

# TITLE VI PLAN

RELATED TO  
TRANSPORTATION PLANNING  
AND  
TRANSPORTATION IMPROVEMENTS



As prepared by the

Wood-Washington-Wirt Interstate Planning Commission

The designated Metropolitan Planning Organization (MPO)  
For the Parkersburg, WV and Marietta, OH Urbanized Area

April 2012

# WOOD-WASHINGTON-WIRT INTERSTATE PLANNING COMMISSION (WWW)

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## WOOD-WASHINGTON-WIRT INTERSTATE PLANNING COMMISSION (WWW)

Serving Wood County, WV and Washington County, OH

### CONTACT INFORMATION:

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Website: [www.triplew.org](http://www.triplew.org)

WV Department of Transportation  
Equal Employment Opportunity  
1900 Kanawha Boulevard East  
Charleston, WV 25305  
Phone: 304.558.3931  
FAX: 304.558.4236  
Email: [dot.eeo@wv.gov](mailto:dot.eeo@wv.gov)  
Website: [www.transportation.wv.gov/eeo](http://www.transportation.wv.gov/eeo)

EO Officer  
Mid-Ohio Valley Regional Council  
Post Office Box 247  
Parkersburg, WV 26102  
Phone: 304.422.4993  
FAX: 304.422.4998

WV Human Rights Commission  
1321 Plaza East Room 108A  
Charleston, WV 25301-1400  
Phone: 304.558.2616  
Toll Free: 1.888.676.5546  
FAX: 304.558.0085

Ohio Department of Transportation  
Office of Equal Opportunity Administrator  
1980 West Broad Street  
Columbus, Ohio 43223  
Phone: 614.728.9245  
Website: [www.dot.state.oh.us](http://www.dot.state.oh.us)

Ohio Civil Rights Commission  
Central Office/Columbus Regional Office  
1111 East Broad Street, Suite 301  
Columbus, OH 43205  
Phone Number: 614.466.2785  
Fax: 614.466.7742

West Virginia Equal Employment Opportunity Office  
50 Dee Drive  
Charleston, WV 25311  
304-558-0400x0864

Title VI of the Civil Rights Act of 1964 requires outreach to underserved groups:  
*“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.”*

## **PROGRAM PROCEDURES AND DOCUMENTATION**

### **A. Non-discrimination Policy Statement**

The Wood-Washington-Wirt Interstate Planning Commission (WWW) does not discriminate on the basis of race, religion, sex, national origin, ethnicity, age, disability, political affiliation, color, marital status, military/veteran status, sexual orientation, or any other characteristic protected by law.

The WWW is committed to upholding the spirit of Title VI. Efforts are made to ensure that all interested parties within the community can participate in the transportation planning activities for this region. Procedures are in place to notify the public, individual/groups known to be interested in an activity, and individuals/groups to be affected by an activity. These procedures are described in the related document: **Public Involvement and Participation Process.**

The WWW complies with Title VI regulations within its administration of the program. Procedures are in place to ensure that contractors and consultants are aware of the Title VI regulations.

### **B. Title VI Complaint Process / Monitoring / Complaint Resolution**

The WWW adopted procedures for processing Title VI complaints received from external sources. These procedures, and the accompanying forms, are contained in the related document: **Nondiscrimination Complaint Procedures for Wood-Washington-Wirt Interstate Planning Commission.**

Internal Title VI complaints would be processed according to the personnel policies of the Mid-Ohio Valley Regional Council.

To date, no Title VI complaints have been received by the WWW.

### **C. Staff / Contact**

The WWW is an affiliate of the Mid-Ohio Valley Regional Council (MOVRC). The EO Officer of the MOVRC has been assigned to review Title VI issues for the programs and affiliates of the MOVRC to ensure agency-wide compliance and continuity. EO duties include reviewing consultant contracts, managing the hiring process, providing EO training to staff, and processing complaints if received. The current EO officer reports directly to the Executive Director.

## **D. Contracting**

All contracts with state or federal entities contain nondiscrimination clauses and/or assurances.

On the occasions when the WWW contracts with non-state or federal entities, the contracts include language related to nondiscrimination and compliance with state and federal nondiscrimination regulations.

To encourage participation of minority-owned businesses:

- The WWW utilizes the DBE participation goals of its highest funding contributor, the West Virginia Department of Transportation.
- Requests for Proposals (RFPs) are posted on the WWW website.
- RFPs and Notices to Bid are placed in the newspaper of widest circulation in the area.
- RFPs and Notices to Bid are provided to known minority-owned businesses.

