaningful access" to LEP communities, we ask for your help in taking a moment to complete this survey. Thank you very much for your time and input.

Your email address (ahastings@dvrpc.org) will be recorded when you submit this form. Not you? [Switch account](#)

1. Thinking about your work at DVRPC over the last five years, how frequently have you come in contact with Limited English Proficiency (LEP) persons?

- Frequently
- Sometimes
- Never

In-person?

- Frequently
- Sometimes
- Never



On the phone?

- Frequently
- Sometimes
- Never

E-mail or online?

- Frequently
- Sometimes
- Never

2. In the last five years, has a member of the public ever approached you about the availability of interpretation services at DVRPC, a DVRPC-related program, or a public meeting?

- Yes
- No

If yes, for which languages?

Your answer

If yes, for which programs or public meetings, and where?

Your answer

3. In the last five years, has a member of the public ever approached you about the availability of written translations for DVRPC documents?

- Yes
- No



If yes, for which languages?

Your answer

If yes, for which documents?

Your answer

4. Do you speak any languages fluently other than English?

Yes

No

If yes, which languages?

Your answer

5. Any final thoughts, suggestions, or experiences you'd like to share with OCE?

Your answer

Send me a copy of my responses.

SUBMIT

Never submit passwords through Google Forms.

This form was created inside of Delaware Valley Regional Planning Commission. [Report Abuse](#) - [Terms of Service](#)

Google Forms





Appendix B: Example of Translated Material for Air Quality Partnership

SIGN UP!

You can sign up for free email AQI notifications at www.airqualitypartnership.org

The daily air quality forecast is posted at www.airqualitypartnership.org and www.almow.gov

If you don't have a computer, the air quality forecast is also available at 1-800-872-7261



Publication #13009
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Web: www.dvrpc.org



CHILDREN & AIR QUALITY

The Greater Philadelphia Region has

an air pollution problem. Over the years, the region has not met the health-based air quality standards for ground level ozone and fine particle pollution. Medical studies continue to show that these pollutants pose serious health risks to children and negatively impact lung development and lung function. **Know the facts; protect your health, prevent air pollution!**



KNOW THE FACTS



Ozone

Ozone, also known as "smog," is a harmful pollutant that forms on the hot days of summer when there is bright sunshine and little breeze. Ozone pollution is particularly harmful to children because it damages lungs while they are still growing.

Ozone is a particularly difficult problem for the estimated 140,000 children in the region suffering from pediatric asthma because ozone irritates lung tissue and constricts breathing passages, making breathing difficult and sometimes painful. Ozone exposure diminishes lung capacity and increases the likelihood of lung infections.

Fine Particle Pollution

Fine Particle Pollution (PM 2.5), or soot, is made up of tiny particles of liquids, dust, and metals that can be breathed deep into the lungs. Particle pollution is especially dangerous for children because it can cause long-term damage to the lungs, increase hospital visits, and aggravate existing breathing conditions such as asthma.

Air Quality Index



The Partnership uses the Air Quality Index (AQI), a common color-coded scale, to communicate daily air quality conditions.

GREEN = good air quality
YELLOW = moderate
ORANGE = air quality is unhealthy for sensitive groups; including older adults
RED = air quality is unhealthy for everyone

Sign up for free email alerts by visiting www.airqualitypartnership.org or receive daily forecasts by calling 1-800-872-7261.

PROTECT YOUR HEALTH

Exercise is important to a healthy lifestyle and especially important for growing children, but on days when the AQI reaches Code Orange or Code Red levels, parents should limit their children's strenuous activities. The key to managing the negative effects of air pollution is to limit exposure to environmental pollutants.

By knowing the AQI, parents can be prepared for days when air pollution might aggravate breathing conditions or damage developing lungs. If a child has asthma or other breathing disorder, knowing the AQI may even prevent hospital visits or missed school days.

Encourage your school's nurse or administrators to monitor the AQI and manage students' activities accordingly.

PREVENT AIR POLLUTION

Preventing air pollution in the first place is the best way to protect the health of the entire community and the environment. Everyone can take a few simple steps to prevent air pollution, especially on days when air quality is poor.

- Things we can all do!**
1. Take public transportation
 2. Save energy in our homes
 3. Recycle

- On poor air quality days, these actions are especially effective:**
1. Carpool with your friends
 2. Don't use gas-powered lawn equipment
 3. Avoid the drive-thru

¡REGÍSTRESE!

Para recibir notificaciones de AQI regístrese gratuitamente via email en

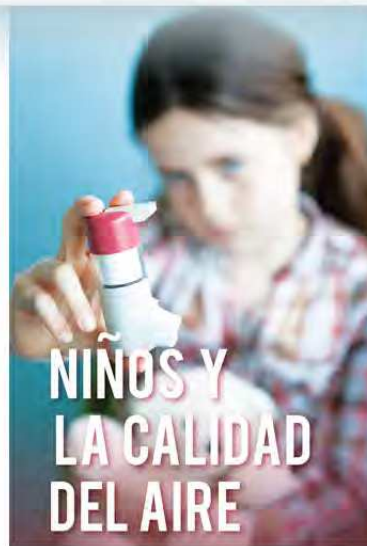
www.airqualitypartnership.org

El pronóstico de calidad del aire se publica diariamente en www.airqualitypartnership.org y www.airnow.gov

Si usted no tiene una computadora, el pronóstico de calidad del aire también está disponible en la línea telefónica: **1-800-872-7261**



Publicación #13089
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190 N. Independence Mall West
Philadelphia, PA 19106-2520
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Web: www.dvrpc.org



Niños y la Calidad del Aire

La Región de Filadelfia tiene un problema de contaminación del aire.

A lo largo de los años, la región no ha cumplido con los estándares básicos de calidad del aire para contaminación por smog y por material particulado. Estudios médicos demuestran que estos contaminantes representan riesgos serios para la salud, especialmente la de niñas y niños.

¡Infórmese, proteja su salud y prevenga la contaminación del aire!



