

Northeastern Connecticut Council of Governments

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# Public Participation Plan

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Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield,  
Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Voluntown and Woodstock

125 Putnam Pike, Dayville, CT 06241

Phone: 860-774-1253

Fax: 860-779-2056

email: [necogoffices@necog.org](mailto:necogoffices@necog.org)

web site: [necog.org](http://necog.org)

## Annual Certification

This Policy is adopted and approved this 22nd day of August, 2014

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Chair

\_\_\_\_\_

Date

\_\_\_\_\_

Secretary

\_\_\_\_\_

Date

*This policy is intended to be updated and/or affirmed each year at the January Regular Meeting each year or as needed*

## Introduction

The Northeastern Connecticut Council of Governments (NECCOG) has a strong commitment to informing and seeking the advice of the region's residents in transportation planning and the other programs and projects provided by NECCOG. NECCOG's public participation plan is designed to ensure opportunities for the public to express its views and to become active participants in the decision-making process.

NECCOG is one of nine regional councils of governments in Connecticut and one of two rural councils. NECCOG is made up of the towns of Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Voluntown and Woodstock. The organization is a voluntary, statutorily authorized, association of local governments providing a regional forum to discuss issues of mutual interest and develop responses to common needs. NECCOG's member towns are each represented by their respective chief-elected official. NECCOG provides a range of voluntary services and programs - depending on the collective and/or individual needs of our member towns.

In terms of transportation planning, Connecticut Department of Transportation (CONNDOT) is the lead agency. CONNDOT provides planning funds to NECCOG to facilitate the planning process in the Region and assist member towns with transportation projects. In this role NECCOG is required to prepare and submit a Unified Work Plan outlining the activities of NECCOG - including public participation. The "Moving Ahead for Progress in the 21st Century Act" (MAP-21) contains specific language outlining federal requirements regarding public involvement processes and procedures. In general, the MAP-21 legislation built upon previous transportation legislation (ISTEA, TEA-21 and SAFETEA-LU) to provide states and metropolitan planning organizations specific (to which NECCOG is also bound) direction in conducting and promoting broad-based public involvement activities. MAP-21 Legislation (Public Law 112-141) requires state planning organizations to provide citizens, affected public agencies, representatives of public transportation employees, 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 with a reasonable opportunity to comment on the transportation plan.

This Participation Plan is intended to provide direction for public involvement activities to be conducted by NECCOG and contains the policies, objectives, and techniques used by NECCOG for public involvement. In its public participation process, NECCOG will:

- ☑ Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects.
- ☑ Provide reasonable public access to technical and policy information used in the development of the Long Range Transportation Plan other transportation plans and projects, and conduct open public meetings.
- ☑ Give adequate public notice of public participation activities and allow time for public review and comment at key decision points.
- ☑ Solicit the needs of those under-served by existing transportation systems, including but not limited to the transportation disadvantaged, minorities, elderly, persons with disabilities, limited English proficiency, and low-income households. NECCOG shall provide reasonable opportunities for affected public agencies, representatives of public transportation employees, 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 with a reasonable opportunity to comment.
- ☑ Ensure that the requirements of Title VI of the Civil Rights Act of 1964 are met and that appropriate actions are taken during all phases of public involvement to comply with the Americans with Disabilities Act.
- ☑ Evaluate and continuously review the public participation process.

## Title VI/Environmental Justice

NECCOG is committed to compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related regulations and statutes. Section 601 of Title VI of the Civil Rights Act of 1964 declares it to be the policy of the United States that “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”. Consistent with this policy, and in accordance with section 602 of Title VI, codified as amended at 42 U.S.C. § 2000d-1, the Department of Justice promulgated regulations prohibiting recipients of federal funds from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” 28 C.F.R. § 42.104(b)(2). The United States Department of Transportation later promulgated nearly identical regulations - See 49 C.F.R. § 21.5(b) (vii) (2). Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

- ☑ The Uniform Relocation Assistance And Real Property Acquisition Policies Act Of 1970 - which prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- ☑ The Federal Aid Highway Act Of 1973 - which states that no person shall, on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.
- ☑ Section 504 Of The Rehabilitation Act Of 1973 - which states that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.
- ☑ The Age Discrimination Act Of 1975 - which states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in Federally Assisted Programs.

