

# Planner's Methodology



## Introduction

DVRPC firmly believes that Title VI and Environmental Justice (EJ) are inherent to all work completed by the Commission and should be incorporated into all aspects of DVRPC's plans and programs. DVRPC publications such as the *Public Participation Plan*, *Title VI Compliance Plan*, and *Environmental Justice at DVRPC* work concurrently to inform how DVRPC responds to the Title VI, EJ, and public participation mandates set forth by the federal government.

The *Planner's Methodology* condenses the above documents and provides guidance to staff in meeting Title VI and EJ mandates at the project or study level, as well as in the day-to-day business of DVRPC. In addition, information is provided on using DVRPC's EJ technical analysis, the *Indicators of Potential Disadvantage (IPD)* method.

This report also offers suggestions for meeting the Commission's goals and objectives for public participation. How meaningful public participation is gathered and implemented into the planning process varies, depending on the type and scope of a project. The *Planner's Methodology* establishes a framework for developing individual public participation plans for projects, as well as strategies and techniques to carry out the plan.

## What is Title VI?

"Title VI" refers to Title VI of the Civil Rights Act of 1964, which states that no individual or group shall be excluded from participation in, or denied the benefits of, any program or activity using federal funds on the grounds of race, color, or national origin. Nor shall sex, age, or disability stand in the way of fair treatment of all individuals. As a metropolitan planning organization (MPO), DVRPC is mandated to comply with Title VI and other federal nondiscrimination laws to make all Commission projects and programs Title VI compliant.

## What is Environmental Justice?

The 1994 President's Executive Order on Environmental Justice #12898 created a federal program to address EJ in minority and low-income populations. The federal government defines EJ as the 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. Fair treatment means that no group of people or community should bear a disproportionate share of negative environmental consequences resulting from federal, state, or local programs and policies.

As an MPO, DVRPC is charged with evaluating its plans and programs for EJ sensitivity and expanding outreach efforts to low-income, minority, and other traditionally underserved populations, as part of the United States Department of Transportation's certification requirements.

## What does this mean to you and your work?

Quite simply, integrating Title VI and EJ into your work means that you are following sound contemporary planning procedure and planning for all residents of the Greater Philadelphia region.

You may need to approach a project with more sensitivity when addressing the needs of a study area's population and explore historical precedents that may impact your work in a particular community. It also means that you should not propose recommendations that may have adverse impacts on a specific population group, as well as explore remediation for unavoidable potential adverse impacts.

### What is Public Participation?

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

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 sharing.<sup>1</sup>

Title VI and EJ also play a large role in the Commission's public participation activities. Offering open information and communication, creating a transparent planning process, and providing public participation opportunities into your projects build upon DVRPC's philosophy and intent to place public participation at the forefront of the Commission's priorities. Public participation can help planners better understand a project's issues, assist in developing a range of solutions to a planning problem, and create and maintain a trusting relationship between planners, decision-makers, and the public.

Staff should encourage opportunities to involve many and various audiences, and allow for public comment and participation at different points during the planning process. Title VI and EJ mandates establish a foundation for involving the public that is intended to ensure that every land use and transportation project considers the human environment.

### Staff Dedicated to Communications and Outreach

In addition to the resources presented here and available online, DVRPC's commitment to Title VI, EJ, and public participation includes staff exclusively dedicated to assisting you in all matters related to these facets of the planning process. The staff of the Office of Communications and Public Affairs

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<sup>1</sup> *Planning Aid for Scotland (PAS). "SP=EED™ Scottish Planning= Effective Engagement and Delivery: A Practical Guide to Better Engagement in Planning in Scotland." Planning Aid for Scotland (PAS). <http://www.planningaidscotland.org.uk/>. Accessed March 27, 2012.*

can help you in all areas of media outreach, communications, public participation, and respond to Title VI and EJ concerns, including assistance in conducting an EJ technical analysis.

