Agenda Item #5D

MARICOPA ASSOCIATION OF GOVERNMENTS INFORMATION SUMMARY... for your review

DATE:
July 19, 2011

SUBJECT:
MAG Environmental Justice and Title VI Plan

SUMMARY:
Title VI and Environmental Justice activities are mandated by the federal government to ensure that people of all races, income levels, ages, and abilities have an equal voice in the planning process and receive equal benefit from the results of such planning. MAG is actively engaged in Title VI and Environmental Justice activities as a sub-recipient of federal funding. In order to facilitate a thorough understanding of these activities, a Title VI Plan has been developed. The Plan reflects activities that fulfill the responsibilities assigned to Metropolitan Planning Organizations as set forth by the Federal Transit Administration circular FTA C 4702.1A under chapter seven. Chapter seven charges metropolitan planning organizations (MPO), such as MAG, with the following:

1. Development of a demographic profile identifying the locations of Title VI and Environmental Justice groups.
2. A planning process that identifies the transportation needs of people with low incomes and minority populations.
3. An analytical process that identifies the benefits and burdens of transportation system investments for different socioeconomic groups, identifies imbalances, and responds to the analysis produced.

The draft plan fulfills these responsibilities.

On June 30, 3011, the MAG Transportation Review Committee voted to recommend the plan for approval. On July 13, 2011, the MAG Management Committee voted to recommend the plan for approval.

PUBLIC INPUT:
An opportunity for public input was provided at the MAG Transportation Review Committee meeting and the MAG Management Committee meeting. No comments were made.

PROS & CONS:
PROS: Clearly communicating Title VI activities, responsibilities, and opportunities affords the public and communities of concern with a meaningful role in the transportation planning process. It also provides the information and perspectives required to ensure the planning is responsive to the needs of vulnerable populations.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:
TECHNICAL: Communities of concern describe populations that have been determined by the federal government or the MPO as benefitting from protections to ensure their meaningful involvement in planning and services. These vulnerable populations have been identified through the Civil Rights Act of 1964, Executive Order 12898, and Executive Order 13166 to end discrimination and ensure equal access to all federally funded services.

To assist with the identification of Title VI neighborhoods, the presence of Title VI populations is compared against the regional average for each community of concern. Linguistic isolation follows federal guidance at five percent within a census block or 1,000 people or more within a neighborhood. Based on the 2010 Census, the threshold for each mandated community of concern is as follows:

1. Linguistic isolation: five percent or higher
2. Minority population: 41 percent or higher
3. Population in poverty: 13.4 percent or higher
4. Disability: 18 percent or higher

The U.S. Census Bureau is the source of data used for determining the environmental justice communities of concern. The unit of analysis is the census tract.

POLICY: The presence of Title VI communities of concern will be determined throughout the region. When a new planning activity is beginning, the potential impact of that activity on the Title VI communities of concern will be evaluated. If an impact is anticipated, appropriate Title VI activities such as public outreach will be enacted. Th communities of concern will be offered opportunities to offer feedback on the planning activity in question. The impact of their feedback on the planning process will be documented.

ACTION NEEDED:
Approval of the draft MAG Environmental Justice Title VI Plan.

PRIOR COMMITTEE ACTIONS:
On July 13, 2011, the MAG Management Committee voted to recommend the plan for approval.

MEMBERS ATTENDING

Charlie Meyer, Tempe, Chair
Karen Peters for David Cavazos, Phoenix
Matt Busby for George Hoffman, Apache Junction
Charlie McClendon, Avondale
Stephen Cleveland, Buckeye
* Gary Neiss, Carefree
Wayne Anderson for Usama Abujbarah, Cave Creek
Patrice Kraus for Rich Dlugas, Chandler
Leah Hubbard for Spencer Isom, El Mirage
* Phil Dorchester, Fort McDowell Yavapai Nation
* Rick Davis, Fountain Hills
Rick Buss, Gila Bend
* David White, Gila River Indian Community
* Collin DeWitt, Gilbert
Ed Beasley, Glendale
John Fischbach, Goodyear
Bill Hernandez, Guadalupe
Darryl Crossman, Litchfield Park
Miranda Culver for Christopher Brady, Mesa
David Andrews for Jim Bacon, Paradise Valley
Carl Swenson, Peoria
Patrick Flynn for John Kross, Queen Creek
* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Brad Lundahl for David Richert, Scottsdale
Chris Hillman, Surprise
Reyes Medrano, Tolleson
* Gary Edwards, Wickenburg
# Lloyce Robinson, Youngtown
Kwi Sung Kang for John Halikowski, ADOT
Kenny Harris for David Smith, Maricopa Co.
David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.
# Participated by telephone conference call. + Participated by videoconference call.

On June 30, 2011, the MAG Transportation Review Committee recommended approval of the draft MAG Environmental Justice Title VI Plan.

MEMBERS ATTENDING

Peoria: David Moody
ADOT: Kwi-Sung Kang
Avondale: Shirley Gunther for David Fitzhugh
Buckeye: Scott Lowe
Chandler: Dan Cook for Patrice Kraus
* El Mirage: Lance Calvert
Fountain Hills: Randy Harrel
Gila Bend: Eric Fitzer
* Gila River: Doug Torres
* Gilbert: Tami Ryall
Glendale: Bob Darr for Terry Johnson
Goodyear: Cato Esquivel
Guadalupe: Gino Turrubiartes
Litchfield Park: Paul Ward for Woody Scoutten
Maricopa County: Clem Ligocki for John Hauskins
Mesa: Jeff Martin for Scott Butler
Paradise Valley: Bill Mead
Phoenix: John Siefert for Rick Naimark
Queen Creek: Kevin Johnson for Tom Condit
RPTA: Bryan Jungwirth
Scottsdale: Dave Meinhart
Surprise: Bob Beckley
Tempe: Chad Heinrich
Valley Metro Rail: John Farry
* Wickenburg: Rick Austin
Youngtown: Grant Anderson for Lloyce Robinson

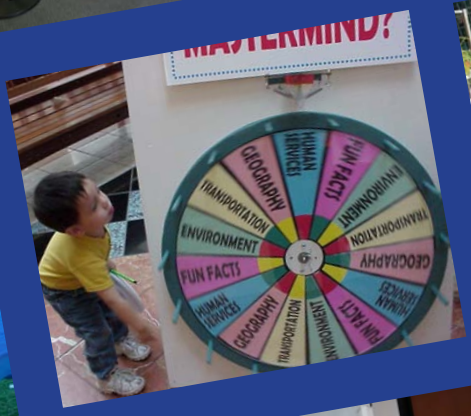
EX-OFFICIO MEMBERS ATTENDING

Street Committee:
* ITS Committee: Nicolaas Swart, Maricopa Co.
Bicycle/Pedestrian Committee: Katherine Coles, City of Phoenix
* Transportation Safety Committee: Julian Dresang, City of Tempe

* Members neither present nor represented by proxy.
# - Attended by Audioconference
+ - Attended by Videoconference

CONTACT PERSON:
Amy St. Peter, MAG Human Services Manager, (602) 254-6300.

MARICOPA ASSOCIATION of GOVERNMENTS



Environmental Justice and Title VI Plan

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Section One: Introduction

The voices and concerns of all people are critical to responsive regional planning. Some populations, such as minorities and people with low incomes, may not consistently have equal access to the planning process. Protections are in place to ensure that all people, especially vulnerable populations, receive equal benefits from government activity. For more than 40 years, the considerations of vulnerable populations have played an integral role in all aspects of regional planning at the Maricopa Association of Governments (MAG). This document sets forth the process to fully integrate the needs of these vulnerable populations as part of MAG's Title VI and Environmental Justice activities.

Title VI and Environmental Justice (EJ) activities are mandated by the federal government to ensure that people of all races, incomes levels, ages, and abilities have an equal voice in the planning process and receive equal benefit from the results of such planning. MAG is actively engaged in Title VI and Environmental Justice activities as a subrecipient of federal funding. In order to facilitate a thorough understanding of these activities, the definitions are provided in *Attachment A*. This plan will be reviewed biennially and updated as needed.

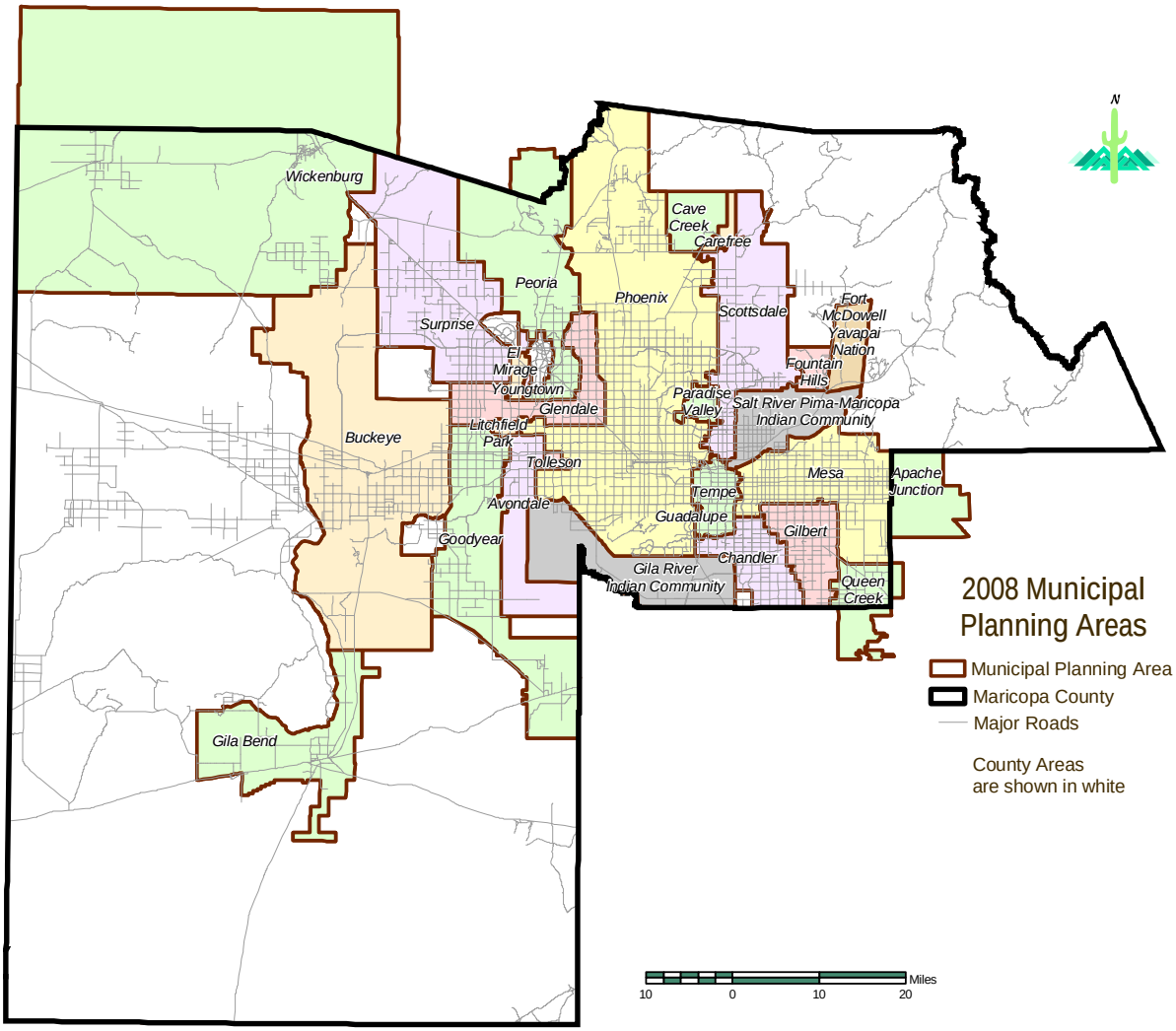
The activities listed in this document respond directly to the guidance provided by the Federal Transit Administration in Circular 4702.1A. Chapter seven charges metropolitan planning organizations (MPO), such as MAG, with the development of a demographic profile identifying the locations of Title VI and EJ groups, a planning process that identifies the transportation needs of people with low incomes and minority populations, and an analytical process that identifies the benefits and burdens of transportation system investments for different socioeconomic groups, identifies imbalances, and responds to the analysis produced. The goals of these activities are as follows:

- Comply with the public involvement and environmental justice requirements of the federal and state regulations.
- Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- Provide specific opportunities for the public and community-based organizations to discuss their views and provide input on the subject areas addressed in the planning activities of MAG.
- Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
- Inform the public about ongoing MAG planning activities, and their potential role in those activities.

