

## a Strategy for Citizen Involvement



### Introduction

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

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

### What is DVRPC?

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

### Mission Statement

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.

## MPO Activities

As the MPO for the Delaware Valley region, DVRPC undertakes two significant, ongoing planning processes: the development and adoption of a Long-Range Plan, and the adoption and management of the Transportation Improvement Program (TIP).

### Long-Range Planning

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

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

### The Transportation Improvement Program

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

To help establish priorities for the TIP, DVRPC solicits the public's opinion. A public comment period of at least 30 days and public meeting(s) give the public an opportunity to pose questions about the TIP process and projects. The public involvement process for the TIP conducted by DVRPC is in cooperation with the Pennsylvania Department of Transportation (PennDOT) and the New Jersey Department of Transportation (NJDOT) to satisfy the requirements placed on both states by federal legislation and regulation for all Federal Transit Administration and Federal Highway Administration funded projects in the TIP. TIP public comment meetings are conducted jointly with NJDOT and also serve as an opportunity to comment on the Draft New Jersey Statewide Transportation Improvement Program (STIP). Public Involvement for the TIP is used to satisfy public involvement requirements for PennDOT's Section 5307 program of projects as well.

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

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

## **Other Activities**

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

## **The DVRPC Board**

DVRPC is governed by an eighteen-member decision-making board comprised of state, county, and city representatives from the region's member governments, as well as various non-voting members. All DVRPC Board meetings are open to the public to attend, and include an opportunity for public comment.

## **DVRPC Committees**

DVRPC's committees advise the Board on specific regional issues, while ensuring that interested parties, including member governments and concerned residents, have an opportunity to participate in the planning process. Meeting dates are advertised on DVRPC's web calendar. All committee meetings are open to the public to attend and may receive public input from the Commission's various constituencies.

Public notification of all meetings of DVRPC's Board-established committees is provided approximately ten (10) days prior to each meeting. The public notification includes a copy of the draft agenda and/or a notice that includes the date, time, and location of the meeting. Changes to the agenda may be made up to the day of the meeting. Meeting dates and agendas are available at DVRPC's website ([www.dvrpc.org](http://www.dvrpc.org)).

## **Public Participation Task Force**

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

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

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

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

For more information, visit the Public Participation Task Force page on [www.dvrpc.org](http://www.dvrpc.org). Information is also available by contacting the Public Affairs office at 215-238-2871.

## **Mandates Related to Public Participation**

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

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

## DVRPC's Public Participation Strategy

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

### What is Public Participation?

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

Public participation consists of three related, and often overlapping, processes: information dissemination, consultation, and stakeholder participation. Information dissemination refers to the availability and distribution of timely and relevant information about DVRPC programs and projects. Consultation pertains to information exchanges among the MPO, implementing agency, and stakeholders. Stakeholders are the individuals, groups, or institutions that have an interest in the outcome of a project. The term also applies to those potentially affected by a project.

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

- ▶ transparency and integrity
- ▶ coordination
- ▶ information
- ▶ appropriateness
- ▶ responsiveness
- ▶ inclusiveness
- ▶ monitoring and evaluating
- ▶ learning and sharing<sup>1</sup>

### Our Philosophy

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

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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.*

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

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

## Public Participation Goals

DVRPC's public participation goals are to:

- ▶ provide opportunities for interested parties to identify regional concerns and priorities;
- ▶ encourage public involvement among our various audiences, including traditionally underserved groups;
- ▶ increase the public's awareness of opportunities and activities to actively participate in DVRPC plans and programs;
- ▶ obtain meaningful public input to inform the Commission's planning and decision-making process; and
- ▶ inform and educate our stakeholders, share information, and increase overall awareness of regional planning, land use, and transportation issues and activities in the Delaware Valley region.