CONOCER LOS HECHOS

Ozono

El ozono, también conocido como "smog", es un contaminante nocivo que se forma en los calurosos días de verano cuando hay sol brillante y poca brisa. La contaminación por ozono es particularmente perjudicial para los niños porque daña los pulmones mientras crecen.

El smog es un problema particularmente difícil para los 140,000 niños asmáticos en la región, que sufren de asma pediátrica porque el ozono irrita el tejido pulmonar y constriñe los conductos respiratorios, haciendo que la respiración sea difícil y a veces dolorosa. La exposición al smog disminuye la capacidad pulmonar y aumenta la probabilidad de infecciones pulmonares.

Contaminación por partículas finas

La contaminación por partículas finas (PM 2.5), o hollín, se compone de pequeñas partículas de líquidos, polvo y metales que se pueden respirar profundamente en los pulmones. La contaminación por partículas es especialmente peligrosa para los niños porque puede causar daño a los pulmones, aumentar las visitas al hospital y agravar las condiciones respiratorias existentes como el asma.

Índice de la calidad del aire



VERDE = Buena calidad del aire

AMARILLO = Moderado

NARANJA = La calidad del aire no es saludable para grupos sensibles, incluyendo adultos mayores

ROJO = La calidad del aire no es saludable para nadie

Regístrese para recibir alertas por correo electrónico visitando www.airqualitypartnership.org o reciba diariamente los pronósticos llamando al 1-800-872-7261.



PROTEJA SU SALUD

El ejercicio es importante para un estilo de vida saludable y especialmente importante para los niños en crecimiento, pero en los días en que el AQI alcanza los niveles de Código Naranja o Código Rojo, los padres deben limitar las actividades atléticas de sus hijos. La clave para controlar los efectos negativos de la contaminación atmosférica es limitar la exposición a contaminantes ambientales.

Al conocer el AQI, los padres pueden estar preparados para los días en que la contaminación del aire podría agravar las condiciones de respiración o dañar los pulmones en desarrollo. Si un niño tiene Asma u otro trastorno respiratorio, conocer el AQI puede incluso prevenir visitas al hospital o faltar a días escolares.

Anime a la enfermera o a los administradores de su escuela a monitorear el AQI y manejar las actividades de los estudiantes en consecuencia.

EVITE LA CONTAMINACIÓN DEL AIRE


Prevenir la contaminación del aire en primer lugar es la mejor manera de proteger la salud de toda la comunidad y el medio ambiente. Todo el mundo puede tomar unos sencillos pasos para prevenir la contaminación del aire, especialmente en días en que la calidad del aire es deficiente.

¡Cosas que todos podemos hacer!

1. Tomar transporte público
2. Ahorrar energía en los hogares
3. Reciclar

En días de mala calidad del aire, Estas acciones son especialmente eficaces:

1. Compartir el auto con los amigos
2. No utilice equipo de césped a gas
3. Evite manejar por las ventanillas de auto servicios.

A horizontal banner with a blue background. On the left side, there are several overlapping, semi-transparent blue shapes that resemble stylized leaves or petals. The text is positioned on the right side of the banner.

Appendix C: Examples of Translated Materials for Area-Specific Project



HEALTHY FOOD



WHAT *would* YOU *like* THE CITY *to do* to make YOUR COMMUNITY HEALTHIER? (CHOOSE TWO)

- Make it easier to buy healthy food
- Make it easier to get to a grocery store
- Improve the look of corner stores
- Help people learn how to cook healthy meals
- Reduce the number of ads promoting unhealthy foods
- Make it easier to grow your own food
- My own idea: _____



COMIDA SALUDABLE



¿QUÉ *le gustaría* QUE HICIERA *la ciudad* PARA QUE SU COMUNIDAD FUERA MÁS SANA? (ELIJA DOSE)

- Facilitar la compra de comida saludable
- Facilitar los traslados a tiendas de víveres
- Mejorar el aspecto de las tiendas de conveniencia
- Ayudar a las personas a aprender a cocinar comidas saludables
- Reducir la cantidad de anuncios que promueven comidas poco saludables
- Facilitar el cultivo propio de alimentos
- Mi propia idea: _____

萬安大街公開會議 VINE STREET OPEN HOUSE



REVIVING VINE
@dvrpc

COME JOIN US TO
SHAPE THE FUTURE
OF VINE STREET!

Thursday, April 12, 2018 | 6:00 PM - 8:00 PM
Holy Redeemer School | Theresa Hu Center
915 Vine Street | Philadelphia, PA 19107

Presentations begin at 6:15 PM and 7:15 PM
Learn more at: www.dvrpc.org/Corridors/Vine
Email: public_affairs@dvrpc.org | Call: (215) 592-1800

Chinese and Spanish interpretation available
Habrá intérpretes de español

DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes in all activities. DVRPC public meetings are always held in ADA-accessible facilities, and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a public meeting. For more information, visit www.dvrpc.org/GetInvolved/TitleVI.

加入我們
一起創造
萬安大街的未來!

2018年4月12日, 星期四 | 晚上 6:00 - 8:00
費城華人天主教堂暨培德學校 | Theresa Hu 中心
915 萬安街 | 費城 PA 19107

演講開始時間為晚上 6:15 和 晚上 7:15。
請瀏覽以下連結瞭解詳情: www.dvrpc.org/Corridors/Vine
電子郵件: public_affairs@dvrpc.org | 電話號碼: (215) 592-1800

提供中文和西班牙語口譯服務
Habrá intérpretes de español

德拉瓦地區規劃委員會 (DVRPC) 展開的所有活動均完全符合 1964 年《民權法案》第六章以及相關非歧視性法規的要求。DVRPC 的公開會議始終在設有殘障人士無障礙入口的場所召開, 並盡可能選擇交通便利的地點, 我們可向個人提供輔助服務, 需要服務的個人需在公開會議召開前至少 7 天提交申請。有關更多資訊, 請瀏覽 www.dvrpc.org/GetInvolved/TitleVI。



VINE STREET OPEN HOUSE
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public_affairs@dvrpc.org | 215-592-1800

Limited English Proficiency Plan

Publication Number: TR19014

Date Published: October 2019

Geographic Area Covered:

The nine-county DVRPC planning area, which covers the counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania, and Burlington, Camden, Gloucester, and Mercer in New Jersey.