MAG is the MPO and Council of Governments (COG) for the region, comprising twenty five cities

and towns, three Native American Communities, Maricopa County, and the Arizona Department of Transportation. The Citizens Transportation Oversight Committee is also represented on the MAG Regional Council. As the MPO for the region, MAG develops plans and programs and facilitates activities related to transportation, environment, human services, and socioeconomic projections. While a significant portion of the work is funded by federal dollars, this region provides significant funding through a regional transportation tax put in place through Proposition 400. Over the 20-year period of the tax, the tax is expected to raise $8.7 billion for regional transportation projects. This demonstrates a strong commitment to mobility throughout the region.

As the groundwork was being laid for Proposition 400, extensive community outreach engaged a diverse spectrum of people. Their needs and feedback were considered as an important part of the planning process. As a result, funding for transit increased from less than three percent in Proposition 300 to 33 percent in Proposition 400. This is an example of the impact communities of concern have on regional planning at MAG. Community engagement activities are continuing and important elements to responsive planning. The next section details the roles and responsibilities related to Title VI and EJ activities.



Section Two: Overview of Roles

A. Federal Guidance for Metropolitan Planning Organizations

The following role for MPOs is set forth by the Federal Transit Administration circular FTA C 4702.1A under chapter seven:

In order to integrate, into metropolitan planning activities, considerations expressed in the DOT Order on Environmental Justice, MPOs should have an analytic basis in place for certifying their compliance with Title VI. Examples of this analysis can include:

a. A demographic profile of the metropolitan area that includes identification of the locations of socioeconomic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI.

b. A metropolitan transportation planning process that identifies the needs of low-income and minority populations.

c. An analytical process that identifies the benefits and burdens of metropolitan transportation system investments for different socioeconomic groups, identifying imbalances and responding to the analyses produced.

B. Signed Policy Statement

The following policy statement supports the implementation of these activities:

The Maricopa Association of Governments (MAG) is committed to ensuring that no person is discriminated against on the grounds of color, race, or national origin as provided by Title VI of the Civil Rights Act of 1964 and related legislation. Specifically, Title VI asserts 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."

MAG strives to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. As a subrecipient of federal funding, MAG is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

_____ _____

Dennis Smith, Executive Director Date

C. Primary Partners

MAG's work in this area is impacted and supported by a number of partners. Title VI and EJ activities are undertaken by these partners working closely together to ensure that all people in the region have a voice in and benefit from investments made in transportation. Each agency involved in this collaboration addresses facets important to Title VI and contributes to a robust regional response.

- As the MPO, MAG has primary responsibility for EJ and Title VI analysis at the regional planning level. This includes regional plans, studies, and analyses of data to support the work of the MPO.

- The cities, towns, Native American communities, and Maricopa County have primary responsibility for Title VI and EJ analysis under the National Environmental Policy Act (NEPA) for arterial and local construction projects.

- The Arizona Department of Transportation (ADOT) conducts Title VI and EJ analysis for highway construction projects.

- The City of Phoenix, as the designated recipient for Federal Transit Administration (FTA) funds, transit operators, and subrecipients of FTA funds have primary responsibility for Title VI and EJ analysis for transit service and for transit projects under the National Environmental Policy Act (NEPA).

All regionally significant transportation projects and activities for the region are included in the MAG Regional Transportation Plan (RTP). The RTP provides a policy framework to guide regional transportation investments and establishes performance measures for regional transportation facilities and services that will allow the region to better monitor and improve the system in the future. It also identifies and prioritizes specific transportation facilities needed to achieve the congestion, mobility, safety, environmental and other goals of the plan. These projects are detailed in the maps and texts of the RTP document and in major elements of the RTP including:

- Proposition 400 projects in the three life cycle programs: Freeway, Arterial, and Transit.
- MAG federally funded program.
- Locally sponsored projects.

Participating agencies include the Arizona Department of Transportation, all cities and towns and Maricopa County, MAG, and transit providers in the MAG region (the Regional Public Transportation Authority, City of Phoenix, Valley METRO Rail/METRO, City of Tempe, City of Scottsdale, City of Peoria, City of Glendale, and City of Surprise). For more information about the RTP, please visit the following link located on the MAG website: http://www.azmag.gov/Projects/Project.asp?CMSID2=1126&MID=Transportation.

Section Three: Method of Administration

This Title VI Plan is implemented through the assistance of a Title VI Coordinator and MAG Division Liaisons. The role of the Coordinator is to be responsible for reviewing and updating the plan in collaboration with the division liaisons. The liaisons in each of the MAG divisions are the main point of contact for both the public and the Coordinator on Title VI issues. For a full listing of the liaisons, please refer to *Attachment B*.

The planning process to support Title VI activities may be summarized by three main categories of data, dialogue, and decisions. The process begins by developing a demographic profile for the communities of concern.

A. Data: Demographic Profile for Communities of Concern

Communities of concern describe populations that have been determined by the federal government or the MPO as benefiting from protections to ensure their meaningful involvement in planning and services. These vulnerable populations have been identified through the Civil Rights Act of 1964, Executive Order 12898, and Executive Order 13166 to end discrimination and ensure equal access to all federally funded services.

To assist with the identification of Title VI neighborhoods, the presence of Title VI populations is compared against the regional average for each community of concern. Linguistic isolation follows federal guidance at five percent within a census block or 1,000 people or more within a neighborhood. Based on the 2010 Census, the threshold for each mandated community of concern is as follows:

- Linguistic isolation: five percent or higher
- Minority population: 41 percent or higher
- Population in poverty: 13.4 percent or higher
- Disability: 18 percent or higher

The U.S. Census Bureau is the source of data used for determining the environmental justice communities of concern. The unit of analysis is the census tract. Census tracts tend to remain relatively stable, and when they do change, the exact nature of the change is published. Census tracts are drawn up by local committees, and accordingly, are more likely to reflect the community's view of where one neighborhood ends and another begins. Census tracts also are comparable in population size.

Communities of concern are identified as those census tracts where the identified group represents a percentage of the population equal to or greater than that of the county average. Federal guidelines state that minority populations should be identified where either (a) the minority population of the affected area exceeds 50 percent, or (b) the minority population percentage of the affected area is measurably greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

The following chart indicates the number of people represented by communities of concern and the

percentage they represent of the total population in the region.

Definitions and maps for each of the communities of concern are provided in *Attachment F.*

Population and Households			Census Tracts			
	Maricopa County					
Category	Total	Percent	Number of tracts >= County Percentage	Percent Tracts	Affected [f] Population	Percent of Affected Population Captured in Tracts
Maricopa County Population Estimate	3,855,521	100%	663	100%	------	------
Maricopa county Household Estimate	1,338,468	100%	663	100%	------	------
Minority [a]	1,579,439	41.0%	264	40%	1,073,342	68.0%
Below Poverty Level [b]	508,722	13.4%	267	40%	356,621	70.1%
Population 5 years and over with a disability [c]	504,992	18.0%	310	47%	316,901	62.8%
Linguistically Isolated Household [e]	96,945	7.2%	240	36%	75,627	78.0%

Sources: U.S. Census Bureau, 2009 American Community Survey (ACS) 5-Year Data and 2000 Decennial Census Data

[a] Minority includes total population less White (Non Hispanic). Data from 2009 ACS 5-Year

[b] Percent of the population for whom poverty status is determined does not include institutionalized persons. Data from 2009 ACS 5-Year.

[c] Disability status from the 2000 Census data for persons 5 years and over. Disability status is not available at the Census Tract level in the 2005-2009 American Community Survey data.

[d] A linguistically isolated household is one in which no member 14 years and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well." In other words, all members of the household 14 years and over have at least some difficulty with English.

[e] Affected population is the total of people or households (depending on the data "universe") that fall into the specified category for all tracts that have greater than or equal to the county percentage of that category. Data from 2009 ACS 5-Year.

The MAG Information Services Division maintains the demographic profile as a resource for MAG staff to use when determining the presence of Title VI and EJ populations. This information will be considered when planning activities for the Unified Planning Work Program such as the MAG Regional Transportation Plan and the Programming Handbook for the Transportation Improvement Program. This also includes transportation planning projects.

Based on the data, staff will determine the presence of Title VI and affected communities as well as the potential to impact them through the planned activity. Appropriate outreach and analysis will be incorporated into all relevant activities from the beginning. The Title VI Coordinator may assist staff as needed in determining the potential impact of planning activities on Title VI populations. The Coordinator will also provide training opportunities to ensure staff develops a thorough understanding of Title VI issues and responsibilities.

B. Dialogue: Process to Identify Needs

Regardless of the audience, the need for transportation commonly arises as a key concern. People rely on a range of transportation services to earn a living, secure education, and access medical care. Limited access to safe, affordable, reliable transportation options significantly impairs one's ability to live independently. Vulnerable populations are more deeply affected due to scarcity of alternatives and the depth of need for assistance.

For example, people with disabilities cite an ongoing need for paratransit services. MAG helps to address this need by staffing the application process for Section 5310, Elderly and Individuals with Disabilities Transportation Program. This federal funding source makes vehicles and other forms of support available to agencies that transport older adults and people with disabilities.

The MAG Transportation Ambassador Program (TAP) connects Title VI populations to standard and alternative transportation options. The MAG Human Services Coordination Transportation Plans provide an inventory of transportation services, analyze the gaps that exist, and prioritize strategies to improve the mobility of older adults, people with disabilities, and people with low incomes. Additional opportunities to serve Title VI and EJ populations through the coordination plans and TAP will be more fully explored and maximized in the future. This will serve to identify and meet the transportation needs of Title VI and EJ populations.

Limited English Proficiency

Needs for the communities of concern are identified through public outreach. In order to ensure the public receives and understands information vital to their participation in the planning process, a four-factor analysis is used to identify the needs of people with Limited English Proficiency (LEP).

Section Five of the U.S. Department of Transportation guidance on LEP prescribes a four-factor analysis to determine the need for translation services in order to fully engage LEP populations in the planning process. The end result is that people receive information and can communicate their perspectives in the language most comfortable to them.

The four factors are as follows:

1. Demography: The number and/or proportion of LEPs served and languages spoken in the service area.
2. Frequency: Rate of contact with service or program.
3. Importance: Nature and importance of program/service to people's lives.
4. Resources: Available resources, including language assistance services varying from limited to wide ranging with varying costs.

The results of the four-factor analysis for this region are as follows:

- **Demography:** According to the 2009 American Community Survey (ACS), 27.9 percent of the region's population speaks a language other than English. ACS reports that 13.1 percent of persons five years old and over speak English less than "very well." The predominant language for this

group is Spanish. The FTA standard is to translate material when five percent or more people in an area speak English less than "very well." If assessing one neighborhood, the standard is if 1,000 or more within a neighborhood speak English less than "very well." According to this standard, LEP neighborhoods are present throughout the region, especially in the central areas along I-17 and I-10.

- **Frequency:** Agencies providing direct service, such as transit service, translate all public materials into Spanish due to daily contact with LEP populations. People come into contact with MAG as a planning agency less frequently. Vital materials are translated into Spanish. Additional translation and interpreter services are offered.

- **Importance:** Transportation is an important element to people's independence. Inclusive community engagement is critical to ensuring that transportation planning is responsive to the needs of all residents.

- **Resources:** Resources to translate materials and interpret for individuals are available but finite. The investment is made to translate vital materials. MAG maintains a standing offer to translate additional materials into additional languages and provide alternative formats such as Braille or large print. At least one person in nearly every MAG organization division is bilingual and available to assist with interpretation. At a minimum, there is a bilingual staff member who can assist with interpretation at every policy meeting and at other public meetings as needed.