- ☑ The Civil Rights Restoration Act Of 1987, P.L.100-209 Amends Title Vi Of The 1964 Civil Rights Act - which made it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.
- ☑ The American Disabilities Act (Ada) Of 1990 - which prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities and requires involving the community, particularly those with disabilities, in the development and improvement of public services and capital facilities. Meetings and hearings must be held in ADA compliant buildings. Special accommodations must be made to assist those with disabilities to participate in meetings, planning and programming activities.
- ☑ Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency - which requires each federal agency to examine its programs and activities and to develop and to implement plans by which LEP persons can meaningfully access those programs and activities.
- ☑ 23 Cfr Part 200 – Federal Highway Administration Regulations Title Vi Program And Related Statutes – which address Implementation and Review Procedures.
- ☑ Presidential Executive Order 12898, Environmental Justice - Environmental Justice is defined as the “fair treatment of people of all races, cultures and income with respect to development, implementation and enforcement of environmental laws, regulations, programs and policies.” Fair treatment means that no racial, ethnic or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from the operation of industrial, municipal and commercial enterprises and from the execution of federal, state, local, and tribal programs and policies. The Federal Highway Administration articulates three fundamental environmental justice principles:
  - To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
  - To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
  - To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

NECCOG assures that no person or groups(s) of persons shall, on the grounds of race, color, sex, age, national origin, disability/ handicap, and income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination

under any and all programs, services, or activities administered by the NECCOG, regardless of whether those programs and activities are federally funded or not federally funded.

NECCOG also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, NECCOG will provide meaningful access to services for persons with Limited English Proficiency.

Public participation in the transportation planning and programming process is a priority for federal, state and local officials since the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991; its successors.

## Plan Objectives

The NECCOG believes that public input into its process is valuable and makes its products better. Regional transportation planning is intended to provide a two-way process of information and idea-sharing with the public and directly affected communities and the region at large. The NECCOG Participation Plan is designed with the following goals:

- ☑ Open access, effective communication - leading to knowledgeable, informed stakeholders
- ☑ Regional stakeholders engaged early and continuously in a collaborative inclusive accessible transportation planning process

### **Objective 1: Raise the level of understanding of the transportation planning process throughout the region by:**

- ✓ Seeking out under-involved populations within the region, including minority, low income, senior citizen and immobile populations.
- ✓ Targeting different audiences for each planning task, as necessary, including residents, business interests, transit providers, freight-haulers, and underserved and underrepresented populations.
- ✓ Holding public meetings at sites convenient to potentially affected citizens and promoting meetings in a manner appropriate to the population groups from which feedback is desired.

### **Objective 2: Maintain contact with “interested parties” and key stakeholders throughout the transportation planning process. Such a list will include:**

- ✓ Elected Officials & Local Government Staff
- ✓ Transportation Agencies (public, non-profit, private)



- ✓ Local Media
- ✓ Civic & Special Interest Groups
- ✓ Federal, State and local land use management, natural resources, environmental protection, conservation, historic preservation and other environmental agencies
- ✓ Public and private environmental organizations
- ✓ Private Freight Shippers
- ✓ Public transportation providers, including NCTD and social service transportation providers
- ✓ Private Providers of Transportation
- ✓ Representatives of Users of Public Transportation, Pedestrians, and Bicycle
- ✓ Representatives of the Disabled
- ✓ Other interests as may from time-to-time be active and interested in the planning, development and of the transportation network and/or the environment.
- ✓ The COG will, when feasible, electronically mail meeting announcements to the contact list or to targeted groups for upcoming activities.