Key Words:

Civil Rights, commission, compliance, engagement, core planning documents, Executive Order, federal mandates, four-factor analysis, interpretation, LEP, language access, Limited English Proficiency, meaningful access, nondiscrimination, participation, public outreach, reasonable steps, translation, vital documents

Abstract:

The Delaware Valley Regional Planning Commission (DVRPC) is committed to upholding the principles and intentions of the 1964 Civil Rights Act and related nondiscrimination mandates in all of the Commission’s work, including publications, products, communications, public input, and decision-making processes. Language barriers may prohibit people who are Limited in English Proficiency (also known as LEP persons) from obtaining services, information, or participating in public planning processes. To better identify LEP populations and thoroughly evaluate the Commission’s efforts to provide meaningful access, DVRPC has produced this Limited English Proficiency Plan. This document follows the United States Department of Transportation’s policy guidance to conduct a four-factor analysis and create a five-step implementation plan.

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Appendix F – Title VI Certification for Subrecipients

See the next page for the subrecipient form.



Title VI Certification for Subrecipients

All subrecipient and grantees of DVRPC must ensure that no person in the United States, on the grounds of race, color, national origin, sex, age, or disability be excluded from participating in, denied the benefits of, or be subject to discrimination under any project, program or activity funded in whole or in part through grants or funding as pursuant to Title VI of the 1964 Civil Rights Act and other related nondiscrimination laws and regulations. In accordance with FTA C 4702.1B, this form must be completed by any entity planning to enter into a subrecipient relationship with DVRPC. The purpose of this form is to collect information about your entity's Title VI and nondiscrimination practices prior to issuance of a grant award document or funding. Information may also be used as part of sub-award monitoring activities and/or to identify technical assistance needed to strengthen operations.

Please return the completed Title VI Certification for Subrecipients to: public_affairs@dvrpc.org

1. Subrecipient Contact Information:
Entity Name: <hr/>
Address: <hr/> <hr/>
Contact Name/Title: <hr/>
Phone: <hr/>
Email: <hr/>
2. Type of Entity (check one):
<input type="checkbox"/> Local Government <input type="checkbox"/> Non-Profit Organization
<input type="checkbox"/> Transit Agency <input type="checkbox"/> Other
3. Start date and end date of your current fiscal year?
4. As a condition of receiving any federal financial assistance from DVRPC, subrecipients must comply with Title VI of the Civil Rights Act of 1964 and other pertinent nondiscrimination directives by affirming that no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity of your organization and further affirm that your entity will promptly take any measures necessary to effectuate this agreement.
<input type="checkbox"/> Yes, we understand and affirm compliance with Title VI of the Civil Rights Act and other pertinent nondiscrimination directives.
<input type="checkbox"/> No, we do not affirm compliance.



Title VI Certification for Subrecipients

5. Does your organization have a Title VI Compliance Plan or abide by DVRPC's Title VI Compliance Plan?

Yes, we have our own Title VI Compliance Plan and will provide an electronic copy of our entity's Title VI Compliance Plan to DVRPC when returning this form.

Yes, we abide by DVRPC's Title VI Compliance Plan: <https://www.dvrpc.org/Products/TM14010/>.

No, we will not abide by DVRPC's Title VI Compliance Plan, nor do we have our own Title VI Compliance Plan

6. Has your organization had any Civil Rights complaints, investigations, and/or lawsuits in the last years?

Yes

No

If yes, please explain the Title VI complaint(s), investigation(s), and/or lawsuit(s) below including date(s), status, action(s) taken, and outcome(s). Please submit any supporting documentation.

Authorized Official Certification:

I hereby acknowledge and certify that the information contained in this Title VI certification is true and correct and that our entity understands and accepts responsibility for maintaining compliance with the provisions of the applicable federal acts and other related nondiscrimination requirements for all federal funded programs and/or activities.

Signature

Date

Name and Title (PRINT)

Phone: _____

Email: _____

Appendix G – Self-certification resolution

See the next page for a pdf of self-certification resolution.

RESOLUTION No. B-FY23-004

by the Board of the Delaware Valley Regional Planning Commission (DVRPC)

DVRPC SELF CERTIFICATION OF THE METROPOLITAN TRANSPORTATION PLANNING and PROGRAMMING PROCESS

WHEREAS, the US DOT Metropolitan Transportation Planning and Programming Regulations (23 CFR Part 450 Subpart C and 49 CFR Part 613 Subpart A) which implement the planning provisions of 23 USC Section 134 and 49 U.S.C. Section 5303, requires the Metropolitan Planning Organization (MPO) to certify, concurrent with the submittal of the Transportation Improvement Program (TIP), that its transportation planning and programming process is in conformance with all applicable federal laws and regulations; and

WHEREAS, the Federal Planning and Programming Regulations (23 U.S.C. 134 (c)(3)) which require the MPO to carry out a continuing, cooperative, and comprehensive performance-based multimodal transportation planning and programming process have been met; and

WHEREAS, in nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504 and 7506 (c) and (d)) and 40 CFR Part 93, which require an air quality implementation plan that will bring the Metropolitan Area into conformance with requirements of the Clean Air Act; and require that the MPO not approve any project, program, or plan which does not conform to the aforementioned implementation plan, have been met; and

WHEREAS, individuals, affected public agencies, representatives of transportation agency employees, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators and employer-based commuting programs), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties were provided with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, the TIP has been financially constrained as required by 23 CFR 450.326(j) of the Planning Regulations and FTA policy on the documentation of financial capacity published in FTA Circular 7008.1A, and it includes a financial plan that demonstrates how the TIP can be implemented, indicates resources from both public and private sources that are reasonably expected to be available, and DVRPC is supportive of innovative financing techniques; and

WHEREAS, the Congestion Management Process (CMP) requirements of 23 CFR 450.322 for non-attainment Transportation Management Areas have been met; and