## **E. Title VI and the Urban Transportation Planning Program**

In order to incorporate Title VI in the transportation planning for the region, the WWW adopted a policy for public involvement and participation. The procedures outlined in the **Public Involvement and Participation Process** include a section on environmental justice. The WWW developed and maintains an Environmental Justice assessment report that identifies and locates target minority and low-income population groups.

In addition to the standard notifications publicized in the newspapers, the WWW also includes contact with social services agencies that provide assistance to the target population groups.

The 2000 Census shows that the number of people in Wood and Washington Counties who speak English “not well” or “not at all” is 291 (0.49%). Spanish is the second most widely spoken language. The WWW relies on the recommendations of interested parties and committee members to determine if materials need to be translated. To date, this has not been an issue.

The building that houses the WWW offices is handicap accessible and is on the same block as the Parkersburg Transit Authority depot. Accessibility is a factor in selecting locations for off-site meetings.

The public participation process is considered to be a “continuous improvement process.” Attendance at public meetings is documented, public comments are evaluated, and committee members provide updates and insights from their constituents. After each public meeting, attendance/participation from targeted groups is analyzed. Suggestions for improving the attendance/participation at future meetings are reviewed and those deemed viable are incorporated into future notification processes.

# **APPENDIX A.**

## **PUBLIC INVOLVEMENT AND PARTICIPATION PROCESS**

## **PUBLIC INVOLVEMENT/PARTICIPATION PROCESS**

Wood-Washington-Wirt Interstate Planning Commission

(Revised: September 2010)

(Approved: December 22, 2010)

The following process and procedure is established to fulfill public participation and comment requirements for all transportation plans and transportation improvement programs developed by WWW. This procedure supersedes the previously approved (September 2006) process developed by the Interstate Planning Commission. WWW is modifying the existing public involvement/participation plan to better define the procedures so that citizens, affected public agencies, representatives of transportation agency 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 have a reasonable notice of and opportunity to comment on proposed plans and programs. As part of the metropolitan transportation planning process a proactive process has been developed which provides for "complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and programs". This process satisfies the public participation requirements for the Program of Projects (POP) for both Washington County, OH and Wood-County, WV. Specific planning requirements in the development of a public involvement process are as follows:

- A minimum public comment period of 45 days before the public involvement process is initially adopted or revised.
- Provide timely information about transportation issues and processes to all interested parties affected by transportation plans, programs and projects within the MPO area.
- Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open meetings where matters related to the Federal-aid highway and transit programs are being considered.
- Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to, approval of plans and TIPs.
- Demonstrate explicit consideration and response to public input received during the planning and program development processes.
- Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households.

- When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of the comments shall be made part of the final plan and TIP.
- If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available.
- Public involvement process shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all.
- These procedures will be reviewed by the FHWA and FTA as necessary for all MPOs, to assure that full and open access is provided to the MPO decision making processes.
- Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs.

Utilizing the above referenced planning requirements WWW has developed specific procedures to insure full accessibility to all technical information during the development of plans and TIPs. The following procedure is established to fulfill these requirements:

## **I. Public Participation Process**

- A. Prior to the development of the draft TIP and Long Range Transportation Plan a notice will be placed in the local newspapers requesting input and/or participation in the development of the documents. The notice will state the nature of the request with an input period of 30 days starting on the date the notice was published. All comments and/or suggestions received will be documented and included in the preparation of the preliminary documents.
- B. (1) Upon completion of a draft Long Range Plan a public notice will be placed in the local newspapers stating that a preliminary document has been prepared and is available for comment. The notice will be published 15 days prior to a scheduled public meeting/"open house" and will state the date, times and place the document will be available for comment. The notice will also state that WWW will accept written comments up to 15 days after the scheduled public meeting/"open house". The draft document will be available for comment a total of 30 days starting on the date the



public meeting/"open house" notice was published. All comments and responses to comments will be made part of the planning documentation.

