

**MEMORANDUM: 041612TC**

To: Town Clerks  
From: Joe Perrelli, Senior Planner  
Subject: **COGCVN Public Participation Plan and Title VI Policy Statement**

COGCVN has prepared a draft updated public participation plan (PPP) and Title VI Policy Statement to encourage public involvement in the transportation planning process and to ensure that no person is excluded from participating in the process on the basis of race, color, or national origin. As a federally-designated metropolitan planning organization (MPO), COGCVN is responsible for transportation planning activities in the Central Naugatuck Valley region. The federal Transportation Act, SAFETEA-LU, requires that states and MPOs incorporate public involvement in the planning process. Title VI requires that no person is excluded from participation or otherwise discriminated against in the basis of race, color, or national origin.

It is the policy of the Council to encourage participation in the metropolitan transportation planning process so that residents and interested groups have the opportunity to provide valuable insight in planning decisions and programming activities.

The draft public participation plan will be available for a 45-day public comment period from Monday, April 16, 2012 to Thursday, May 31, 2012. Enclosed are copies of the document in English and Spanish. Please make these documents available for review at your office during the comment period. The Plan will also be available in electronic format at the COGCVN website: [www.cogcnv.org](http://www.cogcnv.org). Thank you for your assistance.

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# **PUBLIC PARTICIPATION PLAN**

**COUNCIL OF GOVERNMENTS  
CENTRAL NAUGATUCK VALLEY**

**April 2012**

**DRAFT**

<b>Municipality</b>	<b>Chief Elected Official</b>	<b>Alternate</b>	<b>Regional Planning Commission Member</b>
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As of March 30, 2012

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## **I. Preface**

The predecessor of the Council of Governments of the Central Naugatuck Valley (COGCNV), the Central Naugatuck Valley Regional Planning Agency, was established in 1960, as authorized by the Connecticut General Statutes. COGCNV was formed in 1970 and incorporated the functions of the Central Naugatuck Valley Regional Planning Agency in 1984. Through municipal ordinance, thirteen municipalities are members of COGCNV: Beacon Falls, Bethlehem, Cheshire, Middlebury, Naugatuck, Oxford, Prospect, Southbury, Thomaston, Waterbury, Watertown, Wolcott, and Woodbury. COGCNV is one of fifteen state-designated regional planning organizations in Connecticut.

As the designated metropolitan planning organization (MPO), COGCNV is responsible for transportation planning activities in the Central Naugatuck Valley region. It is the policy of the Council to be proactive in incorporating public involvement into the metropolitan transportation planning process. COGCNV is committed to encouraging public involvement so that citizens and other interested parties have the opportunity to provide valuable insight in planning decisions and programming activities. This ensures that programs and policies developed in response to transportation issues reflect the objectives and values of the citizens and parties affected by them. This Public Participation Plan lays out the process for collecting public input on MPO documents.

## **II. Federal Requirements for Public Participation**

The current emphasis on public involvement reflects requirements set forth by federal legislation. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 greatly expanded the role of public involvement in transportation planning and programming. The Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005 retains all of the public involvement language from the previous acts and adds new requirements for states and MPOs to incorporate public involvement in the planning process. Table II.1 lists the federal requirements that are to be considered.