WHEREAS, 23 U.S.C. 150, 23 CFR Part 450 and 49 CFR part 613 requires an MPO to establish and use a performance-based approach to transportation decision making, DVRPC continues to work with its partners to integrate performance measures and targets into the development of the Long-Range Plan, the TIP, the CMP, and other appropriate regional planning documents in accordance with federal and state statutes and guidance; and

WHEREAS, 49 U.S.C. 5310 and FTA C 9070.1G require the collaborative development of a Coordinated Public Transit-Human Services Transportation Plan (CHSTP) which follows the update cycle of the metropolitan long-range plan, and DVRPC's state, county, and transit agency partners rely on DVRPC as the steward of the Coordinated Plan for our region, and the Coordinated Plan of record for our Pennsylvania counties, DVRPC convenes our partners to maintain an updated plan (currently titled Equity Through Access) on the required cycle; and

WHEREAS, the Fixing America's Surface Transportation (FAST) Act (PL 114-94), of December 4, 2015 added two new planning factors to the scope of the metropolitan planning process that MPOs shall consider: Section 450.306 (b)(9) – improve resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and Section 450.306 (b)(10) – enhance travel and tourism, DVRPC continues to work with its partners to incorporate these newest factors into the planning process while continuing to incorporate all ten Planning Factors into the planning process; and

WHEREAS, the provision of 49 CFR Part 20 regarding restrictions on lobbying – that no Federal appropriated funds have been paid or will be paid, by or on behalf of the commission – have been met; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 as amended (42 U.S.C. § 2000d-1), Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964 (28 C.F.R. section 50.3), and the Title VI assurances executed by each state under 23 U.S.C. Section 324 and under 29 U.S.C. 794 have been met and the requirements of Executive Order # 12898 (Federal Order to Address Environmental Justice in Minority Populations and Low-Income Populations) are being addressed; and

WHEREAS, all activities are carried out in accordance with 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity; and

WHEREAS, all activities are carried out in accordance with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38, the Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age; Section 324 of Title 23 U.S.C. regarding the prohibition of discrimination based on gender; and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities; and

WHEREAS, all activities are carried out in accordance with Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects; and

WHEREAS, all activities are carried out in accordance with 23 CFR Part 230 and 49 CFR Part 21 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highways construction contracts; and

WHEREAS, the Commission has developed and implemented a system to provide services to those with Limited English Proficiency (LEP) so persons can have meaningful access to the Commission's services as required by Executive Order #13166 (Improving Access to Services for Persons with Limited English Proficiency) are being addressed; and

WHEREAS, on October 12-13, 2022, FTA and FHWA conducted the four-year Federal Certification Review of DVRPC's metropolitan transportation planning process for the Philadelphia urbanized area, and certified DVRPC's process on February 15, 2023; and

WHEREAS, provisions of 23 CFR Part 450.310 (d) (1) (ii) and 49 CFR Part 613.100, require MPOs policy boards to include officials of public agencies that provide public transportation, DVRPC elects to continue to use the exception provision specified in 23 CFR Part 450.310 (d) (4) by reaffirming Board Resolution B-FY-15-004, while continuing to include SEPTA, NJ Transit and DRPA/PATCO as participating, non-voting members of the Board and as voting members of DVRPC's Regional Technical Committee and, continuing to provide an explicit opportunity for transit agency comment during Board meetings for every agenda Action Item; and

WHEREAS, DVRPC certifies that it qualifies for the exception referred to above by meeting the specification which states: the MPO operates pursuant to a state law that was in effect on or before December 18, 1991; and

WHEREAS, DVRPC recognizes the federal standards that are in place, but strives to exceed those standards, whenever possible, to ensure the health of the region's residents and the sustainability of the Delaware Valley.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with 23 CFR 450.336, the Delaware Valley Regional Planning Commission, the Metropolitan Planning Organization for the nine-county Philadelphia, Camden, and Trenton metropolitan areas, certifies that the metropolitan transportation planning and programming process is being carried out in conformance with all applicable federal requirements and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged or underserved, has been followed in developing all plans and programs.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the respective Departments of Transportation of Pennsylvania and New Jersey for inclusion with the State certification that the planning process complies with FHWA/FTA joint regulations on Metropolitan Transportation Planning and Programming.

I certify that this is a true and correct copy of Resolution No. B-FY23-004

Renee Wise, Recording Secretary

Appendix H – Board adoption of DVRPC’s Title VI Program

See the next page for a pdf of the January 2024 Board meeting minutes, which includes the adoption of DVRPC’s Title VI Program.

Board Meeting Minutes

January 25, 2024 | Online Meeting

ATTENDEES & REPRESENTATIVES PRESENT

New Jersey Department of Transportation, **Eric Powers**
New Jersey Department of Community Affairs, **Keith Henderson**
New Jersey Governor's Appointee, **Ed Potosnak**
Pennsylvania Department of Transportation, **David Alas**
Pennsylvania Governor's Appointee, **Jonathan Korus**
Pennsylvania Governor's Policy & Planning Office, **Anthony Luker**
Burlington County, **Tom Stanuikynas**
Camden County, **Ilene Lampitt**
Gloucester County, **Nick Cressman**
Mercer County, **Leslie Floyd**
Bucks County, **Robert Harvie**
Chester County, **Josh Maxwell**
Delaware County, **Gina Burritt**
Montgomery County, **Matt Edmond**
City of Camden, **June Morton**
City of Trenton, **Michael Kolber**
City of Chester, *(not represented)*
City of Philadelphia, **Chris Puchalsky**

NON-VOTING MEMBERS

Federal Highway Administration, New Jersey Division, **Jason Simmons**
Federal Highway Administration, PA Pennsylvania Division, **Gene Porochniak**
U.S. Department of Housing and Urban Development, Region III, *(not represented)*
U.S. Environmental Protection Agency, Region II, *(not represented)*
U.S. Environmental Protection Agency, Region III, *(not represented)*
Federal Transit Administration, Region III, *(not represented)*
Southeastern Pennsylvania Transportation Authority, **Jody Holton**
New Jersey Transit Corporation, **Lou Millan**
New Jersey Department of Environmental Protection, *(not represented)*
Pennsylvania Department of Environmental Protection, *(not represented)*
Delaware River Port Authority, **Tonyelle Cook-Artis**
Port Authority Transit Corporation, **Rohan Hepkins**
New Jersey Office of Planning Advocacy, **Donna Rendeiro**
Pennsylvania Department of Community and Economic Development, **Michael Shorr**