### **Additional Resources**

*DVRPC Public Participation Plan: A Strategy for Citizen Involvement  
Environmental Justice at DVRPC  
Equity & Opportunity: The Title VI Compliance Plan  
DVRPC Title VI/Environmental Justice Quick Reference Guide*

### **Meeting Title VI Mandates**

**What is required of DVRPC staff to be Title VI compliant?**

A renewed commitment to Title VI has been, and continues to be, reflected in DVRPC's Work Program, publications, communications, public involvement efforts, and general way of doing business. DVRPC's efforts to ensure compliance with Title VI and related statutes regarding nondiscrimination and EJ are evident in the work that we do and how we conduct our plans, programs, and projects.

While nondiscrimination generally informs the Commission's work, there are several items that planners need to keep in mind in their day-to-day activities:

*Provide Title VI Statement in DVRPC publications, meeting notices, etc.*

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 statutes and regulations in all programs and activities. DVRPC's website, [www.dvrpc.org](http://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 meeting. Requests made within seven days 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 see call (215) 238-2871 or email [public\\_affairs@dvrpc.org](mailto:public_affairs@dvrpc.org).

### *Accommodating Limited English Proficiency (LEP)*

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be identified as Limited English Proficient (LEP) and are therefore entitled to language assistance under Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." Language barriers may prohibit people who are LEP from obtaining information relating to various services and programs and may limit individuals' participation in public planning processes.

It is essential that DVRPC personnel and its subrecipients be informed of their diverse clientele in order to create a more inclusive public planning process.

Federal guidelines require that recipients of federal financial assistance take reasonable steps to ensure meaningful access to federally funded programs, activities, and publications for LEP persons. The “reasonable” standard is based on the following four guidelines, as set forth by the federal government:

- ▶ The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
- ▶ The frequency with which LEP individuals come in contact with the program;
- ▶ The nature and importance of the program, activity, or service provided by the recipient to people’s lives; and
- ▶ The resources available to the recipient and their costs.

As indicated above, the intent of these guidelines is to find a balance that ensures meaningful access by LEP persons to critical services and programs, while not imposing undue burdens on recipients or subrecipients.

LEP needs may be identified via field work, by using the *IPD* method (as LEP is one of the population groups identified in the region), or through initial public outreach. The DVRPC Office of Communications and Public Affairs maintains a list of staff with fluency in a variety of foreign languages and can assist you in translating documents, developing specific outreach materials in various languages, or locating an interpreter for a public event.

#### *Americans with Disabilities Act*

Title II of the Americans with Disabilities Act (ADA) of 1990, P.L. 101-336, provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of the state or local government.”

All public meetings and events hosted by DVRPC need to be held in ADA-accessible facilities. If requested, sign language interpreters and other assistance for visually or hearing impaired individuals can be secured for meetings, and documents can be translated into alternative formats.

Physically disabled individuals are a population group identified in the *IPD* method.

### For More Information

For more information about DVRPC’s Title VI mandates and activities, see *Equity & Opportunity: The Title VI Compliance Plan*.

### Meeting EJ Mandates

MPOs must devise their own methods for ensuring that EJ population groups are geographically identified and EJ issues are represented in the regional planning process. DVRPC approaches EJ by

using a method that analyzes census data and locates specific population groups in the region, and by undertaking a robust public participation program that strives to engage all residents in the region, including traditionally underrepresented groups.

### DVRPC Environmental Justice Technical Analysis

The regional technical analysis developed by DVRPC is a people- and place-based approach that locates selected population groups in the region. While minority and low-income populations must be investigated as per federal mandate, DVRPC has expanded its list to include additional population groups that may have specific planning-related issues or challenges. Using 2010 American Community Survey (ACS) data, DVRPC analyzes eight *Indicators of Potential Disadvantage (IPD)* within census tracts in the nine-county area:

- ▶ Poverty;
- ▶ Non-Hispanic Minority;
- ▶ Hispanic;
- ▶ Elderly (over 75 years old);
- ▶ Carless households;
- ▶ Physically Disabled;
- ▶ Limited English Proficiency (LEP); and
- ▶ Female Head of Household with Child.