**Objective 3: The COG will keep the public informed of on-going transportation related activities on a continuous basis, using a variety of written and graphic means.**

- ✓ Employ visual techniques to depict transportation conditions and plans, including charts, graphs, photo interpretation, maps, GIS,

and/or computer simulation.

- ✓ Make all publications and work products available electronically to the public via the NECCOG web site (necog.org) and at the NECCOG offices.
- ✓ Web site will be compliant with Section 508 of the Americans with Disabilities Act for disabled users.
- ✓ Web site shall be updated and maintained to provide the most current and accurate transportation planning information available. The web site will, at a minimum, contain the following information:
  - ✓ Contact information (mailing address, phone, fax, and e-mail)
  - ✓ Meeting calendars and agendas
  - ✓ Work products and publications (STIP, Long Range Transportation Plans, Unified Planning Work Program, Public Participation Plan and Title VI Environmental Justice Plan)
  - ✓ Staff will be reasonably available to provide general and project-specific information at a central location during normal business hours and after hours at the request of community interest groups with reasonable notice.

**Objective 4: NECCOG will strive to continuously improve public participation and will revise this Plan and participation mechanisms as necessary to make them most effective.**

- ✓ This Public Participation Plan will be reviewed and adopted, with revisions if necessary, at least every five (5) years in order to improve the effectiveness of public involvement. Such review and revision will be at least one (1) year prior to LRP update.

## Public Participation Techniques

Public participation is an ongoing activity of the NECCOG transportation planning program, including the regular posting and copying of CONNDOT or regional notices and reports. Public participation is also an integral part of one-time activities such as special corridor studies (i.e., Route 169 National Scenic Byway) and regularly repeated activities such as STIP amendments and the periodic LRP updates. This section contains descriptions of public participation tools currently being used by NECCOG. Techniques discussed include:

- ✓ Website
- ✓ Legal Advertised Notices
- ✓ Press Releases
- ✓ Public Hearings
- ✓ Surveys
- ✓ Public Contacts Database
- ✓ Direct Mailings
- ✓ Project Workshops
- ✓ Comment and Complaint Procedures
- ✓ Partner Agencies
- ✓ Social Media

In using one or more of these techniques, the intent is to expose and engage the public in general or even target certain population groups or neighborhoods and communities to issues and proposals being considered, including, but not limited to:

- ✓ Age, Gender, Education, Income and Race/Ethnic-specific issues and Neighborhoods
- ✓ Potential Environmental areas and issues
- ✓ The various users of all portions of the transportation system in the region

The following are the specific techniques that could be used, but others could be added as necessary. Not all will be used for every communication with the public or every meeting. However, the intent is to provide reasonable information about the transportation planning process, the proposals being considered and the discussions that are taking place.

## **NECCOG Web Site**

The web site will be utilized to provide basic information about the Transportation Planning process, meeting times and contact information. Specifically, it will include work products, such as the drafted and adopted Public Participation Plan, Unified Planning Work Program, STIP and LRP are to be available on the site. The intent is to make the site interactive - allowing comments directly. The site will provide helpful links to other transportation related sites at the local and national level. The web site will be maintained by NECCOG and regularly updated. Additionally, the site will be compliant with Section 508 of the Americans with Disabilities Act for disabled users.

## **Public Contacts Database**

NECCOG will maintain a master database of business, federal, state and local agencies, public bodies and interested individuals that have interest in transportation issues. The database includes mailing information, phone numbers, fax numbers, e-mail addresses and web sites. The database will be used to establish and maintain a list of email contacts for electronic meeting notification and announcements. The database is used to enhance any or all public involvement activities.