On the basis of this four-factor analysis, MAG maintains vital materials about the agency in Spanish and will translate into other languages upon request. Spanish-speaking staff is available at policy committee meetings and as needed for other public meetings to interpret for LEP populations. Additional materials and interpreters will be made available for areas with high concentrations of linguistically-isolated individuals.

Public Participation Activities

The general public as well as Title VI, EJ, and LEP populations are engaged in the planning process through ongoing public outreach activities. More intensive tools such as focus groups are used to identify Title VI transportation needs for specific planning activities that may impact Title VI populations. On an ongoing basis, the full or abbreviated Title VI public notice will be featured on the MAG website and in all significant MAG publications. This includes information about the complaint process described in section three.

The following tools are used on a consistent basis to facilitate an exchange of information and to fully engage communities of concern. All material contains the Title VI public notice. Vital materials are translated into Spanish. Additional materials are translated and offered in alternative formats upon request. MAG maintains a disability associate to advise on issues related to people with disabilities and perform outreach to the disability community.

In SAFETEA-LU, visualization techniques in public involvement planning are considered essential to assisting public understanding of transportation plans

and programs. MAG's description of visualization techniques in its Public Participation Plan was cited by the Federal Highway Administration (FHWA) as a notable practice among Metropolitan Planning Organizations (MPOs) throughout the nation.

- **Events:** It is a priority to engage communities of concern in public, openly accessible events. Going to where people are instead of requiring them to attend meetings at MAG increases the level of participation and the diversity of people offering feedback. MAG public involvement staff routinely participates in more than 10 events each year focused on Title VI populations. MAG coordinates efforts with the Arizona Department of Transportation (ADOT), Regional Public Transportation Authority, Valley Metro Rail (METRO), and with the largest transit provider in the Valley, the city of Phoenix Public Transit Department. In SAFETEA-LU, visualization techniques in public involvement planning were considered essential to assisting public understanding of transportation plans and programs. Consequently, MAG utilizes videos, maps, graphics, printed, web and other forms of visual aides to help event attendees better understand the transportation network of the future. Participation in events also enables MAG staff to better inform the public on implementation and process planning of the Regional Transportation Plan.

- **Public hearings:** MAG conducts up to two public hearings each year as part of the process when the MAG Transportation Improvement Program and Regional Transportation Plan are being updated. The first hearing provides residents an opportunity to comment on initial draft plans and programs. This hearing is usually held in conjunction with MAG member agency elected officials, the State Transportation Board, Citizens Transportation Oversight Committee, and representatives from Valley Metro, METRO, and the largest local transit provider in the region, the city of Phoenix Public Transit Department. The second hearing provides residents the opportunity to comment on final draft plans and programs prior to adoption by MAG policy committees. This hearing is facilitated by staff, with members of the MAG, ADOT, Valley Metro, METRO and city of Phoenix Public Transit Department staff conducting the hearing. After each public hearing, an input

opportunity report is compiled and distributed to MAG policy committee members for review and consideration prior to taking any action.

- **Surveys:** MAG staff distributes awareness surveys at a variety of events in order to gauge public awareness of MAG and its plans and programs. The results from the awareness survey are a positive indicator of MAG's efforts to pursue public awareness and involvement in the transportation planning process. The survey also asks respondents about their transportation priorities and participation in the MAG planning process.

- **Focus groups and stakeholder group meetings:** Focus groups and stakeholder group meetings offer opportunities for small groups of communities of concern to offer detailed feedback on specific topics. These are conducted as needed throughout the agency. For example, the MAG Human Services Division routinely conducts focus groups with various vulnerable populations to gauge emerging needs, including those related to transportation. Significant planning activities, within the MAG Human Services Division and throughout the agency, are complemented by a stakeholders group. Meetings are held with communities of concern and the agencies serving them to inform planning activities as they move forward. Feedback from the communities of concern is provided to the appropriate MAG Committees on the summary transmittal that is sent with the meeting materials on each topic on the agenda.

- **Newsletters:** The MAGAZine newsletter, MAG Transportation Policy Committee newsletter,

MAGAZine

A Quarterly Newsletter Focusing on Regional Excellence

May 2011 - July 2011 Vol. 16: No. 2

Diversifying the Economy:

Economic Development Committee Looks to Improve Economic Landscape

While "construction" may never have been officially included in the five "C's" of Arizona's economy (copper, citrus, cotton, climate and cattle), there is no denying that the construction industry has been a key economic driver in the Valley for decades. However, in the wake of what is now being called the "Great Recession," Valley leaders believe it is time that we pursue a new economic paradigm.

"A reset in the economy requires a reset in the way we approach regional planning," said Maricopa Association of Governments (MAG) Chair Thomas Schoaf, incoming chair of the Economic Development Committee (EDC). "For many years, the transportation planning process has been built around transportation metrics: we make decisions based on such factors as levels of service and the amount of delay. Those are important to our core business, but the process should also have a metric related to the economy. We have tended to overlook the fact that, along with mobility and safety, federal transportation law also includes a mission of fostering economic development. The EDC is intended to add that element to transportation planning at MAG," he said.

Schoaf points to recent numbers showing that Maricopa County has 52,000 pending or foreclosed homes and a vacancy rate of 13.9 percent as indicative of our region's economic challenges. He adds that, beginning in the fall of 2007, the Proposition 400 transportation sales tax showed negative growth over 38 months. Before this downturn, sales tax revenues in Maricopa County had never declined.

"For many years, our economic foundation has been housing, and while it appears that the housing market is beginning to recover, it is clear that we need to diversify our future economy to make our region sustainable."

MAG Economic Development Committee

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MARICOPA ASSOCIATION of GOVERNMENTS

and MAG Human Services newsletters are produced and distributed via print, online (including through the GovDelivery subscription service), and direct mailing, resulting in greater awareness by subscribers of MAG's responsibilities and activities. Residents also benefit from timely notice of MAG events and a better understanding of how to participate in planning activities. The translation of this publication is made available upon request. The MAG Human Services Division also releases an electronic newsletter on at least a quarterly basis with a distribution list of more than 1,200 nonprofit agencies, faith-based organizations, and community groups serving communities of concern. All publications feature the Title VI public notice.

- **MAG Transportation Ambassador Program (TAP):** This programs offers training, information, and networking opportunities to communities of concern and the agencies that serve them. Trainings are held on a quarterly basis for more than 320 participants in mainstream venues such as libraries and community centers. Three of the meetings are held with a subregional focus to nurture close collaboration within the East Valley, West Valley, and Phoenix. The fourth quarterly meeting is a regional meeting to facilitate regional cooperation and cross fertilization of ideas and best practices. This group is also an extremely valuable source of feedback. Participants provide the information needed to complete the gaps analysis required in the MAG Human Services Coordination Transportation Plans. These plans are required through the federal legislation, SAFETEA-LU, to help coordinate human services transportation. Strategies to address the gaps analysis are provided with each plan and implemented with the support of the TAP participants and communities of concern.

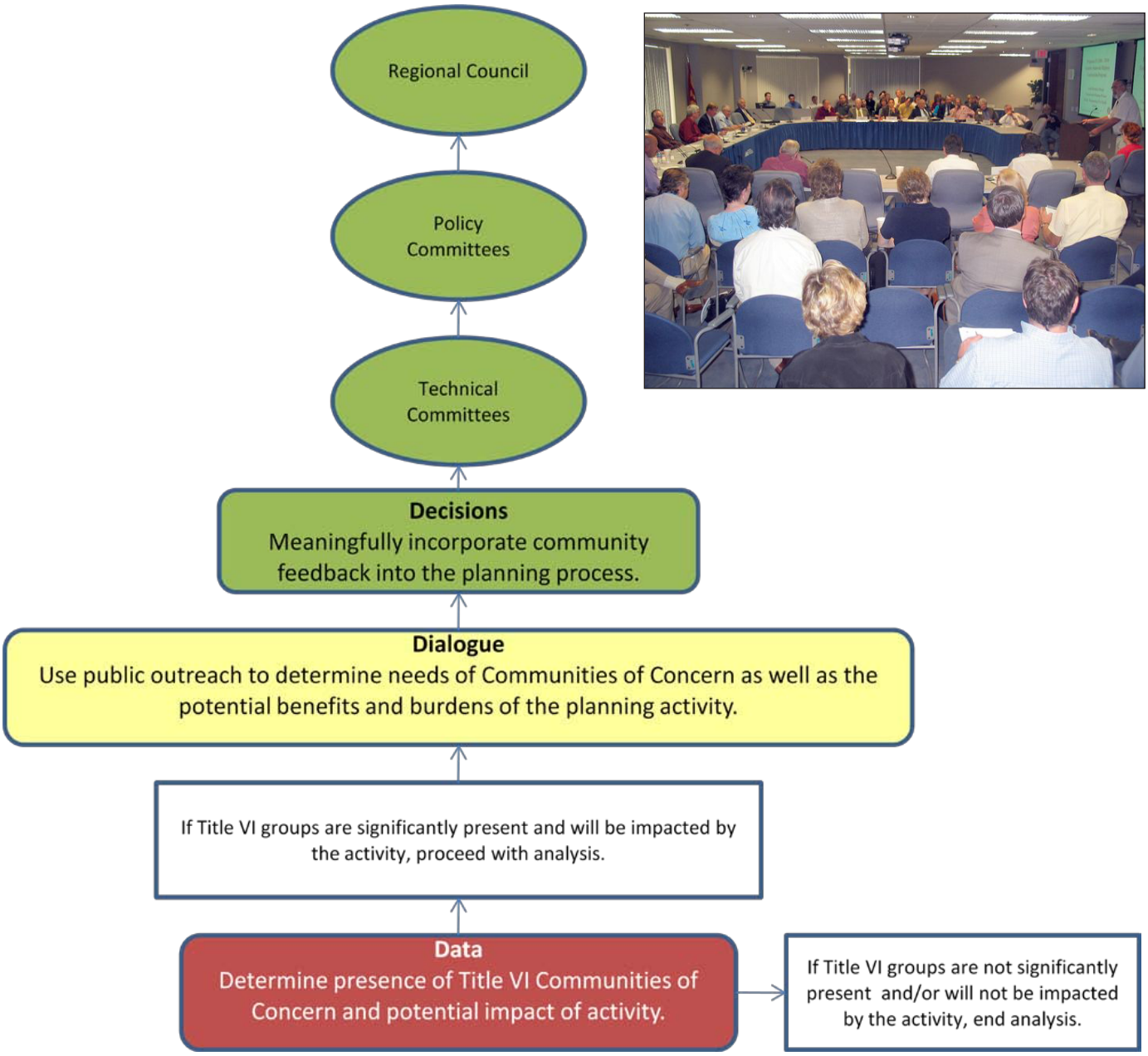
C. Decisions: Analysis of Benefits and Burdens

This is a critical component of the Environmental Justice and Title VI Plan. Staff analyzes the feedback reported by communities of concern to determine the potential benefits and burdens of the activity on the population. In addition, proposed transportation improvements, such as those in the Regional Transportation Plan, are analyzed and documented to determine if the improvements impose a disproportionate burden on the communities of concern. This analysis, as well as the communities of concern input, is presented as the planning activity moves through the MAG Committee process for approval. The results of decisions made are reported back to affected communities of concern in a timely manner. The impact of Title VI populations' input is documented and offered to the Title VI Coordinator. This information is used to assess any enhancements to the Title VI on a biennial basis.

Committee Process

Title VI and EJ issues are communicated and considered as the planning activity moves through the MAG Committee process. This generally originates with technical Committees, proceeds through policy Committees, and finishes with final approval or disapproval by the MAG Regional Council. In this way, the concerns and community input that have been addressed throughout the planning of the activity impact decisions in a meaningful way.

The chart below portrays the flow from one activity to another.