Data is gathered at the regional level, combining populations from each of the nine counties, for either individuals or households, depending on the indicator. From there, the total number of persons in each demographic group is divided by the appropriate universe (either population or households) for the nine-county region, providing a regional average for that population group. The population groups are located at the census-tract level. Any census tract that meets or exceeds the regional average level, or threshold for a population group, is considered an EJ-sensitive tract for that group. Each census tract can contain a concentration greater than the regional average for each individual population group, and any census tract can contain zero to seven categories that have been recognized as *IPDs*.

Many programs employ this EJ technical analysis as a first step, identifying the potentially disadvantaged population groups first, and then using this knowledge as a planning tool for further recommendations. When starting a project, meet with the Public Involvement Manager, who can work with you directly to complete the EJ technical analysis of your project. An initial review is not intended to be burdensome and can be completed quickly. Staff may also use the interactive EJ map viewer on DVRPC's website at <http://www.dvrpc.org/webmaps/EJ2014/>.

The *IPD* findings offer the planner information that may guide project recommendations. While each study may have unique recommendations, there are several underlying principles that can guide recommendations when EJ populations are identified:

- ▶ Ensure that recommendations made in the project or study do not adversely impact EJ communities and/or ensure that the benefits and burdens of a specific recommendation are equitably distributed;
- ▶ Promote recommendations that would positively impact the EJ population groups identified;
- ▶ In some instances, an EJ issue may be evident in a study area, but not be directly related to the residential population of a study area. For instance, there may be an issue that affects workers or other users of places or services within a study area; and
- ▶ Be aware that a neutral policy or practice may have a disparate impact on protected groups.

It should be noted that while DVRPC employs the *IPD* method to ascertain population data, the IPD method is one tool that is part of a larger strategy that includes public participation, stakeholder outreach, other data sources, and research undertaken by DVRPC staff to plan for all residents in the Greater Philadelphia region.

### For More Information

For more information about EJ mandates and how EJ is integrated into DVRPC plans and programs, see *Environmental Justice at DVRPC*, which is updated every fiscal year.

### Meeting Public Participation Mandates

DVRPC has a long history of public participation and involvement in regional and transportation planning initiatives. To DVRPC, the basic tenet of public participation has always remained the same: to reach out to and engage as many members of the public as possible in the regional planning process. Through a constructive dialogue, decision-makers, planners, and the public can share their opinions and mutually shape a vision for a community, county, or region. Integrating public participation activities into your project is not only sound planning, but also allows DVRPC to meet federal mandates.

### Developing a Public Participation Program

The Office of Communications and Public Affairs can help you craft a public participation program appropriate to your needs, timing, and circumstances. Consider the following as you develop a public participation plan for your project:

- ▶ **History of planning and participation in your study area:** As you begin your project, it is valuable to research past issues, projects, or programs that have impacted the public in a particular study area so that you may be able to respond to initial public input and concerns and understand where people are coming from.
- ▶ **Identify stakeholders and their needs:** A stakeholder is any person or representative of a group that is affected by a planning project, including those that are not aware that they may be affected, or those that may live or work outside of the primary study area. Stakeholders may also be any person or group that thinks that they are affected, even if in reality they are not. Stakeholders often include nonprofit organizations, residents of specific geographic areas, and government agencies, but may also be members of the general public. Meeting with stakeholders regularly will help build trust in the planning process and allow you to more

effectively engage the general public around your project. The Office of Communications and Public Affairs can offer support in helping identify relevant organizations or individuals to reach out to throughout the project's planning process, or develop a special outreach contacts list.