## **Legal Advertised Notices**

Notification of all meetings, both regular and special, conform to the requirements of the Freedom of Information Act (CGS Section 1-21). All meeting notices and agendas are sent to the region's municipal clerks, media and other interested parties at least seven days prior to the meeting. Annually, the schedules of all regular meetings of the NECCOG Board for the upcoming calendar year are sent to the Office of Policy and Management (OPM), the Connecticut Department of Transportation (ConnDOT), and to municipal clerks of member towns. An interpreter for the hearing-impaired can be made available if requested at least five working days prior to the meeting.

When NECCOG action is required on the State's TIP or on a TIP amendment, the agenda will include a project number and brief description of the project directly or by reference. Each regular meeting agenda includes an opportunity for public comment, and this is clearly indicated on the agenda that is distributed in advance of the meeting.

All required legal notices will be made in accordance with the Freedom of Information Act to be posted in each town hall, NECCOG's office and in the Norwich Bulletin, Northeast Minority News or other publications as required.

### **Direct Mailings**

Direct mailings will be an infrequent means of communicating with the public. When used, it could announce upcoming meetings or activities or provide information to a targeted area or group of people and are usually letters, but can be postcards or flyers. An area may be targeted for a direct mailing because of potential impacts from a project. Groups are targeted that may have an interest in a specific issue, for example, avid cyclists and pedestrians may be targeted for pathways and trail projects or for bicycle access on roadways to be widened.

### **Press Releases**

Press releases will be sent to the Norwich Bulletin, WINY, New London Day and Willimantic Chronicle to announce upcoming meetings and activities and to provide information on specific issues being considered by NECCOG. When specific communities are affected by transportation plans, local newsletters and media will be sought to communicate the project status.

### **Project Workshops**

These are targeted public meetings that are generally open and informal, with project team members interacting with the public on a one-on-one basis. Short presentations may be given at these meetings, but their intent is to relay project information to the public and to solicit public comment and a sense of public priorities.

Where possible, workshops will be held in places that are convenient to alternate transportation modes. Special assistance, if required, will be made available upon request at least ten(10) calendar days prior to the event. All public meeting notices and advertisements shall state the following, "If you require special assistance to attend or participate in this meeting or need additional information please contact a NECCOG representative noted below ten days prior to the meeting event so that the special assistance can be accommodated."

NECCOG will include language in its public notices and advertisements relating to nondiscrimination and avenues of redress if an individual feels they have been discriminated against. All public meeting notices and advertisements shall state the following, "Under

Title VI of the Civil Rights Act of 1964. If you feel you have been denied participation in, denied benefits of, been subject to discrimination in regard to this project development, or otherwise discriminated against because of race, ethnic or socio economic status you may contact Executive Director, Northeastern Connecticut Council of Governments.”

## **Public Meetings/Hearings**

These are formal public meetings used to solicit specific public comment on a project or issue being considered for adoption by NECCOG. Hearings provide a formal setting for citizens to provide comments to decision-making bodies. Meeting minutes are taken and maintained and language assistance may be available, if requested.

Notice that draft plans/documents are available for review shall be sent to town clerks for posting, media, NECCOG Board members and other interested persons. The media notified shall include at least the following: local newspaper, local radio and TV stations. Following the notice of availability, a public comment period of at least thirty (30) days shall be provided prior to adoption of any plan.

A public information meeting and/or public hearing shall be held prior to the adoption of the region’s Long Range Transportation Plan and any other major transportation plan or study, for the purpose of both providing information and receiving public comment.

At least ten (10) days, but no more than twenty (20) days in advance of any public information meeting or public hearing, a notice, including agenda, will be sent to the town clerk in each member municipality for posting, media, NECCOG Board members, OPM and ConnDOT liaisons and other interested persons. In addition, a display advertisement shall be purchased in a local newspaper of general circulation to appear at least seven (7) days in advance of the scheduled meeting.

The notice of a public information meeting shall include the date, time, place and subject of the meeting, and shall indicate where subject documents can be reviewed in advance of the meeting. Copies of the subject documents shall be made available at the NECCOG offices, at the offices of the town clerk of each member municipality, and, if possible, through the NECCOG website.