Complaint Procedure

The intent of MAG's Title VI and EJ work is to preclude discrimination and ensure all people have a voice in the planning process. If someone perceives they have suffered from discrimination, they are encouraged to address the matter with the Title VI Coordinator. According to 23 CFR 200.9, complaints may be filed if the matter cannot be resolved. In such cases, the following steps may be followed:

1. Within 180 days of the alleged infraction, complainants will submit to the Title VI Coordinator a complaint in writing or verbally with the complainant's name, race, ethnicity, national origin, sex, the nature of the complaint, the dates of the complaint, requested action, and contact information. Complaints received verbally will be documented in writing by staff.

2. The Title VI Coordinator and Executive Director will review the complaint and determine its jurisdiction and need for additional information. Additional information will be solicited from the complainant.

3. A complaint log will be kept by MAG containing the name of the complainant, nature of the complaint, and date of submission.

4. If the complaint is outside the jurisdiction of MAG, MAG will notify the complainant by certified letter, including the name and contact information for the appropriate agency with jurisdiction if applicable.

5. If the complaint falls within the jurisdiction of MAG, it will be handled within 90 days of receipt depending on the nature of the complaint and complexity of investigation.

6. MAG will send a certified letter notifying the complainant that a preliminary inquiry is underway to determine the need for an investigation.

7. If the preliminary inquiry by MAG indicates an investigation is warranted, then the complainant will be notified and scheduled to offer their statement.

8. If the preliminary inquiry indicates an investigation is not warranted, a certified letter will be sent to the complainant with the reasons why and factors considered.

9. MAG will conduct an investigation. The results of the investigation will be provided to MAG's general counsel for review. The investigation results will be reviewed and returned within ten business days.

10. The results of the investigation will be sent to the complainant by certified mail. The results will include the scope of the investigation, factors considered, and the end outcome. If the allegations are substantiated, then an action plan with a timeline to offer redress will be provided.

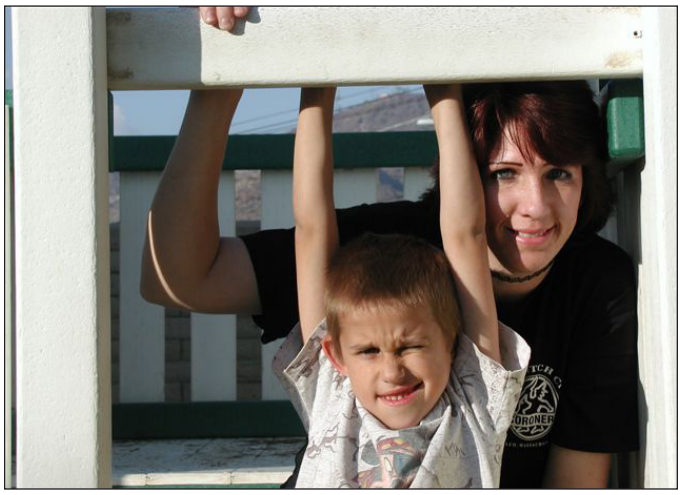
11. The result of the preliminary inquiry or investigation will be sent to FTA's regional civil rights officer (through the designated recipient) once every three years.

12. Records and investigative files will be kept for three years.

Section Four: Conclusion

The goal of this plan is to document and enhance opportunities for Title VI and EJ populations to have a meaningful voice, to receive equal benefits from MAG planning activities, and to avoid shouldering a disproportionate burden. The plan itself is considered a work in progress that will evolve as people's needs and participation in the planning process change.

For more information, please contact the Title VI Coordinator at (602) 254-6300. Thank you for your interest and support in MAG's regional planning efforts.



Section Five: Attachments

Attachment A: Definitions and Background

Arizona Department of Transportation (ADOT): A multi-modal transportation agency serving one of the fastest growing areas of the country. ADOT is responsible for planning, building and operating a complex highway system in addition to building and maintaining bridges and the Grand Canyon Airport. A major component of the organization is the Motor Vehicle Division, which provides title, registration and driver license services to the general public throughout the state of Arizona. ADOT is the designated recipient for Section 5316 and 5317 funds for the rural parts of the region.

City of Phoenix: As the largest city in the region, the City of Phoenix is the designated recipient for federal transportation funding from a number of sources including Federal Transit Administration funding. They are also the designated recipient for federal funding to support agencies transporting people with low incomes and people with disabilities in urban areas through Section 5316 or Job Access and Reverse Commute and Section 5317 New Freedom funding programs.

Communities of Concern: Federal legislation has identified vulnerable populations that receive protection to end discrimination and ensure equal access to all federally funded services. This includes the Civil Rights Act of 1964, Executive Order 12898, and Executive Order 13166. These mandated populations include minorities, people with low incomes, people with Limited English Proficiency (LEP), and people with disabilities.

Council of Governments: Regional planning bodies that exist throughout the United States. A typical council is defined to serve an area of several counties, and they address issues such as regional planning, water use, pollution control, and transportation. The Council membership is drawn from the county, city, and other governmental bodies within its area.

Environmental Justice: In 1994, President Clinton signed Executive Order 12898 that mandated equitable treatment of minorities and people with low incomes by requiring federal agencies and recipients of federal funding "to identify, and address, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low income populations…"

Limited English Proficiency: In 2000, President Clinton signed Executive Order 13166, which mandated that people with limited English proficiency (LEP) have meaningful access to services. This requires federal agencies and recipients of federal funding to examine their services and develop ways that LEP people can access these services by establishing guidance on how LEP populations can access services, preparing a plan to overcome barriers, and ensuring LEP people have adequate opportunities for input. A LEP person is described as a person who does not speak English as a primary language and has a

limited ability to read, write, speak and understand English. A population is defined as LEP when five percent or more of the people living in a geographic area fit this definition.

Maricopa Association of Governments: The regional planning agency and Council of Governments for the metropolitan Phoenix area. When MAG was formed in 1967, the elected officials recognized the need for long-range planning and policy development on a regional scale. They realized that many issues such as transportation, air quality and human services affected residents beyond the borders of their individual jurisdictions. MAG is the designated metropolitan planning organization (MPO) for transportation planning in the Maricopa County region. MAG has also been designated by the Governor to serve as the principal planning agency for the region in a number of other areas, including air quality, water quality and solid waste management. In addition, through an Executive Order from the Governor, MAG develops population estimates and projections for the region.

Metropolitan Planning Organization: Federally-mandated and federally-funded transportation policy-making organizations in the United States that are made up of representatives from local government and governmental transportation authorities. Federal funding for transportation projects and programs are channeled through this planning process. Congress created MPOs in 1962 to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process. Statewide and metropolitan transportation planning processes are governed by federal law (23 U.S.C. § 134–135). Transparency through public access to participation in the planning process and electronic publication of plans now is required by federal law.

Title VI: The Civil Rights Act of 1964 is a comprehensive U.S. law intended to end discrimination based on race, color, religion, or national origin. It guarantees a number of protections including nondiscrimination in the distribution of funds under federally assisted programs, or Title VI. Specifically, it states, "No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance" (42 USC 2000d).

Valley Metro: The Regional Public Transportation Authority and the regional transit system for the area. Valley Metro Board member agencies include Avondale, Buckeye, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Maricopa County, Mesa, Peoria, Phoenix, Scottsdale, Surprise, Tempe and Wickenburg.

Attachment B: Assurances

ASSURANCE A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in *Appendix B* of the Regulations.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under e subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. **Information and Reports:** The contractor shall provide all information and reports required by this Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Maricopa Association of Governments or the Arizona Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Maricopa Association of Governments, or the Arizona Department of Transportation or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information

5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the Maricopa Association of Governments shall impose contract sanctions as it or the Arizona Department of Transportation or the Federal Highway Administration may determine to be appropriate, including, but not Limited to:
(a) withholding of payments to the contractor under the contract until the contractor complies; and/or

(b) cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the Maricopa Association of Governments or the Arizona Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Maricopa Association of Governments to enter into such litigation to protect the interests of the Maricopa Association of Governments, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ASSURANCE B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Maricopa Association of Governments will accept title to the lands and maintain the project constructed thereon, in accordance with Arizona Department of Transportation or the Federal Highway Administration, the Regulations for the Administration of Federal Aid Highway Projects and the policies and procedures prescribed by Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to 'Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Pert 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Maricopa Association of Governments all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Maricopa Association of Governments and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Maricopa Association of Governments , its successors and assigns.

The Maricopa Association of Governments , in con-

sideration of the conveyance of said lands and interests in lands, does hereby covenant end agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and]* (2) that the Maricopa Association of Governments shall use the lands and interests in lands end interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1954, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

ASSURANCE C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Maricopa Association of Governments pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permitee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, Maricopa Association of Governments shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess siad land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of, breach of any of the above nondiscrimination covenants, Maricopa Association of Governments shall have the right to re-enter said

lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Maricopa Association of Governments and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Maricopa Association of Governments pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services there on, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permitee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
[Include in licenses, lessee, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, Maricopa Association of Governments shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc:] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, Maricopa Association of Governments shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Maricopa Association of Governments and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

Attachment C: Title VI Coordinator and Liaison Descriptions

Title VI Coordinator: Under the supervision of the MAG Executive Director, the Coordinator is responsible for the overall administration of the Title VI Plan, including EJ and LEP activities. This includes the following:

- Integrate data and feedback received from the liaisons into the Title VI Plan.
- Oversee responses to complaints and ensure issues are resolved.
- Review the plan on a biennial basis and update the plan as needed.
- Communicate significant Title VI issues with the Executive Director.
- Receive periodic training related to Title VI and update liaisons and key staff as needed.

Title VI Communications Liaison: The MAG Public Participation Plan (PPP) is available in *Attachment C.* The PPP applies to all populations and is an integral part of the MAG planning process. Activities specific to Title VI are as follows:

- Ensure communications and public involvement efforts assist the agency to comply with Title VI and encourage input from Title VI communities of concern.
- Develop and distribute information on Title VI and agency programs to the general public.
- Maintain a list of staff members and external sources who can provide translation and interpreter services.
- Advertise the availability of translation and interpreter services to the public in all materials. Connect bilingual staff with members of the public needing assistance.
- Maintain a mail list of Title VI stakeholders, including nonprofit agencies, community organizations, faith-based groups, and advocates.
- Disseminate information to the Title VI stakeholders and minority media to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public in all public notices, the MAG newsletter, and on the agency website as specified in *Attachment E.*
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a need for their use has been identified.
- Biennially assess and improve the strategies and resources available to assist people with Limited English Proficiency (LEP) to ensure they are able to access and understand MAG materials, fully participate in a meaningful way in the planning process, and that their feedback is understood and considered by policy makers.
- Routinely conduct surveys evaluating the level of awareness and participation in MAG activities. Report the results on a biennial basis.
- In collaboration with the MAG Transportation Liaison, identify and respond to the transportation needs, benefits, and burdens of Title VI communities of concern through public interaction and tools such as focus groups and surveys.

Title VI Program Liaisons: Liaisons representing environmental quality, human services, Native American Communities, and transportation are responsible

for the following:

- Ensure planning complies with Title VI.
- Serve as the central point of contact for the public on Title VI concerns and respond to questions and concerns in a timely manner. The liaisons notify the Coordinator of any unresolved issues and complaints.
- Analyze the impacts of MAG planning activities on protected Title VI groups and determine if there will be burdens, or a disproportionately high and adverse impact, and/or benefits to the Title VI communities of concern.
- Report Title VI data analysis and community feedback through the MAG Committee process and document the impact. Report the impact to the relevant community of concern as needed.
- Participate in Title VI training as needed.

Title VI Information Services Liaison:

- Collect and analyze data related to the communities of concern as they pertain to demographics and geographic characteristics. Collaborate with the MAG Transportation Liaison to collect and analyze data related to Title VI transportation needs. These data will be provided to the Coordinator for inclusion in the plan updates.
- Develop and update maps indicating the residency locations of the communities of concern.
- Participate in Title VI training as needed.

Title VI Contracts Liaison:

- Ensure contracts and procurement complies with Title VI.
- Include Title VI language in all contracts as specified in Attachment D.
- Include Title VI language in public postings for RFPs and RFQs as specified in Attachment E.
- Comply with the DBE requirements specified in the contract with the Arizona Department of Transportation.
- Participate in Title VI training as needed.