## Public Participation Objectives

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

- ▶ The dissemination of information will be thorough to promote the broadest understanding of the region's needs, as a means of strengthening regional policy-making.
- ▶ DVRPC's constituency will be broadened by increasing public and private sector and inter-governmental communications, and by reaching out to those who are underserved in the region.
- ▶ The Commission will ensure that the public has ample opportunity to participate in the decision-making process for regional projects and plans including, but not limited to, the Transportation Improvement Program (TIP) and the Long-Range Plan.

- ▶ DVRPC will coordinate its public participation strategy with ongoing public involvement processes of its member governments, whenever possible, to enhance public participation.

## Development of the Public Participation Plan

Federal guidelines require the participation of interested parties in the development of public participation plans. SAFETEA-LU defines “interested parties” as:

- ▶ residents
- ▶ affected public agencies
- ▶ representatives of public transportation employees
- ▶ freight shippers
- ▶ private providers of transportation
- ▶ representatives of users of public transportation
- ▶ representatives of users of pedestrian walkways and bicycle transportation facilities
- ▶ representatives of the disabled
- ▶ providers of freight transportation services
- ▶ other interested parties

To develop this plan, DVRPC conducted a public comment and review process, for members of the public, federal and state planning partners, and other stakeholders to participate.

## Evaluation of Public Participation Activities

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

The Federal Highway Administration of the United States Department of Transportation recommends the following steps for public participation:

- ▶ Clearly defined purpose and objectives for initiating a public dialogue on transportation issues
- ▶ Specific identification of the affected public and other stakeholder groups with respect to the plans and programs under development

- ▶ Identification of techniques for engaging the public in the process
- ▶ Notification procedures that effectively target affected groups
- ▶ Methods and measures for evaluating the effectiveness of the public involvement program
- ▶ Education and assistance techniques, which result in an accurate and full public understanding of transportation issues
- ▶ Follow-through demonstrating that decision-makers seriously considered public input
- ▶ Solicitation of feedback from the public and stakeholders on the effectiveness of the public involvement process.<sup>2</sup>

DVRPC will use performance measures to help evaluate the effectiveness of DVRPC public participation efforts. Staff will monitor and evaluate public participation activities and conduct a yearly evaluation for the DVRPC Board and the general public. This report will be posted on the DVRPC website. Included in the report will be evaluation of outreach activities related to specific projects (e.g. the long-range plan, the TIP) as well as agency wide outreach endeavors. Evaluation methods may include both quantitative data and qualitative methods.

## Public Participation Procedures: Engaging the Region

To ensure a rich and diverse public participation process, interested parties must be informed and educated about regional issues as well as about ongoing and planned projects. DVRPC utilizes the following strategies to ensure that all audiences receive timely information in a variety of formats, and that various opportunities are available for public engagement:

### Public Meetings and Other Events

Public meetings, open houses, workshops, and information sessions will be scheduled, when deemed appropriate, to allow the greatest opportunity for attendance by the general public and interested groups (i.e., evening or lunch meetings) based upon available staff and resources. In addition, the Commission utilizes a number of timely public participation strategies that may include listening sessions, the Regional Student Forum, and the Environmental Justice Work Group, as resources to gather input and disseminate information.

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

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<sup>2</sup> Federal Highway Administration, *Transportation Planning Capacity Building Program*. "The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decisionmakers, Officials, and Staff." <http://www.planning.dot.gov/documents/BriefingBook/BBook.htm>. Accessed March 26, 2012.



Meetings will be conducted in locations that are ADA accessible and convenient to public transit, when possible. Sign language interpreters or other auxiliary aid requests can be accommodated if requested in advance.

Where appropriate, visualization techniques will be employed throughout DVRPC's public participation activities to aid the public in understanding proposed plans. Examples of visualization techniques include sketches, drawings, artist renderings, physical models and maps, simulated photos, videos, computer modeled images, GIS based scenario planning tools, and computer simulation.

## Notification of Meetings and Events

The scheduled meeting dates of the DVRPC Board are published annually in newspapers of general circulation in both New Jersey and Pennsylvania. Notice of additional meetings will also be sent to these same media outlets at least 48 hours prior to the meeting. All DVRPC-sponsored meetings are also posted on an events calendar at [www.dvrpc.org](http://www.dvrpc.org).