DVRPC CO-COUNSEL

Pennsylvania Co-Counsel: **Jonathan Bloom**
New Jersey Co-Counsel: **Stephen Raymond**

GUESTS

Bucks County, Richard Brahler
Bucks County, Evan Stone
Chester County, Brian O'Leary
Gloucester County, Jackie Huston

Gloucester County, Bill Fleming, Jacqueline Houston
Mercer County, Matt Lawson
Montgomery County, Matt Popek
New Jersey Department of Transportation, Suzanne Tomlinson
Philadelphia City Planning Commission
PPTF, Lee Wolfe
PPTF, Jerrett Johnson
PPTF, Mary Ann Sandone
Mark Matthews

DVRPC STAFF

Ariella Maron, Alyssa Driscoll, Renee Wise, Jackie Davis, Windeline Desir, Jesse Buerk, Travis Spotts, Najah Jackson, Alison Hastings, Gina Myers, Elise Turner, Shoshana Akins, Najah Jackson, Patty Elkins, Jason Crouch, Richard Murphy, Ethan Fogg,, Brad Lane, Van Doan, Betsy Mastaglio, Brett Fusco, Mike Boyer, Paul Smith, Shawn Megill Legendre, Alyson Dressman, Christopher Mulroy, Kevin Murphy, Shereen McKellar, Spencer Gober, Joe Banks, Bill Laidlaw, Tom Edinger, Karin Morris, Tammy DiMeo, Greg Diebold, Tyrell Powell, Maria Meraz, Matthew Galenas, Mark Morley, Karen Cilurso, Dan Snyder, Anthony Gordon.

CALL TO ORDER: CHAIR'S COMMENTS

Chair Eric Powers called the meeting to order at 10:01 a.m. Chair Powers said he was pleased to be meeting with everyone virtually after a month of events, citing holidays, weather, and an averted government shutdown, before expressing anticipation of the in-person Board Retreat coming next month.

Executive Director's Report

- a. *Transportation & Community Development Initiative (TCDI)*- DVRPC is currently accepting applications until March 27, 2024, for the FY2025 round. Funding will be available July 1, 2024. The TCDI grant program supports local planning initiatives aligning with *Connections 2050*, allocating up to \$1.2 million without requiring a local match. [\[TCDI\]](#)
- b. *PA TASA Technical Assistance Program*– This program is for technical assistance in creating pipeline projects that are eligible and ready for future rounds of PA Transportation Alternatives Set-Aside (TASA) funding, ideally for the Summer 2025 cycle. This technical assistance opportunity was first made available to disadvantaged communities and is now open to any other local southeastern PA jurisdictions.
- c. *Board Retreat*- The 2024 DVRPC Board Retreat will be held in Burlington County on Tuesday, February 27, with the theme of Scaling Up: From Local to Regional.
- d. *Publications*- Focused on three municipalities in Burlington County, the *Downtown Access in Burlington County Plan* identifies common challenges and design treatments that can be made to support connectivity, access and safety for pedestrians and bicyclists. [\[Downtown Access in Burlington County Plan\]](#)
- e. *Events* - The E-Micro Mobility Summit scheduled for February 8, at 9:30am is available to listen in via Zoom. [\[Register Here\]](#)
- f. *Grant Opportunities* - There are two opportunities to join a regional application for the U.S. EPA Climate Pollution Reduction Grant Program Implementation Funding, due April 1. Projects that align with DVRPC's Priority Climate Action Plan should be considered for submission to one of the following two regional applications.
 - i. The Philadelphia Energy Authority is soliciting information on projects and programs for a coalition application covering southeast PA. Proposals are due at 5pm ET on Friday February 16, 2024. [\[PEA's Request for Information\]](#)
 - ii. NJ DEP is soliciting information for a potential coalition application related to school bus electrification and related charging infrastructure and/or microgrids. [\[Survey for](#)

Public Comments on Agenda and Non-Agenda Items

There were three public comments submitted prior to the meeting: two on Board action items and one on a non-action item. There were no public comments during the meeting.

ACTION ITEMS

1. Meeting Minutes of December 6, 2023

ACTION: Approve minutes of the Board Meeting on December 6, 2023.

MOTION by Ms. Lampitt, seconded by Mr. Harvie. All votes were cast in favor of the motion. Motion passed.

2. Transportation Improvement Program (TIP) Actions

Richard Murphy, DVRPC, Manager, Office of TIP Development and Maintenance, presented the proposed TIP Actions to the Board. [PRESENTATION](#) Note that several Action Items were combined for discussion and voting purposes.

- a. NJ24-002: Porchtown Road (CR 613) Bridge over Still Run at Iona Lake (DB #D2216), Gloucester County [Action Item Description](#)

Public comments were submitted by Mark Matthews [\[Comment\]](#)

ACTION: Approve TIP Action NJ24-002, Gloucester County's request that DVRPC amend the FY2024 TIP for New Jersey by removing the Porchtown Road (CR 613) Bridge over Still Run at Iona Lake (DB #D2216) project from the TIP in amount of \$3.9 M STATE-DVRPC (\$0.400 M 17-STATE-DVRPC FY24 Preliminary Engineering (PE) Phase/\$0.500 M (\$0.196 M 17-STATE-DVRPC/\$0.304 M 18-STATE-DVRPC) FY25 Final Design (FD) Phase/\$3 M 18-STATE-DVRPC FY26 Construction (CON) Phase).

MOTION by Mr. Potosnak, seconded by Ms. Lampitt. All votes were cast in favor of the motion. Motion passed.