- (2) Upon completion of the draft Transportation Improvement Program (TIP) a public notice will be placed in the local newspapers stating that the draft document has been prepared and is available for public review and comment. The comment period will be 30 days starting on the date the notice was published. The notice will state the times and place the public can review the document. Any comments received during this period will be documented with appropriate response and made part of the planning document.
- C. (1) Upon completion of the final draft Long Range Transportation Plan a public notice will be placed in the local newspapers stating that a final draft document has been prepared. The notice will be published 10 days prior to the scheduled public meeting/"open house" and will state the date, times and place the document to be available for comment. Any comments received during the meetings will be documented with a response and made part of the final document.
- (2) Upon completion of the final draft TIP a public notice will be placed in the local newspapers stating that the final draft TIP has been prepared and is available for public review and comment. The comment period will be 15 days starting on the date the notice was published. The notice will state the times and place the public can review the document. Any comments received will be taken into consideration prior to adoption of the final document.
- D. Upon completion of the final documents with explicit consideration given to all comments generated during the comment period, the WWW Policy Board will be requested to approve the documents by resolution at a Board meeting. The resolution will include an assurance that the Public Participation Policy was followed.
- E. (1) In the event that amendments or revisions are required to the transportation plan or TIP as a result of new material issues, a revised document will be developed. The revisions will be subject to the comment periods identified in C (1) and C (2) above. Upon completion of the public involvement process the Policy Board will be requested to approve an amendment/revision resolution during a regularly scheduled WWW board meeting.
- (2) If amendments to the TIP are required prior to a regularly scheduled quarterly WWW meeting an "expedited" TIP amendment process may be initiated. This process allows for approval of TIP amendments via email,

phone vote, or special meeting of the Policy Board. However, this expedited process does not circumvent the public comment period as described in C (2) above.

## **II. Additional Procedures**

1. In addition to public notice in the local newspapers a mailing list of all known interested parties (Stakeholders) will be maintained by WWW staff. The list will include the WWW Policy Board and Technical Advisory Committee, private providers of transportation, affected public agencies, representatives of transportation agency employees, social service agencies (particularly those that serve low-income and minority population), and environmental resource agencies. Persons or agencies on this list will be notified directly of any requests for comments. Additionally, all public notices and documents requiring opportunities for public review will be placed on the agency web site at [www.triplew.org](http://www.triplew.org).
2. The specified procedures in Section I allow WWW to meet the basic public input requirements. Any additional requirements identified by the State of Ohio or West Virginia will be followed and when possible coordinated with the states' public involvement processes.
3. All WWW Quarterly Board meetings will be considered open meetings and will be advertised 15 days prior to the meeting. This is to insure that the public has an opportunity to be informed on matters related to the Federal-aid highway and transit programs.
4. If any comments are received during the public involvement process or the interagency consultation process required under the US EPA's conformity regulations, a summary, analysis, and report on the disposition of the comments will be made part of the final plan and TIP.
5. On an annual basis WWW will review this policy to assure that the process provides full and open access to all. If any modifications are required, the revisions will be subject to a 45 day comment period prior to WWW Policy Board approval.
6. Any public meeting/workshop associated with the development of the Long Range Transportation Plan or Transportation Improvement Program will be held at convenient and accessible locations and times. Meeting notices will be placed in local newspapers, mailed directly to stakeholders, as well as posted on the WWW web site.

7. Information provided for public comment will be in a format that is easy to understand and employ visualization techniques to illustrate plans and programs when applicable.
8. All documents prepared for public comment will be made available in electronic format. Draft and final documents will be accessible at [www.triplew.org](http://www.triplew.org).
9. In accordance with FTA Circular 9030.1C, Chapter V, Section 6f all public notices pertaining to the development of the Transportation Improvement Program will explicitly state that “the TIP development process satisfies the public participation requirements for the Program of Projects (POP) for Washington County, OH and Wood County, WV”.
10. In accordance with Title VI of the Civil Rights Act WVV will comply with the Limited English Proficiency (LEP) requirement (Executive Order 13166) when soliciting comments from the general public. The issue has been addressed and made part of the Title VI Plan developed by the Mid-Ohio Valley Regional Council (parent agency). The plan identifies reasonable steps for providing access for LEP persons wanting to comment during the public participation process.

### **III. Consultation**

In addition to the solicitation of input from the general public WVV will maintain a list of resource agencies in order to incorporate and expand consultation requirements with appropriate state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation during the transportation plan development process. Consultation efforts will begin early in the plan development process in order to identify any issue that needs to be addressed during the process. In addition to this consultation effort, resource agencies will be given direct notification of opportunity to comment on the transportation plan in accordance with the procedures established under this policy.