Attachment D: MAG's Public Participation Plan

Since MAG's public participation plan was last approved, a new feature has been added to the MAG website. Members of the public and of MAG Committees may now sign up to receive email updates on the MAG website. This includes meeting notices, meeting materials, and when new material is added to the website.

Another new endeavor is outreach through social media such as Twitter, Facebook, and YouTube. These additional techniques enhance MAG's ability to reach out to a broader audience on a more regular basis.

INTRODUCTION

The Maricopa Association of Governments (MAG) believes that public participation is a critical and necessary part of the transportation planning process. The involvement of the public helps MAG make better transportation decisions that meet the needs of all people, and to plan transportation facilities that fit more harmoniously into communities. In 1994, MAG adopted a public involvement plan designed to provide complete information on transportation plans, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement in the process for all segments of the region's population, including Title VI and Environmental Justice communities.

This Public Participation Plan updates MAG's public involvement process in response to requirements included in the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU) legislation, enacted August 10, 2005. The Public Participation Plan requirements are outlined in section 450.316, Interested parties, participation, and consultation. As required under SAFETEA-LU, the purpose of this Public Participation Plan is to define a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies or entities responsible for safety/security operations, providers of nonemergency transportation services receiving financial assistance from a source other than Title 49, United States Code (U.S.C), Chapter 53, and other interested parties with reasonable opportunities to be involved in the transportation metropolitan planning process.

BACKGROUND

Federal law requires that each state designate a Metropolitan Planning Organization (MPO) for urbanized areas with 50,000 or more population. MAG was designated as the MPO for the Maricopa region in 1973, and undergoes federal certification as outlined in transportation regulations.

MAG is responsible for preparing both short-range and long-range transportation plans, and for seeking citizen input into these plans. For its short-range plan, MAG develops a five-year Transportation Improvement Program (TIP) that includes all transportation projects for the region. All transportation projects must be included, regardless of how they are funded.

For its long-range plan, MAG is responsible for preparing a 20-year Regional Transportation Plan. Both plans are typically updated every year, and both must undergo an air quality conformity analysis to ensure that transportation activities do not contribute to violations of the federal air quality standards.

In 1994, the MAG Regional Council, which serves as the organization's governing body, adopted an aggressive public involvement program designed to provide Valley residents with as many opportunities for comment on MAG transportation plans as possible. This program was enhanced in 1998 and has been improved each year through a variety of methods, including consulting with Valley residents on the effectiveness of the process.

MAG's public involvement process currently adheres to all federal requirements related to public involvement. Through the years, MAG has coordinated public involvement processes and activities with the Arizona Department of Transportation (ADOT), the Regional Public Transportation Authority (RPTA/ Valley Metro), Valley Metro Rail (METRO) and with the City of Phoenix Public Transit Department. This coordination has helped create an efficient and effective public participation process. With the passage of SAFETEA-LU, MAG's goal is to continue to improve its public involvement program by incorporating new federal requirements, further ensuring an open and inclusive process for all interested parties.

MAJOR MILESTONES

The following timelines indicates a few of the major milestones in the MAG public involvement process.

- The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 required that metropolitan planning organizations adopt a formal public involvement process that is proactive, encourages broad public participation, and considers and responds to public input.

- In June 1992, the Regional Council approved a 15 minute Call to the Audience for its meetings, with audience members requested to keep their comments under three minutes each.

- The MAG Process for Public Involvement in Transportation Planning was adopted by the Regional Council in September 1994, following a 45-day comment period. The adopted process provided the guiding principles for public involvement to meet the requirements established in ISTEA and subsequently reaffirmed in the Transportation Equity Act for the 21st Century (TEA-21). The process includes four phases: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. The phases allow for early and continuing input and encourage public comment during each step of the planning process. The process calls for Input Opportunity Reports to be completed during each phase detailing the comments received. The reports include staff responses to comments on the Draft Transportation Improvement Program (TIP) and Long-Range Transportation Plan. The 15 minute Call to the Audience is retained for public comment at the beginning of MAG policy committee meetings.

- In February 1996, the Regional Council approved recommendations which reengineer the MAG

policy process. Public comment opportunities were increased for the Regional Council meetings. In addition to the Call to the Audience at the beginning of the meeting, members of the audience were provided the opportunity to comment on the Approval of the Consent Agenda and to speak on each Action Item, with audience members requested to keep their comments under three minutes for each public comment opportunity.

- In July 1998, the Regional Council recommended that the process for programming federal transportation funds be enhanced. These enhancements include a more proactive community outreach process and the development of early guidelines to help select transportation projects within resource limits. This proactive community outreach process led to an enhanced public involvement process beginning with the fiscal year 1999 Public Involvement Program. The enhanced public involvement process involves transportation stakeholders as outlined in the 1998 TEA-21 legislation and included input from Title VI stakeholders (minority populations and low-income populations). The input received during the enhanced input opportunity is incorporated in the development of early guidelines to guide project selection for the Transportation Improvement Program (TIP) and Long-Range Transportation Plan.

- In 2001, MAG hired four Community Outreach Associates to provide targeted outreach to the Hispanic, Native American, African American, and Disability communities as part of its dedicated Title VI outreach. In 2002, these part-time positions evolved into a full-time Community Outreach Specialist position within MAG to allocate more MAG resources to this effort and to allow for the translation of all major MAG materials into Spanish. The Disability Community Associate continues as a part-time position.

- Beginning in 2001 through 2004, MAG embarked on an intensive and unprecedented public involvement effort surrounding the Long-Range Transportation Plan, which was renamed the Regional Transportation Plan (RTP or Plan). Extensive research is conducted, and more than 350 public input opportunities were provided. Expert panel forums were held early in the process featuring topics in demographics and social change, environmental and resource issues, land use and urban development, and transportation and technology. Sixteen subregional focus groups were held to receive input from transportation stakeholders across the Valley, including focus groups specific to African American and Hispanic communities. A project Web site, www.LetsKeepMoving.com, was created to provide information and receive feedback on the Plan. The site, which remains active and is continually updated, includes online surveys, maps, meeting notices, copies of studies and presentations, plan drafts and maps, funding information, feedback links, and calendar listings of public input opportunities.

- In 2005, Congress passed SAFETEA-LU, which required a documented public participation plan that defines the process for citizen input.

MAG PUBLIC PARTICIPATION PROCESS

The federal regulations for metropolitan planning under SAFETEA-LU were easily incorporated within MAG's adopted public involvement structure, and specific strategies for addressing the new regulations are included in the final section of this report.

As noted above, MAG's adopted public involvement process is divided into four phases: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. MAG staff receives comments in a variety of ways, including but not limited to, small group presentations, special events such as large community festivals, public meetings/hearings, telephone and electronic correspondence, and correspondence through the MAG Web site.

The following details the phases of the public involvement process and the opportunities for input which exist in each phase:

Phase Public Input Opportunities

Early Phase: A public process for early input into the transportation programming process is held. At this stage, which generally occurs from late summer through early fall, public input is reviewed and considered by MAG policy committees with specific reference to upcoming issues and work topics. Events during this phase include an Early Phase Stakeholders meeting and comment at MAG meetings. Additional efforts may include open houses, booths at special events, and small group presentations. Comments received are summarized and provided to MAG policy committees for review and consideration in the form of an Early Phase Input Opportunity Report. All meetings are widely advertised with appropriate advanced notice. Because projects are not yet programmed, in many ways, the Early Phase represents the best opportunity for members of the public to suggest projects for inclusion in the TIP or Plan.

Mid-Phase: A variety of public outreach methods are used during this phase, which generally occurs from late winter to early spring, to gather input on the initial plan analysis for the Draft TIP and Draft RTP update. The phase culminates with a joint transportation public hearing co-hosted by MAG, the Arizona Department of Transportation (ADOT), the City of Phoenix, Valley Metro Rail, Inc., (METRO), and Valley Metro, the Regional Public Transportation Authority. Comments are summarized, receive a written response and are provided to MAG policy committees for review and consideration—in the form of the Mid-Phase Input Opportunity Report—prior to taking action. All meetings are widely advertised, including major daily and minority newspapers, with appropriate advanced notice.

Final Phase: Several forums are used to obtain input during this phase, which generally occurs from early summer to late summer. The phase culminates with a transportation public hearing on the final Draft RTP update and TIP update. The hearing is advertised with a formal public notice and draft reports are also available for 30 days for public review. All comments receive a written response and are provided to MAG policy committees for review and consideration—in the form of a Final Phase Input Opportunity Report—prior to the committee taking action. All meetings are widely advertised, including major daily and minority newspapers, with appropriate advanced notice.

Continuous Involvement: MAG continually seeks public input and comment beyond the three structured phases above. Outreach is conducted throughout the annual update process and includes activities such as providing presentations to community and civic groups, participating in special events, hosting booths at shopping malls, distributing press releases and newsletters, and coordinating with partnering agencies. MAG provides speakers upon request to make presentations to community and civic groups, within the limits of available resources.

FEDERAL LAW

The role of public involvement in transportation planning and programming was increased with the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The Transportation Equity Act for the 21st Century (TEA-21), passed in 1998, continued to emphasize public involvement in the metropolitan transportation planning process. TEA-21 required that the metropolitan planning organization (MPO) work cooperatively with the state department of transportation and the regional transit operator to provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation and representatives of users of public transit a reasonable opportunity to comment on proposed transportation plans and programs.

The intent of the public involvement provisions in SAFETEA-LU, passed in August 2005, is to continue the legacy of TEA-21 when it comes to increasing public awareness and participation in transportation planning and programming, while developing a documented public participation plan that defines the process for citizen input. On June 9, 2006, the U.S. Department of Transportation proposed rules that incorporate the provisions of SAFETEA-LU.

The proposed rules under Section 450.316 require that metropolitan planning organizations develop a public participation plan in consultation with all interested parties and "shall, at a minimum, describe explicit procedures, strategies and desired outcomes for" ten specific provisions. These ten provisions are outlined below, along with MAG's strategies for meeting these requirements.

FEDERAL REQUIREMENTS AND MAG PUBLIC PARTICIPATION STRATEGIES

1. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including, but not limited to, reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP.

MAG provides timely public notice of public participation activities. All public hearings are announced with a formal public notice, usually 30 days in advance of the hearing, as well as through a display advertisement in the largest circulation newspaper and in minority oriented newspapers two weeks prior to the public hearing. MAG maintains a public involvement mailing list that includes interested citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, advocates for low-income interests and minority interests, and representatives of community groups with an interest in transportation. This mailing list is used to announce meetings, distribute

newsletters, and for other opportunities for public involvement. Interested individuals are added to the mailing list upon request.

In addition, all MAG public meetings and public input opportunities are posted on the MAG Web site at www.azmag.gov. A calendar listing major MAG meetings is included on the final page of every issue of MAGAZine, MAG's quarterly newsletter. MAG public meetings are also posted 24 hours in advance as required under the Open Meeting Law (see *Appendix A*).

MAG also works closely with the news media to help distribute information about MAG activities. Press releases are prepared and distributed to local media in conjunction with periodic news events and public involvement opportunities. Copies of MAG agendas and other materials are sent to major news publications and to any reporters who request to be included on MAG's mailing lists.

Public comment is allowed at all MAG public meetings (see MAG Public Comment Process, *Appendix B*). MAG's four-phase public input process specifically provides opportunities for interested parties to comment at key decision points (and throughout) the development of the TIP and Regional Transportation Plan. For example, the Early Phase Stakeholders Meeting provides an opportunity for the public to comment during the initial programming process. The Mid-Phase Public Hearing provides the opportunity for comment prior to Regional Council action to approve the Draft TIP and Plan to undergo an air quality conformity analysis, and the Final Phase public hearing provides an opportunity for comment prior to approval of the conformity analysis, final TIP, and final Plan.

MAG also provides ongoing opportunities for input during its Continuous Involvement activities, such as frequent participation in special events, including hosting booths at large community festivals, and through numerous small group presentations as requested (see #5 for additional information). Where appropriate, information is provided in a bilingual format or other alternative formats such as large print and Braille.