- b. NJ24-003: Hightstown Road Improvements, CR 571-Phase 1 (DB #D0701), Mercer County [Action Item Description](#)
- c. NJ24-004: CR 581 (Commissioners Road), Bridge over Oldman's Creek (DB #D1906), Gloucester County [Action Item Description](#)

Public comments were submitted by Mark Matthews [\[Comment\]](#)

ACTIONS:

- Approve TIP Action NJ24-003, Mercer County's request that DVRPC amend the FY2024 TIP for New Jersey by adding the Hightstown Road Improvements, CR 571-Phase 1 (DB #D0701) project back into the TIP for Construction (CON) in the amount of \$9.923 M 18-STATE-DVRPC in FY25.
- Approve TIP Action NJ24-004, Gloucester County's request that DVRPC amend the FY2024 TIP for New Jersey by adding the CR 581 (Commissioners Road), Bridge over Oldman's Creek project back into the TIP for Construction (CON) in the amount of \$3.095 M 17-STATE-DVRPC in FY24.

MOTION by Ms. Floyd, seconded by Mr. Fleming. All votes were cast in favor of the motion. Motion passed.

- d. NJ24-005: Mount Ephraim Avenue Safety Improvements, Ferry Avenue (CR 603) to Haddon Avenue (CR 561) (DB #D1914), Camden County [Action Item Description](#)

- e. NJ24-006: Sicklerville Road (CR 705) and Erial Road (CR 706) Systemic Roundabout (DB #D1913), Camden County [Action Item Description](#)
- f. NJ24-007: Parkway Avenue (CR 634), Scotch Road (CR 611) to Route 31 (Pennington Road) (DB #D1910), Mercer County [Action Item Description](#)

ACTIONS:

- Approve TIP Action NJ24-005, DVRPC Staff's request that the DVRPC Board amend the FY2024 TIP for New Jersey by moving the Mount Ephraim Avenue Safety Improvements, Ferry Avenue (CR 603) to Haddon Avenue (CR 561) (DB #D1914) project into the Local Safety/High Risk Rural Roads (HRRR) Program (DB #04314) line item and funding the project's \$10.573 M (\$9.835 M STBGP-PHILA/\$0.738 M HSIP) Construction and Final Design cost with 100% Highway Safety Improvement Program (HSIP) funds.
- Approve TIP Action NJ24-006, DVRPC Staff's request that the DVRPC Board amend the FY2024 TIP for New Jersey by moving the Sicklerville Road (CR 705) and Erial Road (CR 706) Systemic Roundabout (DB #D1913) project into the Local Safety/High Risk Rural Roads (HRRR) Program (DB #04314) line item and funding the project's \$1.777 M (\$1.1018 M STBGP-PHILA/\$0.759 M HSIP) Construction and Design cost with 100% Highway Safety Improvement Program (HSIP) funds.
- Approve TIP Action NJ24-007, DVRPC Staff's request that the DVRPC Board amend the FY2024 TIP for New Jersey by moving the Parkway Avenue (CR 634), Scotch Road (CR 611) to Route 31 (Pennington Road) (DB #D1910) project and the \$6.956 M HSIP funding programmed in DB #D1910 into the Local Safety/ High Risk Rural Roads (HRRR) Program (DB #04314) line item and funding the project's \$6.956 M HSIP Construction cost with 100% Highway Safety Improvement Program (HSIP) funds.

MOTION by Ms. Morton, seconded by Ms. Floyd. All votes were cast in favor of the motion. Motion passed.

- g. NJ24-008: Gloucester County Multi-Purpose Trail Extension - Glassboro Elk Trail (DB #D1203), Gloucester County [Action Item Description](#)
- h. NJ24-009: ADA Improvements, Contract 1 (DB #D1505A), Camden County [Action Item Description](#)
- i. NJ24-010: County 2011 Guide Rail Design Project No. 1 (CR 600, CR 613 and CR 623) (DB #D2206), Burlington County [Action Item Description](#)

ACTIONS:

- Approve TIP Action NJ24-008, Gloucester County's request that DVRPC amend the FY2024 TIP for New Jersey by adding the Gloucester County Multi-Purpose Trail Extension - Glassboro Elk Trail (DB #D1203) project back into the TIP for Construction (CON) for a total amount of \$5.28 M STBGP-PHILA (FY25: \$0.5 M/FY26: \$0.676 M/FY27: \$2.183 M/FY28: \$0.861 M/FY29: \$0.56 M/FY30: \$0.5 M).
- Approve TIP Action NJ24-009, the City of Camden's request that DVRPC amend the FY2024 TIP for New Jersey by adding the ADA Improvements, Contract 1 (DB #D1505A) project back into the TIP for Construction (CON) in the total amount of \$3.75 M STBGP-PHILA (FY25: \$0.255 M/FY26: \$0.5 M/FY27: \$0.217 M/FY28: \$0.5 M/FY29: \$1.0 M/FY30: \$1.278 M).
- Approve TIP Action NJ24-010, Burlington County's request that DVRPC amend the FY2024 TIP for New Jersey by adding the County 2011 Guide Rail Design Project No. 1 (CR 600, CR 613 and CR 623) (DB #D2206) back into the TIP for Construction (CON) in FY24 in the amount of \$0.5 M STBGP-PHILA.

MOTION by Ms. Morton, seconded by Mr. Fleming. All votes were cast in favor of the motion. Motion passed.

- j. PA23-87: Transit and Regional Rail Station Program (MPMS #77183), SEPTA [Action Item Description](#)

Board Discussion: Mr. Harvie clarified that the Board packet should read that the station's new platforms are proposed to be 600 feet long. Ms. Holton from SEPTA stated that they were excited to receive this funding. The project is expected to reduce dwell times, improve access, and the funding is helpful for the operating budget.

ACTION: Approve TIP Action PA23-87, SEPTA's request that DVRPC amend the FY2023 TIP for Pennsylvania by adding a new project, the Cornwells Heights Station Project, to the Transit and Regional Rail Station Program (MPMS #77183) in the amount of \$30,500,000 FRA ICR funding for the FY24 ERC phase.