Where possible, hearings will be held in places that are convenient to alternate transportation modes.

Special assistance, if required, will be made available upon request at least ten (10) calendar days prior to the event. All public hearing notices and advertisements shall state the following, “If you require special assistance to attend or participate in this meeting or need

additional information please contact a NECCOG representative noted below ten days prior to the meeting event so that the special assistance can be accommodated.”

NECCOG will include language in its public notices and advertisements relating to nondiscrimination and avenues of redress if an individual feels they have been discriminated against. All public meeting notices and advertisements shall state the following:

*NECCOG meetings are conducted in accessible locations and materials can be provided in accessible formats. If you would like special accommodations, such as an interpreter, please contact the NECCOG at: (860)774-1253, or [neccogoffices@neccog.org](mailto:neccogoffices@neccog.org) at least 3 days prior to the meeting. The NECCOG fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. The NECCOG does not discriminate on the basis of race, color, national origin, English proficiency, income, religious creed, ancestry, disability, age, gender, sexual orientation, military service, or gender identity or expression. Any person who believes himself/herself or any specific class of persons have been subjected to discrimination prohibited by Title VI or related statutes or regulations may, himself/herself or via a representative, file a complaint with the NECCOG.*

### **Comment and Complaint Procedure**

Comment forms are often used to solicit public comment on specific issues being presented at a workshop or other public meetings. They could also accompany documents made available for public review. Comment forms can be very general in nature, or can ask for very specific feedback. For example, a comment form may ask for comments on specific alignment alternatives being considered during a corridor study, or may ask for a person's general feelings about any aspect of transportation. Comment forms can also be included in publications and on web sites to solicit input regarding the subject of the publication and/or the format of the publication or web site.

In compliance with Title VI of the 1964 Civil Rights Act, these comment opportunities also allow for complaints associated with minority groups as described in Title VI of the U.S. Code (42 U.S.C. § 2000d et seq.). Such complaints will be formally logged in at the COG offices and reviewed according to the Department of Justice's investigation procedures manual, then forwarded to CONNDOT and FHWA for further review and direction. Title VI complaints may be e-mailed, mailed by post or communicated directly by calling or visiting the COG.

## **Surveys**

Surveys can be used when very specific input from the public is desired. A survey can be used in place of comment cards to judge opinion on specific issues or options (such as whether a person supports a specific alignment in a corridor study). Surveys are also used to gather technical data during corridor and planning studies. Phone and mail surveys are the most common methods to be used, along with meeting comment cards.

## **Partner Agencies**

A continuing consultation process will allow many organizations and agencies to review and have the opportunity to comment on the LRTP, STIP and other critical documents and steps in the transportation planning process. NECCOG will solicit feedback from relevant federal, state and local government agencies and non-profits that receive federal funding from those U.S. departments other than CONNDOT for transportation related functions . This list will be kept updated.



## Evaluation Methods

In order to determine the effectiveness of the public involvement tools, they must be evaluated on a periodic basis. Such evaluations will be on an informal basis, but will be sufficiently detailed to guide the activities of the next program year. Effectiveness of the programs will be based on:

- ✓ The number of published articles, notices or other public notices of transportation activities and meetings
- ✓ The number and frequency of targeted population groups from which input is received
- ✓ The number of people attending meetings

At a minimum, NECCOG should seek to obtain feedback from at least two representatives of each stakeholder group, and in some cases many more. Additional feedback should be solicited through brief evaluation forms handed out at the end of public workshops and attached to surveys.

In assessing the above information, comparison will be made the methods of contact, means of notices or advertisement, etc., in order to make correlation between action and response. Overall, the NECCOG will continually strive to improve public involvement. Improvements should be made to increase public awareness and to improve the quantity and quality of information provided to the public.