2. Providing timely notice and reasonable access to information about transportation issues and processes.

As outlined above, timely notice of MAG activities is provided through a variety of methods, including formal postings, newspaper ads, direct mail, Web site postings, calendar listings, press releases, and other publications and materials. Similarly, MAG provides information about transportation issues and processes through a number of public involvement and communication strategies.

Prior to the final completion of plans or programs, draft documents are made available to the public for review and comment, so that public concerns can be considered and reflected in the final documents. When draft studies, plans, programs and reports are completed they are available for public review and public comments are presented to the Management Committee, Transportation Policy Committee and Regional Council for review prior to action. Documents are available for review in the MAG library at the MAG Offices, 302 N. 1st Avenue, Suite #300,

Phoenix. The TIP, Plan, Conformity Analysis and Input Opportunity Reports are distributed to libraries throughout the region as well as to partnering agencies such as the Federal Highway Administration, Federal Transit Administration, Arizona Department of Environmental Quality, Environmental Protection Agency, Arizona Department of Transportation, Regional Public Transportation Authority, Maricopa County, Pinal County, and the Central Arizona Association of Governments.

MAG also provides information about transportation issues and processes through a variety of publications, including a quarterly newsletter called MAGAZine, a monthly Regional Council Activity Report, a monthly e-newsletter outlining the activities of the Transportation Policy Committee, and project-specific publications such as fliers, brochures, and notices. These publications report information of general interest on events and programs at MAG, as well as on specific items such as the TIP or Regional Transportation Plan.

As noted above, all major documents, including news releases, notices of meetings and events, news stories, agendas, minutes, plans and studies are posted online at www.azmag.gov. An interactive calendar listing MAG meetings and events is available on the home page. Historical reference files of all documents are maintained and these reports are also available for public review.

MAG also responds to public inquiries through e-mail, written correspondence, telephone calls, one-on-one meetings, and Web site feedback. Every attempt is made to respond in a timely manner. A public records request form is available for those requesting MAG documents or public records.

3. Employing visualization techniques to describe metropolitan transportation plans and TIPs.

With the help of its graphics, Web, and Information Services staff, MAG utilizes many innovative techniques to help residents better understand what transportation investments are included in its transportation plans and TIPs, and to help them visually conceive what the plans will look like when completed. Examples include project-specific maps and graphs, digital photography, high resolution graphic displays, Geographical Information Systems, map overlays, PowerPoint presentations, aerial photography, photo simulations, technical drawings, charts and graphs. Alternative scenarios, including visual depictions of scenarios, are presented to demonstrate differences among solutions or approaches.

4. Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web.

MAG maintains a Web site www.azmag.gov that provides easy access to information about MAG meetings, agendas, news releases, and electronic publications through timely posting of these materials. The site includes a calendar of events, monthly meeting schedules, committee activities and actions, requests for proposal and employment notices, and electronic versions of nearly 3,000 MAG documents, including plans, reports, agendas, and minutes. The site includes a search function that allows users to link to specific documents or other information using

key words. The site includes a Spanish language Web page and has feedback links as well as staff contact information. In addition to the MAG website, MAG maintains www.LetsKeepMoving.com, which is a project-specific site designed to provide detailed information about the Regional Transportation Plan.

Along with the extensive availability of documents, technical information, meeting notices and other information on the Web site as described above, MAG often e-mails electronic documents to individuals or agencies upon request directly or as requested through GovDelivery.

5. Holding any public meetings at convenient and accessible locations and times.

Understanding that different individuals have different perceptions of "convenient," MAG strives to hold its public involvement activities at various times to accommodate as many citizens as possible, including during business hours, after work hours, evenings, and weekends. All public events are scheduled in venues that are transit accessible and comply with the provisions of the Americans with Disabilities Act. In addition, Spanish language materials, sign language interpretation, and alternative materials such as large print and Braille, and FM/Infrared Listening Devices, are available on request.

MAG understands that often it is difficult for members of the public to attend formal public meetings. Therefore, MAG makes every attempt to be highly visible and accessible to the broader community by providing information and receiving feedback at well-attended special events. These opportunities include such events as freeway openings, community festivals, trade fairs, minority-oriented events, and booths at heavily populated venues such as shopping malls and the state fair. When possible, MAG coordinates outreach activities with the Arizona Department of Transportation, the Regional Public Transportation Authority (Valley Metro), and Valley Metro Rail, Inc. (METRO), to allow members of the public access to a wide range of information across all transportation modes. In addition to special events, MAG often makes presentations to smaller groups, such as Kiwanis and Rotary clubs, college classes, chambers of commerce, professional associations, businesses, and nonprofit groups.

6. Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP.

MAG demonstrates explicit consideration and response to public input received in a variety of ways. Of primary significance is the publication of Input Opportunity Reports during each of the three key public involvement phases (Early Phase, Mid-Phase, and Final Phase). Each report includes a summary of the activities conducted during the phase and a detailed summary of comments received during the phase. The reports also include a list of input opportunities conducted, locations of activities, a description of the MAG public outreach process, copies of publicity materials such as display ads and public notices, and correspondence received since the end of the previous phase. The Mid-Phase and Final Phase public hearings are conducted with a court reporter in attendance. A verbatim transcript of each hearing is included in the Mid-Phase and Final Phase Input

Opportunity reports, which also include staff responses to all comments received during the phase. Copies of the reports are distributed to MAG policy committees (including Management Committee, Transportation Policy Committee, and Regional Council) in advance of any plan approvals. In addition, an oral presentation is provided at these meetings summarizing the comments received prior to committee action. Staff also provides a report to the MAG Regional Council Chair about responses given to questions or comments submitted by members of the public.

Another way in which MAG demonstrates explicit consideration of public input can be seen in the addition of specific projects that are included in MAG plans as a result of public input.

7. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services.

MAG addresses and considers the needs of underserved populations throughout its planning and programming process, and provides outreach in a variety of ways, including the Title VI Community Outreach Program, GIS mapping, the Human Services division of MAG, and through programs run by the Regional Public Transportation Authority (RPTA) using MAG funds. Through the Community Outreach Program, MAG's Community Outreach Specialist coordinates with minority communities to solicit input and to serve as a liaison between MAG and the communities. In addition to minority communities, MAG targets and solicits input from persons with disabilities. Through RPTA's Complementary Paratransit Plan, the needs of the elderly and people with disabilities are served. In addition, a MAG committee reviews and prioritizes applications for federal assistance under the Elderly Persons with Disabilities Transportation Fund, which provides capital investments to programs serving the elderly and people with disabilities. MAG transportation plans and programs are also submitted to the Human Services Coordinating Committee for review. Additionally, MAG provides multimodal transportation information for review and comment to the Human Services planning process. The needs of elderly persons are further being addressed through the MAG Elderly Mobility Initiative. The Initiative identifies and addresses the changing mobility options that are needed as people age.

8. Providing an additional opportunity for public comment, if the final metropolitan plan or TIP differs significantly from the version that was initially made available for public comment.

If the final metropolitan plan or TIP differs significantly from the version initially made available for comment, MAG provides additional opportunities for public comment. MAG prepares a revised draft plan and takes it back through the public involvement and committee approval process.

9. Coordinating with statewide transportation planning public involvement and consultation processes (as outlined under subpart B of Section 450.316).

As part of the public involvement process, MAG conducts agency consultation directly with local, state

and federal resource agencies. MAG also consults, as appropriate, with agencies and officials responsible for other planning activities within the metropolitan planning area that are affected by transportation. To coordinate the planning functions to the maximum extent practicable, such consultation includes the comparison of the MAG Regional Transportation Plan and TIP, as they are developed, with the plans, maps, inventories, and planning documents developed by other agencies. This consultation includes, as appropriate, consultations with state, local, Native American Communities, and private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation and historic preservation. MAG also seeks input and comment from neighboring counties or contiguous planning areas as appropriate.

Additionally, MAG reaches out to federal, state, tribal, regional, local, and private agencies to consult on environmental and resource issues and concerns. Specific topics of interest include: land use management, wildlife, natural resources, environmental protection, conservation, historic preservation, and potential environmental mitigation activities. An important consideration in the consultation process is the recognition that previously adopted projects in the Plan undergo extensive environmental and resource assessment by the implementing agencies, such as the Arizona Department of Transportation, the Regional Public Transportation Authority, cities, towns and Maricopa County. With these processes already well established, including requirements for input on mitigation and resource issues, the primary goal of the consultation effort is to gain insight regarding concerns that may involve future transportation planning efforts.

To facilitate the agency consultation process and acquisition of resource information, MAG conducts an agency consultation workshop. The purpose of the workshop is to explain the goals of the consultation process, receive input from environmental and resource agencies in attendance, and establish continuing consultation in the regional transportation planning process. In addition, the workshop establishes a beginning point for more in-depth discussions with individual agencies, as may be appropriate. Input is sought on the availability of environmental, cultural and natural resource mapping or other information sources, as well as comments on potential environmental mitigation measures, resource issues, and land use concerns. Agencies are also invited to provide written input.

10. Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

MAG continually reviews its public participation efforts as part of its communication planning efforts and makes adjustments as warranted. More formal reviews are conducted during the federal certification process every four years, and as directed by transportation legislation such as ISTEA, TEA-21, and SAFETEA-LU. Additionally, MAG ensures that a minimum public comment period of 45 calendar days is provided before any initial or revised participation plan is adopted, in accordance with federal requirements.

APPENDIX A: OPEN MEETINGS

MAG conducts meetings in accordance with the state Open Meeting Law. Meetings of technical committees, working groups, the Management Committee, Transportation Policy Committee, and Regional Council are open to the public. Notices for these meetings are posted at least 24 hours in advance. The Open Meeting Law is contained in the Arizona Revised Statutes, A.R.S § 38- 431.01. The Open Meeting Law also establishes requirements for the taking of minutes.

Minutes of MAG meetings are available by request, and are available on the MAG Web site, www.azmag.gov. While MAG makes every attempt to allow for public comment, on rare instances, public comment may be limited based on time availability, based on the discretion of the meeting chair. In addition to the Open Meeting Law, MAG also adheres to the Arizona Public Records Law, A.R.S. § 39-121. Public records may be obtained through submission of a Public Records Request form, which can be obtained through the MAG office, requested electronically, or downloaded from the MAG Web site.

APPENDIX B: PUBLIC COMMENT AT MAG MEETINGS

MAG allows public comment at all of its public meetings. Below is an outline of the rules and procedures relating to the public comment process for MAG meetings.

1. Submittal of Request to Speak Cards: There are two colored cards provided for citizens wishing to speak at MAG committee meetings. Blue cards indicate a "Request to Speak on a Non-Agenda Item" and yellow cards indicate a "Request to Speak on a Specific Agenda Item Designated for Action." The cards contain information about the rules for speaking, as well as spaces for citizens to provide information, including name, address, city, zip code, phone, agenda item number, and date.

Yellow cards additionally include boxes at the top of the card that the speaker can check indicating the following: Support; Statement Only; Oppose; Neither.

Rules outlined on both the yellow and blue cards include:

- Please speak from the podium (accommodation will be made for persons with disabilities).
- Please present your comments in three minutes or less.
- Your comments must pertain solely to the agenda item and shall not include any personal attacks on other citizens or persons present at the meeting.
- Please conduct yourself in a professional and appropriate manner.

Residents are asked to submit the cards to a designated MAG staff member, who will deliver them to the meeting chair.

The yellow cards contain these further statements: The purpose of this opportunity for public comment is to allow citizens to provide additional information on items slated for action. The Committee may ask questions for clarification; however, this comment period is not designed for debate with the audience. The public is encouraged to provide comment to MAG during the committee process, prior to the Regional Council action. The Regional Council will

receive information on comments provided to technical and policy committees. Written comments will always be accepted by the Chair.

2. Time Allotted for Public Comment: Three opportunities are provided for public comment at MAG meetings, including Call to the Audience, Consent Agenda, and Action Items to be Heard.

- *Call to the Audience.* Members of the public have three minutes to speak on any item of their choosing. Topics may include non-agenda items, or items that are on the agenda but which are not slated for action. This comment period takes place at the beginning of the meeting.