MOTION by Mr. Harvie, seconded by Mr. Edmond. All votes were cast in favor of the motion. Motion passed.

- k. PA23-88: Vehicle Overhaul Program (MPMS #60582), SEPTA [Action Item Description](#)

- l. PA23-89: Safety and Security Improvements (MPMS #107011), SEPTA [Action Item Description](#)

ACTIONS:

- Approve TIP Action PA23-88, SEPTA's request that DVRPC amend the FY2023 TIP for Pennsylvania by adding the Zero Emission Bus Retrofit Pilot project to the description of the Vehicle Overhaul program (MPMS #60582).
- Approve TIP Action PA23-89, SEPTA's request that DVRPC amend the FY2023 TIP for Pennsylvania by adding the Light Rail Vehicle Collision Avoidance System project to the description of the Safety and Security Improvements program (MPMS #107011).

MOTION by Ms. Lampitt, seconded by Mr. Puchalsky. All votes were cast in favor of the motion. Motion passed.

3. DVRPC's Title VI Plan

Alison Hastings, DVRPC Associate Director of Communications and Engagement, and Shoshana Akins, DVRPC Manager of Public Participation Planning, presented the following action to the Board. [Action Item Description](#) [PRESENTATION \(slide 31\)](#)

ACTION: Adopt DVRPC's Title VI Implementation Plan to keep DVRPC in compliance with Title VI of the Civil Rights Act and other nondiscrimination mandates.

MOTION by Ms. Morton, seconded by Ms. Floyd. All votes were cast in favor of the motion. Motion passed.

4. PA Transportation Alternatives Set-Aside (TASA) Regionally Selected and Recommended Statewide Projects

Joe Banks, DVRPC Office of PA Project Implementation, presented the following action to the Board. [Action Item Description](#) [PRESENTATION \(slide 46\)](#)

ACTION:

- Approve the list of projects identified to be funded with the DVRPC regional sub-allocation of Transportation Alternatives Set-Aside Program funds, and that the list of projects be amended into the FY2023 PA TIP (TIP Action PA23-91) for \$15,465,780 TAU in the Transportation Alternatives Line Item – MPMS #64984 (funding for individual projects will be drawn down at the appropriate time)
- Approve the TASA subcommittee's recommended statewide TASA list of projects be sent to PennDOT Central Office for consideration for funding as part of the statewide TASA selection process.

MOTION by Mr. Harvie, seconded by Mr. Edmond. All votes were cast in favor of the motion. Motion passed.

5. FY24 Work Program Amendment - Technical Assistance and Coordination of New Jersey CRRSAA Funding

Patty Elkis, DVRPC Deputy Executive Director, presented the following action to the Board. [Action Item Description PRESENTATION \(slide 55\)](#)

ACTION: Approve amending the FY24 UPWP by adding \$700,000 from the CRRSAA funds to project 23-23-081 Technical Assistance and Coordination of New Jersey CRRSAA Funding, to cover costs associated with hiring and managing consultants to support the counties' capacity to conduct planning initiatives.

MOTION by Mr. Stanuikynas, seconded by Mr. Cressman. All votes were cast in favor of the motion. Motion passed.

6. Adoption of DVRPC FY 2025 Unified Planning Work Program and TIP Amendments

Patty Elkis, DVRPC Deputy Executive Director, presented the following actions to the Board. [Action Item Description PRESENTATION \(slide 61\)](#)

ACTIONS:

- Adopt the Final DVRPC FY25 Unified Planning Work Program, pending the resolution of any outstanding comments and issues.
- Approve the listed actions to amend or modify the FFY2024 TIP for New Jersey and the FFY2023 TIP for Pennsylvania to support projects in the FY25 UPWP, as required.
- Adopt resolution B-FY24-004.

MOTION by Ms. Lampitt, seconded by Mr. Stanuikynas. All votes were cast in favor of the motion. Motion passed.

DISCUSSION ITEMS

7. One Minute Reports

Eric Powers, NJDOT, reported he is looking forward to seeing everyone at the Board Retreat.

Ed Potosnak, NJ Governor's Appointee, discussed New Jersey Transit's proposal to implement a 15% fare increase on March 3. He personally advocated for affordable public transportation, suggesting that it should ideally be low to no-cost. Mr. Potosnak highlighted the absence of fare hikes over the past 8 years and acknowledged the shifts in ridership patterns. Expressing concern about the financial impact on commuters and the sustainability of the transit system, Mr. Potosnak hoped for viable solutions to address these challenges.

Tom Stanuikynas, Burlington County, expressed thanks to DVRPC staff for their help on several projects within the last few months.

Ilene Lampitt, Camden County, also thanked DVRPC for their assistance and patience as she enters her second year on the Board.

Nick Cressman, Gloucester County, thanked Patty Elkis and other DVRPC staff members for their work regarding the CRRSAA Funds.

Bill Fleming, Gloucester County, added information about the Gloucester County Light Rail project, which is currently in the preliminary engineering phase. Mr. Fleming referenced Shoshana Akins' Title VI presentation when discussing the light rail project goals to address several DVRPC priorities, including environmental justice. The project will provide access to those in Philadelphia and Camden to work and educational opportunities without having to utilize cars. He invited members to support the project if they're given the opportunity to do so. [\[GCL Project Timeline\]](#)

Leslie Floyd, Mercer County, echoed thanks to DVRPC for help in allocating the CRRSAA Funds and expressed excitement for the Board Retreat in February.

David Alas, PennDOT, expressed thanks for patience as he adjusts to a new position. He is looking forward to working with DVRPC and the Board members.

Robert Harvie, Bucks County, reported that the planning commission recently unveiled the Bucks County 2040 Vision Plan. This comprehensive initiative incorporates 2020 census data and insights from a resident survey, addressing both positive and negative aspects of the county. Anticipating a housing summit, they aim to tackle the scarcity of attainable workforce housing.