### **IV. Interagency Coordination**

An interagency consultation process will be maintained with the Federal Highway Administration, Federal Transit Administration, West Virginia Division of Air Quality, Ohio Environmental Protection Agency, West Virginia Department of Transportation, Ohio Department of Transportation, and the US Environmental Protection Agency on all matters related to air quality conformity. Although

procedural issues and methodologies are determined through the interagency consultation process, resulting conformity determinations are subject to the Public Participation Procedures as established in Section I.

## **V. Environmental Justice**

In an effort to insure “fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies” WWW has developed and maintains an Environmental Justice assessment report based on the latest census information available for the region. The report identifies and locates target minority and low-income population groups in order to assist in the evaluation and assessment of any disproportionately high and adverse affects caused by any plan or program developed by WWW. In addition to the standard methods of public notification, WWW outreach efforts include contact with social service agencies that provide assistance to the targeted population groups to encourage input and participation in the planning process. This effort is made throughout the process and in accordance with Section I of this policy.

## **APPENDIX B.**

# **NONDISCRIMINATION COMPLAINT PROCEDURES**

## PROCEDURE FOR PROCESSING TITLE VI COMPLAINTS

The Wood-Washington-Wirt Interstate Planning Commission (WWW) does not discriminate on the basis of race, religion, sex, national origin, ethnicity, age, disability, political affiliation, color, marital status, military/veteran status, sexual orientation, or any other characteristic protected by law.

The procedure described below will be used for processing Title VI complaints received by the Wood-Washington-Wirt Interstate Planning Commission. These complaints must be regarding a WWW Policy Committee decision; a planning process currently followed by WWW; or the current version of a WWW work product., such as the Regional Transportation Plan or Transportation Improvement Program.

1. Any person claiming to be aggrieved by an alleged discriminatory practice may, individually, or through a legally authorized representative, make and sign a complaint (see attached Title VI complaint form). The complaint must be filed within 180 days of the alleged discriminatory act or occurrence.

Complainant may choose to write a letter, rather than use the standard Title VI complaint form. The complaint letter must include all of the information requested on the form, including the best method for contacting the complainant, the date of the alleged act of discrimination and the date complainant became aware of the alleged discrimination.

Complaints are to be submitted in writing to one of the contacts listed on the Contacts Page of the Title VI plan.

2. Complaints may be filed with the Executive Director of the Mid-Ohio Valley Regional Council. They may also be filed directly with the Ohio Department of Transportation (ODOT), the Ohio Civil Rights Commission (OCRC), West Virginia Department of Transportation (WVDOT), West Virginia Human Rights Commission (WVHRC), or the nearest Equal Employment Opportunity Commission (EEOC) office.
3. For complaints filed locally, the Executive Director of the Mid-Ohio Valley Regional Council, WWW Technical Study Director and Policy Committee Chairman will review the complaint to determine 1) if it is applicable to the policies, planning processes, or work products of WWW; 2) if it contains the necessary information; and, 3) what additional information is needed.
4. If additional information is needed, complainant will be notified within 10 business days of the deficiencies. Complainant will have 15 business days (from the date of the letter requesting additional information) to provide the necessary information.
5. If the complaint is determined to be applicable and contains the necessary information, copies of the complaint will be sent within 10 business days to either ODOT or WVDOT (whichever state is applicable). The complainant will be notified in writing that the complaint is being processed. This notification will include copies of the correspondence with ODOT or WVDOT.

6. If the complaint is determined not to be applicable, or does not contain the necessary information, the complaint will be rejected and the complainant will be notified in writing of the reason for the rejection. Complaints may be rejected for a variety of reasons:
  - Not applicable to WWW policies, planning processes, or work products
  - Untimely filed
  - Complaint does not allege a basis for discrimination based on a protected class
  - Complaint does not allege any harm with regard to programs or statutes
  - Complainant requests withdrawal
  - Complainant fails to respond to requests for information needed
  - Complainant cannot be located
  - Complainant failed to accept a reasonable resolution
  - Complainant files legal action
7. The WWW Policy Committee will be advised of the complaint at its next scheduled meeting after receipt of the complaint.
8. The WWW staff will provide assistance to the state or federal agency that is investigating the complaint in resolving the complaint. Every attempt will be made to resolve the complaint at the state level before involving the federal agencies.
9. Within 5 business days of receiving a response from the investigating state or federal agency, the complainant will be notified in writing regarding the resolution of the complaint.
10. The WWW Policy Committee will be advised of the complaint resolution at their next scheduled meetings after the response is received.