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

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

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

## Notification of Public Comment Periods

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

## Use of Public Comments

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

DVRPC staff is responsible for responding to comments received during a public review period in a timely manner and/or for forwarding these comments to appropriate regional agencies for their response.

Comments submitted to DVRPC are considered part of the record. Summaries of comments received will be updated, made available to the public and forwarded to policy makers considering action. Public comments are reviewed and forwarded to the appropriate agency, and are also provided to the various DVRPC advisory committees, and the DVRPC Board for consideration before final action of the Board.

If a final document, plan, or TIP varies substantially from the one which was made available for public comment and review, an updated copy will be made available for public comment.

### Public Comment on Board Action Items

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

The public can also comment on Board Action items using an online commenting feature on the DVRPC website. Information related to Board Action items will be posted approximately 10 days before a scheduled Board Meeting. The online commenting feature will be live until 12 noon the day before the Board Meeting. The public may also submit comments:

- ▶ by U.S. Mail (c/o Public Affairs Office, DVRPC, 190 N. Independence Mall West, 8th Fl., Philadelphia, PA 19106);
- ▶ by fax at 215-592-9125; or,
- ▶ via e-mail at [public\\_affairs@dvrpc.org](mailto:public_affairs@dvrpc.org).

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

### DVRPC's Communication Tools

DVRPC's extensive website is a continuously updated source of information on every aspect of the regional and transportation planning process. A wide scope of resource material, covering all of DVRPC's planning areas is available, as well as an event calendar, regional data, community resources, meeting notices and agendas, information related to public participation activities, and Environmental Justice. The website also includes staff, Board member, member government contact information, and links to related agencies and municipalities. The DVRPC website, including this Public Participation Plan, may be translated into multiple languages through GoogleTranslate. The DVRPC Publications Database (located at <http://www.dvrpc.org/asp/publicationsearch/>), lists publication abstracts and/or full PDF versions of over 800 reports from 1988 to the present.

*DVRPC News* is the Commission's newsletter and is published digitally every month. The newsletter provides information about the Commission's various projects and activities, and

includes information on how to contact the Commission and its staff. The newsletter is emailed, is available in a printed format (if requested) and is posted online. To receive this newsletter by mail or e-mail, please contact the Office of Communications and Public Affairs at 215-238-2871 or [public\\_affairs@dvrpc.org](mailto:public_affairs@dvrpc.org).

## Media Communications

DVRPC regularly releases, as deemed appropriate, press advisories to the region's 350-plus electronic and print media outlets. In addition to DVRPC programs and activities, media releases are provided for upcoming events and actions.

## DVRPC Resource Center

The DVRPC Resource Center serves as a clearinghouse for the many publications that DVRPC produces annually, including a variety of newsletters, studies, and assorted transportation, data and planning-related documents that are available both online and in print. The Commission also issues an annual report that summarizes the activities of the agency for the prior fiscal year and encompasses environmental, transportation, regional planning, and public outreach issues.

The Resource Center is open during regular business hours. Alternately, one may contact our resource librarian by phone at 215-238-2828 to make an appointment. The resource librarian can assist with a specific research question or provide a print copy of a DVRPC publication. The use of the library is free; some fees may apply to some publications or photocopies of documents.

DVRPC can translate Commission documents into any language or format, if requested.

## Speakers Bureau

The Commission maintains a Speakers Bureau to promote presentations to residents, organizations, and communities. DVRPC's staff, which is comprised of professionals in a variety of planning and transportation specialties, is available to speak at meetings on a variety of topics such as transit planning, freight planning, open space preservation, and regional transportation safety. For more information, please contact DVRPC's Office of Communications and Public Affairs.