**Table II.1 Federal Requirements, Policies & Guidance**

<b>Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)</b>	Continued and enhanced emphasis on strong planning processes and public involvement <a href="http://www.fhwa.dot.gov/hep/23cfr450.htm">www.fhwa.dot.gov/hep/23cfr450.htm</a>
23 CFR 450.316	Guides the development of statewide transportation plans and programs; requires early and continuous public involvement <a href="http://www.access.gpo.gov">www.access.gpo.gov</a>
<b>FHWA/FTA Policy on Public Involvement</b>	Requires effective public involvement processes custom-tailored to local conditions <a href="http://www.fhwa.dot.gov/environment/pi_pol.htm">www.fhwa.dot.gov/environment/pi_pol.htm</a>
23 USC 135	Provides for reasonable access to comment on proposed plans <a href="http://www.access.gpo.gov/uscode">www.access.gpo.gov/uscode</a>
<b>National Environmental Policy Act (NEPA)</b>	Requires consideration of impacts on human environments <a href="http://www.fhwa.dot.gov/environment">www.fhwa.dot.gov/environment</a>
<b>Title VI of the Civil Rights Act of 1964</b>	Declares that no person shall be excluded from participating in any program receiving federal assistance on the basis of race, color or national origin <a href="http://www.fhwa.dot.gov/environment/title_vi.htm">www.fhwa.dot.gov/environment/title_vi.htm</a>
28 CFR 36 Americans with Disabilities Act	Requires government programs to be accessible to people with disabilities <a href="http://www.usdoj.gov/crt/ada/adahom1.htm">www.usdoj.gov/crt/ada/adahom1.htm</a>
23 CFR 771 Environmental Impact and Related Procedures	Addresses early coordination, public involvement, project development <a href="http://www.access.gpo.gov">www.access.gpo.gov</a>
Technical Advisory 6640.8A	Guidance for preparing and processing Environmental and Section 4(f) documents <a href="http://www.environment.fhwa.dot.gov/projdev/impta6640.htm">www.environment.fhwa.dot.gov/projdev/impta6640.htm</a>
<b>Executive Order 12898 on Environmental Justice</b>	Addresses avoidance of actions that can cause disproportionately high and adverse impacts on minority and low income populations <a href="http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm">www.fhwa.dot.gov/environment/ejustice/facts/index.htm</a>
49 CFR 24 Uniform Relocation Assistance & Real Property Acquisition Policies Act	Ensures property owners and people displaced by Federal-aid projects are treated fairly, consistently and equitably <a href="http://www.access.gpo.gov">www.access.gpo.gov</a>
<b>Executive Order 13166 on Limited English Proficiency</b>	Improving access to services for people with limited English proficiency <a href="http://www.fhwa.dot.gov/hep/lowlim/index.htm">www.fhwa.dot.gov/hep/lowlim/index.htm</a>

### III. Public Access to Information

It is the intention of the Council of Governments to provide transparency so that members of the public may remain informed and feel welcome to provide feedback on transportation issues. The COGCNV keeps and maintains records related to the metropolitan transportation planning process, which are available to the public upon request.

Materials related to public meetings will be made available to interested parties at the COGCNV office. During the public comment periods, these materials will also be available at municipal clerks' offices, main library branches, and the website to increase public access.

COGCNV also maintains an in-house library that contains publications related to transportation, land use, and environmental planning in addition to an extensive collection of census publications and data files. As a designated affiliate of the State Census Data Center, COGCNV publishes an annual Profile of the Region, containing statistical information on the demographic, social, economic, and housing characteristics of the CNVR. Staff is available to meet with the public Monday-Friday from 8:30 a.m. to 4:30 p.m. to provide additional information and technical assistance. Staff may also be available to interested citizens or groups by appointment at reasonable times outside of normal business hours to provide information or conduct presentations on transportation issues.

COGCNV staff will maintain the agency's website to provide clear and concise information on the transportation planning process and provide an opportunity to download reports and documents. This will include developing project and study summaries, converting reports into a Portable Document Format (PDF) or text format, and maintaining a list of available documents. The website will provide links to other associated organizations and agencies.

#### **IV. Public Meetings and Public Comment Periods**

To encourage a proactive public involvement process, the COGCNV shall hold a public informational meeting during a 30-day public comment period for the Long Range Transportation Plan (LRP) and the Transportation Improvement Program (TIP). A seven-day public comment period shall be held prior to any major amendment to these documents.

Special studies conducted by COGCNV staff, which have a considerable impact on regional transportation planning activities, will also include a 30-day public comment period during the draft phase. Public informational meetings may be used to solicit input from interested parties — in particular those who would be most affected by potential changes to the areas or transportation facilities under review.

Visualization techniques will be incorporated into public informational meetings where appropriate to aid the public in understanding proposed plans.

#### **V. Public Notification**

Notifications and agendas for regular meetings of the COGCNV board and regional committees are mailed out to municipal clerks and members (and their alternates) at least seven calendar days in advance. Minutes from all agency meetings are available at the COGCNV office within seven days.

Announcements of public comment periods and public informational meetings will be posted on the COGCNV website and distributed to:

- municipal officials (CEOs, municipal planners, town engineers, and public works directors),

- chairs of planning or planning and zoning commissions,
- area legislators,
- related state agencies (DPH, DEP, ConnDOT, OPM, and the CT Historic Preservation Council),
- municipal libraries,
- the Greater Waterbury Transit District Advisory Committee,
- public transportation providers,
- neighborhood groups,
- economic development organizations,
- minority organizations,
- and individuals and groups that have expressed an interest in the transportation planning process.

Public informational meetings will be announced through legal notices in at least one newspaper with wide distribution, and if applicable, a local weekly paper, as well as on the agency's website ([www.cogcnv.org](http://www.cogcnv.org)) at the start of the public comment period.

## **VI. Receipt of Public Comment**

A summary of comments received during public comment periods will be incorporated into the final draft of all documents. This summary may be produced as a separate report or as an appendix to the relevant document.