- *Consent Agenda.* Members of the public have a total of three minutes to speak on any or all consent agenda items (cumulatively). Members of the public may determine whether an item is a consent item by looking on the meeting agenda. Consent items will be marked in the first column by an asterisk (*). This comment period usually comes near the beginning of the meeting, after the Executive Director's Report and prior to approval of the consent agenda by the Council.

- *Action Items.* Members of the public are given three minutes to speak on any action item (three minutes per item). Members of the public may determine whether an item is an action item by looking on the meeting agenda, under the second column, "Committee Action Requested." Action items will state "for action" or "for possible action." This comment period usually is provided just prior to a vote on each action item by the Regional Council.

3. Speaking Rules and Chairman's Discretion: The Chairman or his/her designee has the power to strictly enforce the above rules and to revoke speaking rights if rules are violated. The Chair or his/her designee has the power to accept additional comments and extend the time of the speaker, or limit public comment based on time availability. The cards include this statement:

Note: The Chairman or his/her designee shall have the power to strictly enforce these rules and to revoke your speaking rights if you violate any of these rules. The Chairman may also revoke your rights to speak at the rest of today's meeting and/or at future meetings if you twice refuse to be silent after being directed to do so. (If you lose your right to speak, you may still present written comments.)

CONTACT MAG

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Communications Manager: ktaft@azmag.gov

Web Address
www.azmag.gov

Attachment E: Public Posting Language for Title VI- full and abbreviated

According to FTA C 4702.1A, sub-recipients of federal funding must post notices informing the public of the agency's Title VI obligations and of the protections afforded to the public through Title VI. The following text will appear in all significant publications of MAG and on the agency's website. The full text will be used when space is available. The abbreviated text will be used when space is limited.

Full Title VI Notice to the Public

The Maricopa Association of Governments (MAG) hereby gives public notice that it is the policy of the agency to assure full compliance 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 statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MAG receives federal financial assistance.

Any person who believes they have experienced discrimination under Title VI has a right to file a formal complaint with MAG. Any such complaint must be filed with MAG's Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. For more information, or to file a complaint, please contact the Title VI Coordinator at (602) 254-6300.

Abbreviated Title VI Notice to the Public

MAG fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information on rights afforded under Title VI, relevant activities at MAG, or if you feel these rights have been violated, please visit the agency website at www.azmag.gov.

Attachment F: Demographic profiles and maps for Communities of Concern

These definitions are the basis for the calculations related to the outcome measures provided in this plan.

People with disabilities: In 2008, section 42 U.S.C. § 12102 of the Americans with Disabilities Act of 1990 was amended to define disability in the following way:

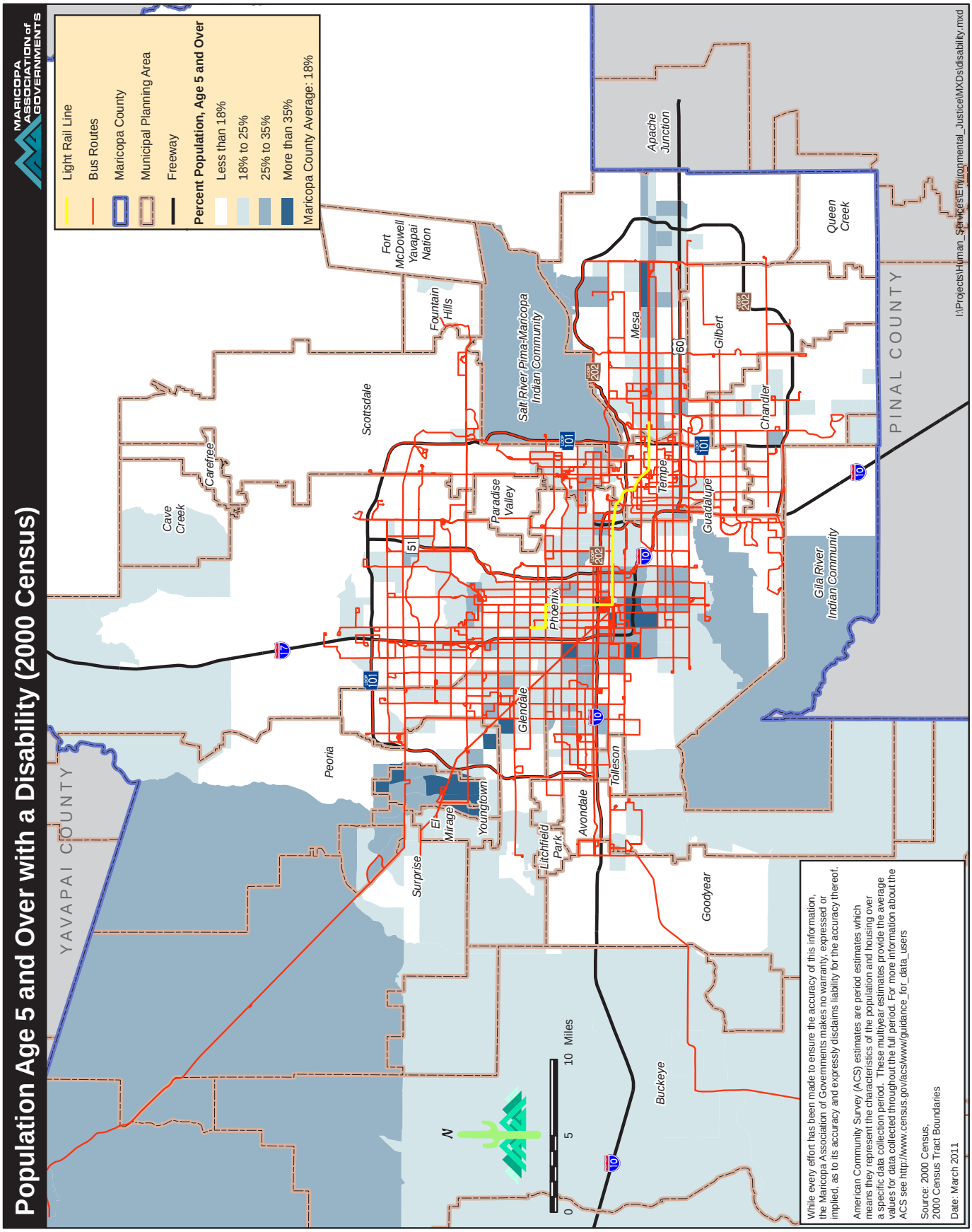
1. A physical or mental impairment that substantially limits one or more major life activities of such individual.
2. A record of such an impairment.
3. Being regarded as having such an impairment.

Disabilities may be physical or cognitive. The U.S. Census Bureau further defines disability as "A long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business." Data on disability characteristics of the population are not available by Census Tract from the 2009 American Community Survey thus data is provided for all of Maricopa County. Additionally, because the data on disability were collected differently during the 2000 Census enumeration, a comparison with 2000 Census data and the more recent 2008 and 2009 American Community Survey data cannot be made. American Community Survey 1-Year estimates on disability status for 2008 and 2009 are provided in the following table.

Disability Status: Maricopa County								
	Population 5 years and over		Population 5 to 15 years		Population 16 to 64 years		Population 65 years and over	
	Total	Pct	Total	Pct	Total	Pct	Total	Pct
Total	2,802,278	--	504,402	--	1,946,756	--	351,120	--
Total with Disability	504,992	18.0%	26,100	5.2%	344,438	17.7%	134,454	38.3%
Sensory	87,721	3.1%	4,747	0.9%	37,951	1.9%	45,023	12.8%
Physical	196,928	7.0%	4,849	1.0%	100,683	5.2%	91,396	26.0%
Mental	114,810	4.1%	20,243	4.0%	62,688	3.2%	31,879	9.1%
Self-care	61,134	2.2%	4,924	1.0%	28,970	1.5%	27,240	7.8%
Difficulty going outside the home due to disability	176,223	6.3%	--	--	115,004	5.9%	61,219	17.4%
Employment disability	231,037	8.2%	--	--	231,037	11.9%	--	--

Source: U.S. Census Bureau, 2000 Decennial Census.
Disability status was not tabulated for persons in institutions, people in the Armed Forces, and people under 5 years old. The percentage shown is calculated by dividing the number of persons with a disability by the number of civilian non-institutionalized persons in the age category indicated in the column heading.

The following map indicates the location and density of households with disabilities in the region.


Population Age 5 and Over with a Disability (2000 Census)
MARICOPA ASSOCIATION of GOVERNMENTS
Light Rail Line
Bus Routes
Maricopa County
Municipal Planning Area
Freeway
Percent Population, Age 5 and Over
Less than 18%
18% to 25%
25% to 35%
More than 35%
Maricopa County Average: 18%
YAVAPAI COUNTY
PINAL COUNTY
Cave Creek
Carefree
Scottsdale
Fort McDowell Yavapai Nation
Fountain Hills
Salt River Pima-Maricopa Indian Community
Apache Junction
Mesa
Gilbert
Chandler
Queen Creek
Tempe
Guadalupe
Paradise Valley
Phoenix
Glendale
Peoria
Surprise
El Mirage
Youngtown
Litchfield Park
Avondale
Tolleson
Goodyear
Buckeye
Gila River Indian Community
N
0 5 10 Miles
While every effort has been made to ensure the accuracy of this information, the Maricopa Association of Governments makes no warranty, expressed or implied, as to its accuracy and expressly disclaims liability for the accuracy thereof.
American Community Survey (ACS) estimates are period estimates which means they represent the characteristics of the population and housing over a specific data collection period. These multiyear estimates provide the average values for data collected throughout the full period. For more information about the ACS see http://www.census.gov/acs/www/guidance_for_data_users
Source: 2000 Census, 2000 Census Tract Boundaries
Date: March 2011
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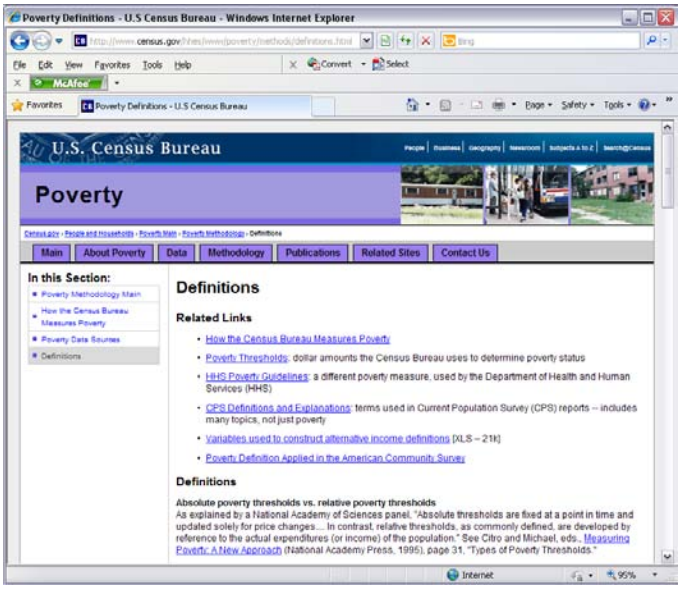
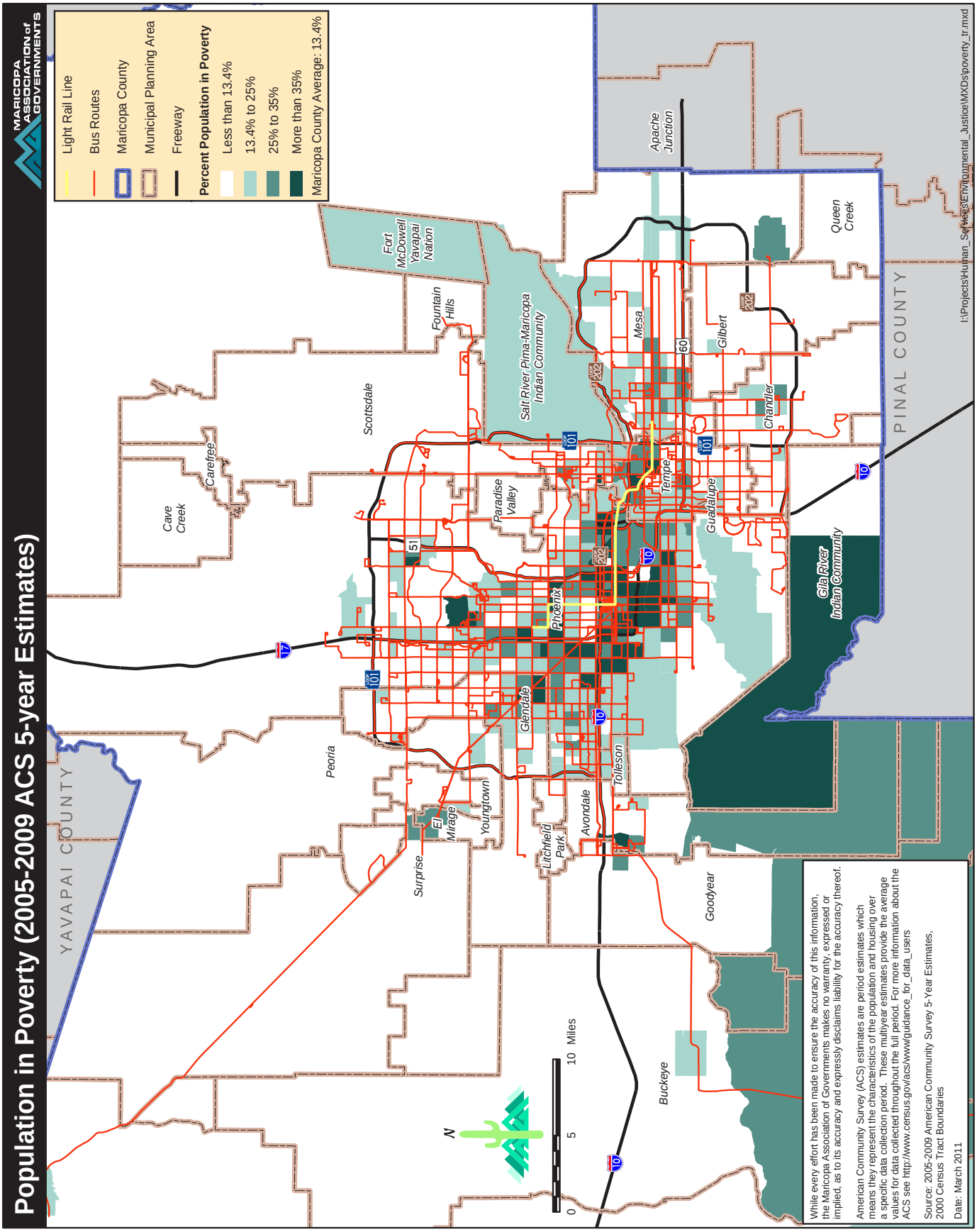
People with low incomes: Poverty status is determined by comparing annual income to a set of dollar values called thresholds that vary by family size, number of children, and age of householder. If a family's before-tax money income is less than the dollar value of their threshold, then that family and every individual in it are considered to be in poverty. For people not living in families, poverty status is determined by comparing the individual's income to his or her threshold. The poverty thresholds are updated annually to allow for changes in the cost of living using the Consumer Price Index (CPI-U). They do not vary geographically. For more information, please refer to the following section, "How Poverty Is Calculated in the ACS," at www.census.gov/hhes/www/poverty/methods/definitions.html.