## Planner's Methodology

DVRPC has developed a Planner's Methodology, which is designed to provide guidance to staff in meeting federal nondiscrimination mandates and in structuring a public participation plan at the project or study level. How meaningful public participation is implemented into the planning process may differ widely, depending on the type and scope of a project. The Planner's Methodology sets a framework for developing public involvement for specific projects, offers a "tool kit" of public participation strategies to meet the goals in DVRPC's Public Participation Plan, and builds upon the Commission's philosophy of placing public participation at the forefront of our priorities. The Planner's Methodology is available at <http://www.dvrpc.org/GetInvolved/TitleVI/>.

## Online Resources

DVRPC maintains an online page with links to Environmental Justice and Public Participation articles, resources, and information at <http://www.dvrpc.org/Links/Public.htm>.

## Promoting Open and Accessible Involvement

DVRPC is committed to an open and transparent planning process. The Commission's Disclosure of Public Records policy is included in Appendix B.

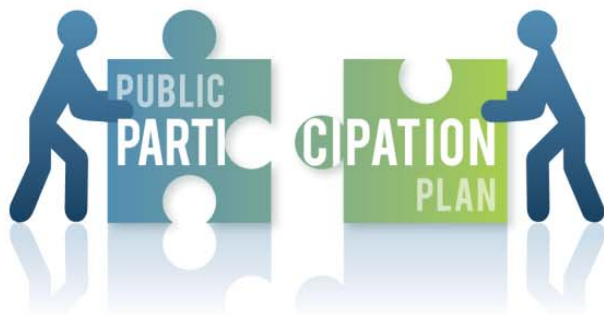
## For More Information

For additional information about DVRPC, the Public Participation Task Force, to have your name added to our e-mail and mailing lists, or if you have any questions regarding public participation activities at the Commission, please contact the Office of Communications and Public Affairs:

Candace Snyder, Director, Office of Communications and Public Affairs  
215-238-2875 | [csnyder@dvrpc.org](mailto:csnyder@dvrpc.org)

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215-238-2871 | [jmeconi@dvrpc.org](mailto:jmeconi@dvrpc.org)

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a **Strategy**  
for **Citizen Involvement**

Appendix A:  
Mandates Related to  
Public Participation



## Federal Transportation Legislation

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

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

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

## Title VI and Environmental Justice

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

## *Title VI of the Civil Rights Act of 1964*

*Title VI of the Civil Rights Act of 1964* states that “no person in the United States, shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

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

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

In January 2007, the DVRPC Board approved the Commission’s *Title VI Compliance Plan*, which established a framework for DVRPC’s efforts to ensure compliance with Title VI as well as with other EJ and non-discrimination mandates. Updated in 2010, the plan outlines how Title VI and EJ considerations are reflected in the Commission’s Work Program, publications, communications, public involvement effort, and general way of doing business. The *Title VI Compliance Plan* is available by contacting 215-238-2871 and is located in the “Get Involved” section of DVRPC’s website.

## **Title VI Statement**

DVRPC’s Title VI statement is included in DVRPC’s publications, website, and other communications as a means of informing the public of compliance with Title VI and of the provision of alternative language services and formats:

*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 call (215) 238-2871 or email [public\\_affairs@dvrpc.org](mailto:public_affairs@dvrpc.org).*

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

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

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

EJ encompasses three basic fundamental principles:

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

EJ requires MPOs to:

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

*Environmental Justice at DVRPC*, a publication which is updated every fiscal year, includes data that directs the Commission's public participation efforts, and provides an overview of DVRPC's EJ technical analysis and descriptions of projects/programs that use DVRPC's EJ methodology. DVRPC's EJ Work Group also meets to discuss EJ-related issues in the region. In addition, DVRPC has launched an Interactive Web Map and Data Application ([www.dvrpc.org/GetInvolved](http://www.dvrpc.org/GetInvolved)) that enables the public to view and identify EJ sensitive areas within the DVRPC region. Users may also review Indicators of

Potential Disadvantage (IPD) analysis, tract level population and household demographics, as well as download Census tract level data.