- ▶ **Develop outreach objectives:** It is important to establish participation and communication objectives that broadly address stakeholder concerns, as well as planning and project development goals. What decisions (both formal and informal) need to be made? What public input is needed? How will input be used? How will you communicate with the public? The objectives set forth early in your planning process will guide the outreach activities throughout your project and should take you beyond conducting participation activities simply because they are required. Knowing the answers to these questions can also help manage the public's expectations for the participation process.
- ▶ **Equal opportunity for participation and access to information:** As much as possible, all parties who express interest in, who can contribute to a decision, or who are affected by the outcome should have an equal opportunity to influence decisions and receive equal access to information.
- ▶ **Mutual understanding:** A clear, mutual understanding of the purpose of public involvement, and of the roles and expectations of all parties involved, should be established at the outset and revisited or redefined over time if necessary. It is not always possible for the public to be involved in all major decisions, or in all aspects of any given decision or action. It is essential for an agency to clarify for itself the specific issues and questions where public input is desired and where the public can have influence. The more clearly you articulate the areas for input, the more meaningful the ultimate input will be.<sup>2</sup>
- ▶ **Early, often, and ongoing public participation:** The public should be involved early in defining the issues, in the definition of public participation processes, and in providing input before decisions are made. Even if there are no public events scheduled, communications should be sent regularly to the public.
- ▶ **Neither decisions nor outcomes are predetermined:** All those in a decision-making process need to be open to considering ideas and solutions brought forward by the public.
- ▶ **Shared responsibility and evaluation:** Those who participate share responsibility for the success of the process, agree to participate in good faith and meet public participation objectives, and help evaluate the results of the process.
- ▶ **Decisions widely communicated:** Decisions, including their rationale and the impact of public involvement in their development, should be communicated widely.
- ▶ **Evaluation of the public involvement process:** The public should be involved in evaluating the success of the process and in identifying lessons learned that will contribute to the success of future public involvement plans. Some data that may help in your evaluation includes:
  - The number of brochures or newsletters produced, distributed, and requested.
  - The number of people at events. Are key groups being represented?

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<sup>2</sup> *United States Environmental Protection Agency. "Public Participation Process Planning." United States Environmental Protection Agency. <http://www.epa.gov/international/public-participation-guide/Intro/Process/index.html>. Accessed August 14, 2013.*

- Information related to how meeting/event attendees learned about an event.
- The various types of organizations or citizen groups that participated in the outreach.
- The geographic range (local and regional) of individuals and groups participating in the process.

## Communication and Public Participation Techniques

There is no “one size fits all” approach to public participation. Instead, a variety of techniques should be used to ensure that you are reaching as many individuals and groups as possible, communicating information, and providing varied opportunities for input. A multilayered approach, using traditional, web-based, or social media techniques, may offer the best outcome. Listed below are a variety of techniques to consider as part of your public participation program:

*Inform, Educate, Ask*

**Newspaper Inserts:** A “fact sheet” within the local newspaper that provides community-wide distribution of information.

**Advertisements:** Paid advertisements in newspapers and magazines that reach a broad audience.

**Feature Stories:** Focus stories on general, project-related issues that are used to garner interest in a project and to convey information to the general public.

**Media Release:** A concise review of the project/issue that is released to electronic and print media in the region; useful in announcing kick-offs, project completions, or other milestones.

**News Conference:** An opportunity to reach the media in a larger way and should be limited only to extremely newsworthy events.

**Television:** Cable or network television programming that presents information and elicits a response.

**Web:** Links that contain project information, announcements, and documents that are capable of reaching very large audiences at low cost.

**Social Media:** An effective way to notify a large, engaged audience of your project or upcoming event.

**E-mail Blast:** An easy way to notify a large audience for an upcoming event, etc. Public Affairs staff can assist in sending out large-scale e-mails (i.e., more than 500 recipients).

**Newsletter:** A study, project, plan, or program newsletter developed at the beginning, middle, and end of the work to inform and solicit input from stakeholders.

**Information Hot Line:** A separate line for public access to prerecorded project information.

**Information Centers:** Sites established to distribute information and respond to questions.

**In-Person Surveys:** Focus groups with standardized questionnaires or methodology.

**Focus Group:** Message-testing forum with random members of a target audience to obtain input for planning decisions.

**Advisory Committee:** A group of representative stakeholders assembled to provide public input.

**Interviews:** One-on-one meetings with stakeholders to gain information about public concerns for refining public involvement in a particular planning process.