Josh Maxwell, Chester County, noted that his team is working on a watersheds plan for 2045 and a solar conference. [\[Chester County Watersheds Plan 2045\]](#) [\[Solar Conference\]](#)

Gina Burritt, Delaware County, mentioned a new Safety Ambassador Program that is a part of the Vision Zero Delaware County Wide Safety Action Plan. The ambassadors, who live along the high-injury corridors in the county, will help to educate, obtain feedback from their communities, and advocate for safety recommendations. Ms. Burritt highlighted the excitement from their first meeting, and she offered to give updates as the program progresses.

Matt Edmond, Montgomery County, highlighted an event from Health Spark on Monday February 12, at Bryn Mawr College that focuses on taking action on homelessness and affordable housing in Montgomery County. [\[Meeting the Moment: Taking Action on Homelessness and Affordable Housing in Montgomery County\]](#)

Christopher Pulchalsky, City of Philadelphia, updated everyone on the transition to a new administration under Mayor Cherelle Parker, who is the 100th mayor of Philadelphia and the first woman mayor in Philadelphia History. He will keep DVRPC up to date on relevant changes as they develop.

Jody Holton, SEPTA, announced that after two years of public engagement, the SEPTA Board planned to vote on the adoption of the proposed bus network redesign. The goal of the plan is to prioritize customer experience by improving access to more frequent and reliable bus routes. SEPTA is also starting their FY25 budget development process. Emphasizing the critical need for local, state, and federal funding, she addressed the potential necessity of service cuts and fare increases across all modes if additional funding is not secured, particularly for the operating budget. The Board was informed of efforts to develop a plan that may involve 20% service cuts and a 30% fare increase, with a proposed timeline for implementation starting in fall 2024. More information about this plan is expected to be provided in March 2024.

Louis Millan, NJ Transit, provided an update on ridership levels, noting consistent seasonal fluctuations. However, he highlighted a concerning overall decline in the ridership base. Discussing the financial challenges inherent in transit operations, Mr. Millan clarified that transit is a deficit business, reliant on subsidies and fare revenue. The industry, including NJ Transit, faces the imminent end of Federal COVID relief funds, posing a significant challenge. NJ Transit has announced a 15% fare increase to be able to sustain service levels. Public hearings on this matter are set to begin in early March, and Mr. Millan encouraged interested parties to visit the New Jersey Transit website for additional information on the fare increase. [\[New Jersey Transit\]](#)

Rohan Hepkins, PATCO, reported that the Franklin Square Station is on schedule to open in the summer of 2024. He recognized that the station will be operational in time for America's 250 anniversary in 2026, as it was during the bicentennial 50 years ago.

Tonyelle Cook-Artis, DRPA, announced that she will be leaving the DRPA to be the Chief Administrator to the Mayor of the City of Philadelphia. She expressed gratitude towards DVRPC's mission and teams with whom she has worked over the past six years.

Gene Porochniak, FHWA-PA, updated the Board on the recent publication of the Greenhouse Gas Emissions Performance Measure final rule by the Federal Highway in December. The rule, effective since January 8, 2024, requires PennDOT to submit a statewide target for this measure by February 1. Metropolitan Planning Organizations (MPOs) in collaboration with their partners will now be required to set targets for urbanized areas. Mr. Porochniak shared additional resources, including the Federal

Highway's final rule and the adoption of the eleventh edition of the Manual on Uniform Traffic Control Devices (MUTCD). He also mentioned a new resource on benefit-cost analysis guidance for discretionary grant programs. [\[Greenhouse Gas Performance Measure\]](#) [\[Transportation Performance Management Rulemakings\]](#) [\[MUTCD 11th Edition\]](#) [\[Benefit-Cost Analysis Guidance for Discretionary Grants\]](#)

Donna Rendeiro, New Jersey Office of Planning Advocacy, informed the Board that the formal process for the State Plan commenced on January 12, after six months of informal work gathering public input and collaborating with State agency and county partners. A mailing, including 3,500 notices, was sent out on January 14, to various entities, with anticipation for the preliminary plan to be issued in April. Ms. Rendeiro highlighted the collaborative efforts with counties and interagency partners.

Michael Shorr, PA DCED, gave updates on two opportunities. The Commonwealth Financing Authority (CFA) approved Act 13 programs, which funds greenways, trails, and recreational programs, will reopen for applications on February 1. The Multimodal Transportation Fund will be open for applications starting March 1, through July 31. [\[CFA Act 13 Programs\]](#) [\[Multimodal Transportation Fund\]](#) [\[CFA Application Schedule\]](#)

8. Committee Reports

- a. [Regional Technical Committee](#)
- b. [Regional Safety Task Force](#)

OLD BUSINESS

None

NEW BUSINESS

None

ACTION: *Adjourn the Board meeting and move into the Executive Session.*

MOTION by Mr. Cressman, seconded by Ms. Lampitt. Motion passed. All votes were cast in favor of the motion.

DVRPC's Title VI Implementation Program

Publication Number: 23010

Date Published: May 2024

Geographic Area Covered: DVRPC region

Key Words: Civil Rights, Environmental Justice, Indicators of Potential Disadvantage, Title VI

Abstract: As the metropolitan planning organization of the Greater Philadelphia region and recipient of federal funding, the Delaware Valley Regional Planning Commission's (DVRPC) is responsible for maintaining a Title VI Program to guide, define, and demonstrate the implementation of nondiscrimination in DVRPC's Unified Planning Work Program (UPWP), Transportation Improvement Program (TIP), and Long-Range Plan (LRP), as well as its publications, communications, public involvement efforts, and policies. This Title VI Program is submitted to FTA and approved by the Commission's board of directors. The FTA's Title VI Program Checklist was used to create this document and includes the Public Participation Plan and Language Access Plan.

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DVRPC's vision for the Greater Philadelphia Region is a prosperous, innovative, equitable, resilient, and sustainable region that increases mobility choices by investing in a safe and modern transportation system; that protects and preserves our natural resources while creating healthy communities; and that fosters greater opportunities for all.

DVRPC's mission is to achieve this vision by convening the widest array of partners to inform and facilitate data-driven decision-making. We are engaged across the region, and strive to be leaders and innovators, exploring new ideas and creating best practices.



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