## The Importance of Environmental Justice in the Public Participation Process

Effective public involvement in the planning and project development process can alert state and local agencies about EJ concerns. Continuous interaction between community members, transportation and planning professionals, and decision-makers is critical to successfully identify and address potential EJ issues. State, regional, and local agencies should all have established public involvement procedures that provide an inclusive, representative, and equal opportunity for two-way communication while addressing EJ concerns.

## Executive Order 13166: Improving Access for Persons with Limited English Proficiency

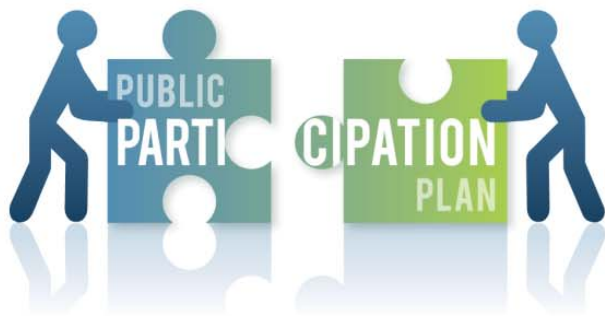
Executive Order 13166, Improving Access for Persons with Limited English Proficiency (LEP), was issued in 2000 to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency. It requires federal agencies to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. For more information, please see the DVRPC *Title VI Compliance Plan*.

## Americans With Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 provides “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.” For more information, please see the DVRPC *Title VI Compliance Plan*.

## Doing Our Share for Cleaner Air

The Clean Air Act Amendments (CAAA) were signed into law in 1990, setting an aggressive timetable and program to improve the nation’s air quality. Under the CAAA, the Philadelphia region has been designated as a “non-attainment” area for both ground-level ozone and fine particulate matter. Because the DVRPC region does not meet federal air quality standards for these pollutants, the Commission is required to demonstrate that projects and programs in the TIPs and Long-Range Plan do not impede the region’s progress towards meeting the federal air quality standards.



a **Strategy**  
for **Citizen Involvement**



Appendix B:  
Disclosure of Public  
Records Policy



## Overview

The intent of this policy is to clarify the existing practices of the Delaware Valley Regional Planning Commission (DVRPC) regarding public access to Commission records.

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

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

- ▶ Records related solely to the internal personnel matters of the Commission, including staff, commissioners, and committee members;
- ▶ Records specifically exempted from disclosure by statute, court order, or common law practice;
- ▶ Trade secrets and commercial or financial information obtained from a person and considered privileged or confidential;
- ▶ The internal pre-decisional deliberations (other than purely factual materials) of the Commission, its members, alternates, officers, legal counsel, contractors, and employees, or such pre-decisional deliberations with another agency, its officers, legal counsel and employees, relating to a budget recommendation, contemplated or proposed policy, or a course of action; any research, memos or other documents used in pre-decisional deliberations;
- ▶ Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and
- ▶ Copyrighted material or information subject to a licensing agreement, the disclosure of which would violate the terms of such agreement.
- ▶ A record, the disclosure of which creates a reasonable likelihood of endangering the safety or the physical security of a building, public utility, resource, infrastructure, facility or information storage system.

The Commission may make its records available through any publicly accessible electronic means, including the Commission's website. The Commission may respond to a request by notifying the requester that the record is available through publicly accessible electronic means, such as the Commission's website, or that the Commission will provide access to the record electronically.

## Procedure for Requests

**To request a public record from DVRPC, the requester must complete the attached Public Records Request Form and mail, fax, or email it to:**

Candace Snyder  
Director, Office of Public Affairs and Communications  
Delaware Valley Regional Planning Commission  
The American College of Physicians Building - 8th Floor  
190 North Independence Mall West  
Philadelphia, PA 19106-1520  
Phone: (215) 238-2875  
Fax: (215) 592-9125;  
Email: [csnyder@dvrpc.org](mailto:csnyder@dvrpc.org)

If you need assistance in completing the Public Records Request form, please contact the Public Affairs Office. Copies of the respective request forms are available on the DVRPC website ([www.dvrpc.org](http://www.dvrpc.org)) or from the Director of Public Affairs.