COGCNV will make every effort to respond promptly to written public comments. When significant public comments are received as part of the formal public hearing process, responses will also be included in the final draft of all documents.

## **VII. Civil Rights and Environmental Justice**

Consistent with the Environmental Justice Executive Order (EO 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration and Federal Transit Administration, COGCNV will seek out and consider the needs of groups or communities traditionally not well served by existing transportation systems.

Effective transportation planning and decision making depends on understanding and properly addressing the unique needs of different socioeconomic groups. The Federal Highway Administration and the Federal Transit Administration have specified three principles of environmental justice which must be addressed:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.



3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits for minority and low-income populations.

COGCNV identified specific objectives to reach these goals:

- 1) Identification of minority, low-income, and transit-dependent populations in the region;
- 2) Methods for identifying the needs of minority and low-income populations;
- 3) Development of a process to evaluate the effectiveness of public outreach efforts; and
- 4) Preliminary analysis of the distribution of the benefits and burdens of transportation investments in the region.

Details on each objective can be found in the CNVR Long Range Regional Transportation Plan.

A draft of COGCNV's policy for receiving complaints under Title VI is included in Appendix A.

### **VIII. Translations**

Translation services will be available at COGCNV public meetings upon request. The request must be received five or more business days before the public meeting. Summaries of documents may be translated into other languages provided COGCNV receives adequate notice.

### **IX. Review of Public Outreach Efforts**

The public participation plan will be reviewed periodically to ensure full and open access to potentially affected communities in the transportation decision-making process. Staff will also review the effectiveness of public outreach efforts and citizen involvement. When appropriate, the PPP will be revised to include lessons learned from these reviews.

### **X. Revisions to the Public Participation Plan**

Modifications to the PPP will require a 45-day public comment period, during which one public informational meeting will be held. A draft of the plan will be available at the COGCNV offices and posted on the COGCNV website ([www.cogcnv.org](http://www.cogcnv.org)) during the public comment period.

# APPENDIX A: TITLE VI POLICY STATEMENT AND COMPLAINT FORM

## COUNCIL OF GOVERNMENTS OF THE CENTRAL NAUGATUCK VALLEY

### Title VI Policy Statement

The Council of Governments of the Central Naugatuck Valley (COGCNV), as a recipient and subrecipient of federal financial assistance, works to ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended, and related statutes and regulation in all COGCNV programs and activities. The COGCNV is committed to ensuring that no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, or national origin.

Anyone who believes that he or she has been subjected to discrimination or retaliation based on their race, color, or national origin may file a Title VI complaint. Complaints may be filed directly to COGCNV or to the Federal Funding agency. Complaints must be filed in writing and signed by the complainant or a representative and should include the complainant's name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act.

To request additional information on COGCNV's non-discrimination obligations to file a Title VI complaint, please submit your request or complaint in writing to:

**DRAFT**  
Executive Director  
Council of Governments of the  
Central Naugatuck Valley  
60 North Main Street, Third Floor  
Waterbury, CT 06702

Complaint forms can be obtained online at the COGCNV website: [www.cogcnv.org](http://www.cogcnv.org)

Federal Transit Administration (FTA) Title VI complaints may be filed directly to:  
Federal Transit Administration  
Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor, TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Federal Highway Administration (FHWA) Title VI complaints may be filed directly to:  
Federal Highway Administration  
Investigations & Adjudication Team Director  
FHWA Office of Civil Rights  
1200 New Jersey Avenue, SE, Suite E-81  
Washington, DC 20590

**APPENDIX A: TITLE VI POLICY STATEMENT AND COMPLAINT FORM**

**COUNCIL OF GOVERNMENTS CENTRAL NAUGATUCK VALLEY  
TITLE VI DISCRIMINATION COMPLAINT FORM**

Complainant's Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Discrimination because of:  Race  Color  National Origin  
(check applicable box[es])

Please provide the date(s) and location of the alleged discrimination, the name(s) of the individual(s) who allegedly discriminated against you including their titles (if known).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide the names, addresses, and telephone numbers of any witnesses.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain as briefly and as clearly as possible what happened, how you feel that you were discriminated against, and who was involved. Please include how other persons were treated differently from you.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please print name \_\_\_\_\_

*You may use additional sheets of paper if necessary. Also include any written materials pertaining to your complaint.*

Deliver or mail this form to:

Peter Dorpalen Executive Director, COGCNV, 60 North Main Street, 3<sup>RD</sup> Floor Waterbury, CT 06702 or email to: pdorpalen@cogcnv.org, or fax to Attn: P. Dorpalen at 203-756-7688.