**Task Force:** A group of experts or stakeholders formed to develop a specific policy recommendation.

**Panel:** A group assembled to debate or provide input on specific issues.

**Field Trips:** Tours for stakeholders, elected officials, advisory group members, and the media of project areas in order to open discussion and enhance familiarity with study area issues.

**Telephone/Web Surveys:** Telephone and web surveys often provide a higher response rate than mail-in surveys.

**Community Fairs:** Central event with multiple activities to provide information and raise awareness.

*Public Meetings, Workshops, Open Houses, Charrettes, etc.*

**Public Meetings:** Informal gatherings with or without presentations.

**Open Houses:** Facilities set aside to allow the public to tour and interact at its own pace; fosters one-on-one communications and builds credibility.

**Charrettes:** Intensive session where participants share in problem solving, create partnerships, and brainstorm on issues.

**Workshop:** An informal public meeting that may include presentations, exhibits, and interactive exercises

**Public Hearings:** Formal meetings with scheduled presentations and public comments scheduled for legal purposes.

**Consensus Building Event:** Techniques that encourage compromise.

Things to keep in mind when planning/conducting an event:

- ▶ The use of existing meetings of civic or special interest organizations can be an effective way to inform and educate and also to elicit public comment and response. Most importantly, there is a built-in audience for your event.
- ▶ A best practice should be to plan meetings for all phases of the planning process: a kick-off event, progress meetings, etc. Projects should never be presented as a *fait accompli* at the end of a planning process.
- ▶ Work with community-based organizations (including organizations/agencies that represent EJ populations) for targeted outreach.
- ▶ Sponsor or cohost a forum/conference with partner agencies or other organizations.

- ▶ Visualization techniques, such as maps, photographs, renderings, models and web content are very important in presenting a plan to the public.
- ▶ Meetings must be located in places that are ADA accessible and, if possible, transit accessible. Try to find the best physical space for your type of event, as well as the best time of day for the event. Venues should also be located in, or adjacent to, the project's study area. The Office of Communications and Public Affairs staff can assist you in locating an appropriate meeting space for your event.
- ▶ Public Affairs staff can help promote your event to a large audience and develop outreach contact lists for your particular study area.
- ▶ Many events can be designed to be family-friendly, with children's activities as part of the agenda.
- ▶ Some high-profile events may require a press release or media advisory.
- ▶ Your event, even if not scheduled for the DVRPC Conference Center, should be located on the online DVRPC events calendar. Public Affairs staff can also announce your event on [www.dvrpc.org](http://www.dvrpc.org), DVRPC's Facebook and LinkedIn pages, as well as the Commission's Twitter feed.
- ▶ Make sure your event's sign-in sheet captures information that may help evaluate your public outreach activities and inform future engagement, such as participant's zip code, how he/she found out about the event, primary reason for attending the meeting, etc. Please provide all sign-in sheets to Public Affairs so contacts can be added to the public participation database.



*The Delaware Valley Regional Planning Commission is dedicated to uniting the region's elected officials, planning professionals, and the public with a common vision of making a great region even greater. Shaping the way we live, work, and play, DVRPC builds consensus on improving transportation, promoting smart growth, protecting the environment, and enhancing the economy.*

*We serve a diverse region of nine counties: Bucks, Chester, Delaware, Montgomery, and Philadelphia in Pennsylvania; and Burlington, Camden, Gloucester, and Mercer in New Jersey. DVRPC is the federally designated Metropolitan Planning Organization for the Greater Philadelphia Region — leading the way to a better future.*



The symbol in our logo is adapted from the official DVRPC seal and is designed as a stylized image of the Delaware Valley. The outer ring symbolizes the region as a whole while the diagonal bar signifies the Delaware River. The two adjoining crescents represent the Commonwealth of Pennsylvania and the State of New Jersey.

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.

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**Publication Number:** TM14005

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**February 2015**



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