Requests must be sufficiently specific to enable DVRPC to ascertain which records are being requested. The Commission shall not be required to prepare new records in order to respond to a request for information.

If the request is to be provided in a medium other than hard copy, the requester must specify such medium, including in the case of electronic transmittal, the appropriate format. DVRPC will endeavor to comply with non-hard copy requests.

Upon receipt of a request, the Public Affairs Director will review the request: (a) for completeness; (b) to determine whether the records requested are subject to public access under this policy; and (c) to determine the Commission's ability to fulfill the request in the medium selected.

The Public Affairs Director will then recommend to the Executive Director that the request be fulfilled or denied.

## The Pennsylvania Right-to-Know Law and the New Jersey Open Public Records Act

DVRPC was created through an interstate compact between the Commonwealth of Pennsylvania and the State of New Jersey. As such, DVRPC is governed by federal interstate compact law and not subject to the unilateral control of any one state. In October 2012, the Pennsylvania Commonwealth Court ruled that DVRPC is not subject to the Pennsylvania Right-to-Know Law, 56 A.3d 40 (Pa. Cmwlth. 2012).

In June 2013, the New Jersey Government Records Council ruled that DVRPC is not subject to New Jersey's Open Public Records Act, GRC Case No. 2012-139.

## Appeals Procedure

Whenever a request for DVRPC records is denied, in addition to any other relief available, the requester may appeal that decision to the Executive Committee of the DVRPC Board. To do so the requester must:

Address the appeal, in writing, by mail, or by fax, to the:  
Chairman of the Board  
c/o Delaware Valley Regional Planning Commission  
The American College of Physicians Building – 8th Floor  
190 North Independence Mall West, 8th Floor  
Philadelphia, PA 19106-1520  
Fax (215) 592-9125

The appeal must include all information, including copies of the original request and all DVRPC responses, as well as any other information deemed appropriate for DVRPC Board Executive Committee review. The requester shall have 30 days from the date of the denial to file an appeal. Upon receipt of an appeal to a denial issued under this policy, the matter will be placed on the next available Executive Committee meeting agenda for review and action.

If the Executive Committee finds that the Executive Director correctly denied the request, a written explanation of the affirmation of the denial will be provided to the requester. If the finding is that the request should be fulfilled, DVRPC will begin immediately to fulfill the request in accordance with the provisions of this policy.

## Fees

For reproduction of existing hard copy information, DVRPC will charge a reproduction fee per page in accordance with the Commission's fee schedule. All reproduction in other formats shall be at the actual cost of the format for reproduction. DVRPC reserves the right to limit the number of copies of any document that will be provided to one person.

If the cost estimate of fulfilling the request is less than \$100.00, the fee is due at the time the request is completed. The Commission reserves the right to withhold documents until such time as the fee is paid. Should the cost estimate of fulfilling the request exceed \$100.00, the fee must be paid before fulfillment is begun. If the requester refuses to pay the applicable fee, the request will be deemed denied and subject to the applicable appeal procedures outlined above.

**Note: The Delaware Valley Regional Planning Commission will waive all fees that total Ten Dollars (\$10.00) or less.**





## Request For Public Records Form

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

Name of Requestor: \_\_\_\_\_

Organization (if any): \_\_\_\_\_

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

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

All information requested will be provided in accordance with the terms and conditions of the DVRPC Disclosure of Public Records Policy.

### Information Requested

Copies of Minutes (Please specify committee, date, topic, or other identifying information)

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Maps, Plans, Studies (Please specify date, topic, or other identifying information)

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Other (Please specify date, topic, or other identifying information)

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

Date Response Provided: \_\_\_\_\_

Authorized DVRPC Signature: \_\_\_\_\_





*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.

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 call (215) 238-2871 or email [public\\_affairs@dvrpc.org](mailto:public_affairs@dvrpc.org).

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