Poverty Status in Maricopa County, Arizona	Estimate
Population for Whom Poverty Status is Determined	3,809,907
Children (under 18)	1,039,420
Income in past 12 months below poverty level:	
Population below poverty	508,722
Percent below poverty	13.4%
Children (under 18) below poverty	197,940
percent children below poverty	19.0%
Source: 2009 American Community Survey (5 year estimates, 2005-2009)	

The following map indicates the location and density of low-income households in the region.


Population in Poverty (2005-2009 ACS 5-year Estimates)
MARICOPA ASSOCIATION of GOVERNMENTS
Light Rail Line
Bus Routes
Maricopa County
Municipal Planning Area
Freeway
Percent Population in Poverty
Less than 13.4%
13.4% to 25%
25% to 35%
More than 35%
Maricopa County Average: 13.4%
YAVAPAI COUNTY
PINAL COUNTY
Cave Creek
Carefree
Scottsdale
Fort McDowell Yavapai Nation
Fountain Hills
Salt River Pima-Maricopa Indian Community
Apache Junction
Queen Creek
Mesa
Gilbert
Chandler
Tempe
Guadalupe
Paradise Valley
Phoenix
Glendale
Peoria
Youngtown
El Mirage
Surprise
Litchfield Park
Avondale
Tolleson
Goodyear
Buckeye
Gila River Indian Community
0 5 10 Miles
N
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Source: 2005-2009 American Community Survey 5-Year Estimates, 2000 Census Tract Boundaries
Date: March 2011
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Minorities: In 1998, the Federal Highway Administration published actions to address EJ in minority populations and low-income populations. They defined minority as the following:

- Black (having origins in any of the black racial groups of Africa).
- Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race).
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands).
- American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).

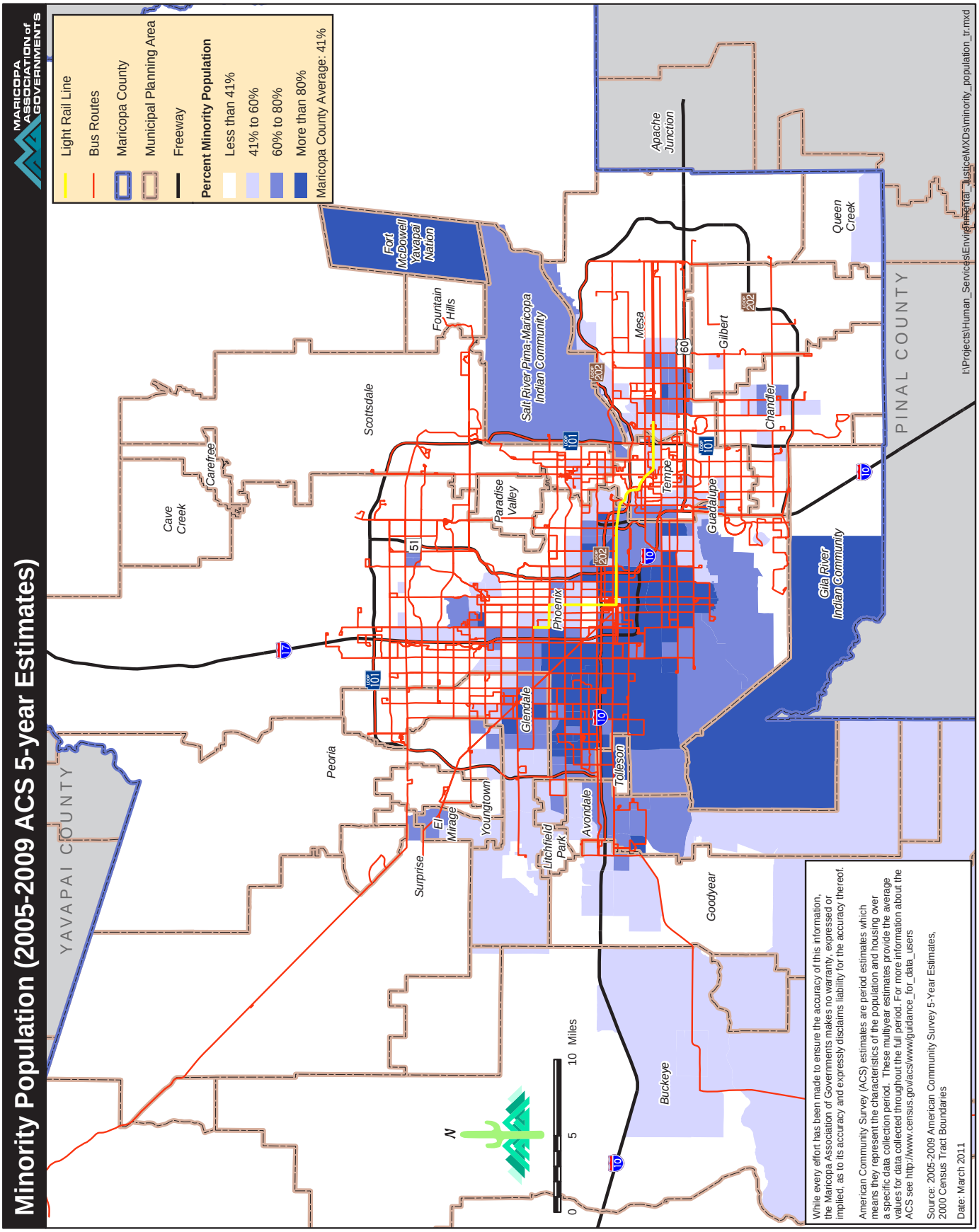
In addition, MAG includes the following groups as defined by the U.S. Census:

- Black or African American alone - not Hispanic or Latino.
- American Indian and Alaska Native alone - not Hispanic or Latino.
- Asian alone - not Hispanic or Latino.
- Native Hawaiian and Other Pacific Islander alone —not Hispanic or Latino.
- Some other race alone - not Hispanic or Latino.
- Persons of two or more races - not Hispanic or Latino.
- Hispanic or Latino.

The 2009 American Community Survey by the U.S. Census Bureau reports the following numbers of minority populations in this region:

Maricopa County, Arizona		
Race/Ethnicity	Estimate	Percent of Total Pop
Total:	3,855,521	*****
Not Hispanic or Latino:	2,676,578	*****
White alone	2,276,082	59.0%
Black or African American alone	160,225	4.2%
American Indian and Alaska Native alone	61,699	1.6%
Asian alone	110,851	2.9%
Native Hawaiian and Other Pacific Islander alone	6,113	0.2%
Some other race alone	6,662	0.2%
Two or more races:	54,946	1.4%
Two races including Some other race	2,922	0.1%
Two races excluding Some other race, and three or more races	52,024	1.3%
Hispanic or Latino:	1,178,943	30.6%
White alone	806,804	20.9%
Black or African American alone	7,036	0.2%
American Indian and Alaska Native alone	9,986	0.3%
Asian alone	2,773	0.1%
Native Hawaiian and Other Pacific Islander alone	568	0.0%
Some other race alone	314,726	8.2%
Two or more races:	37,050	1.0%
Two races including Some other race	24,769	0.6%
Two races excluding Some other race, and three or more races	12,281	0.3%
Source: U.S. Census Bureau, 2005-2009 American Community Survey		

The following map indicates the location and density of minority households in the region.


Minority Population (2005-2009 ACS 5-year Estimates)
MARICOPA ASSOCIATION of GOVERNMENTS
Light Rail Line
Bus Routes
Maricopa County
Municipal Planning Area
Freeway
Percent Minority Population
Less than 41%
41% to 60%
60% to 80%
More than 80%
Maricopa County Average: 41%
YAVAPAI COUNTY
PINAL COUNTY
Fort McDowell Yavapai Nation
Salt River Pima-Maricopa Indian Community
Gila River Indian Community
Apache Junction
Queen Creek
Mesa
Gilbert
Chandler
Tempe
Guadalupe
Phoenix
Scottsdale
Fountain Hills
Paradise Valley
Cave Creek
Carefree
Peoria
Glendale
Youngtown
El Mirage
Surprise
Litchfield Park
Avondale
Tolleson
Goodyear
Buckeye
0 5 10 Miles
N
While every effort has been made to ensure the accuracy of this information, the Maricopa Association of Governments makes no warranty, expressed or implied, as to its accuracy and expressly disclaims liability for the accuracy thereof.
American Community Survey (ACS) estimates are period estimates which means they represent the characteristics of the population and housing over a specific data collection period. These multiyear estimates provide the average values for data collected throughout the full period. For more information about the ACS see http://www.census.gov/acs/www/guidance_for_data_users
Source: 2005-2009 American Community Survey 5-Year Estimates, 2000 Census Tract Boundaries
Date: March 2011
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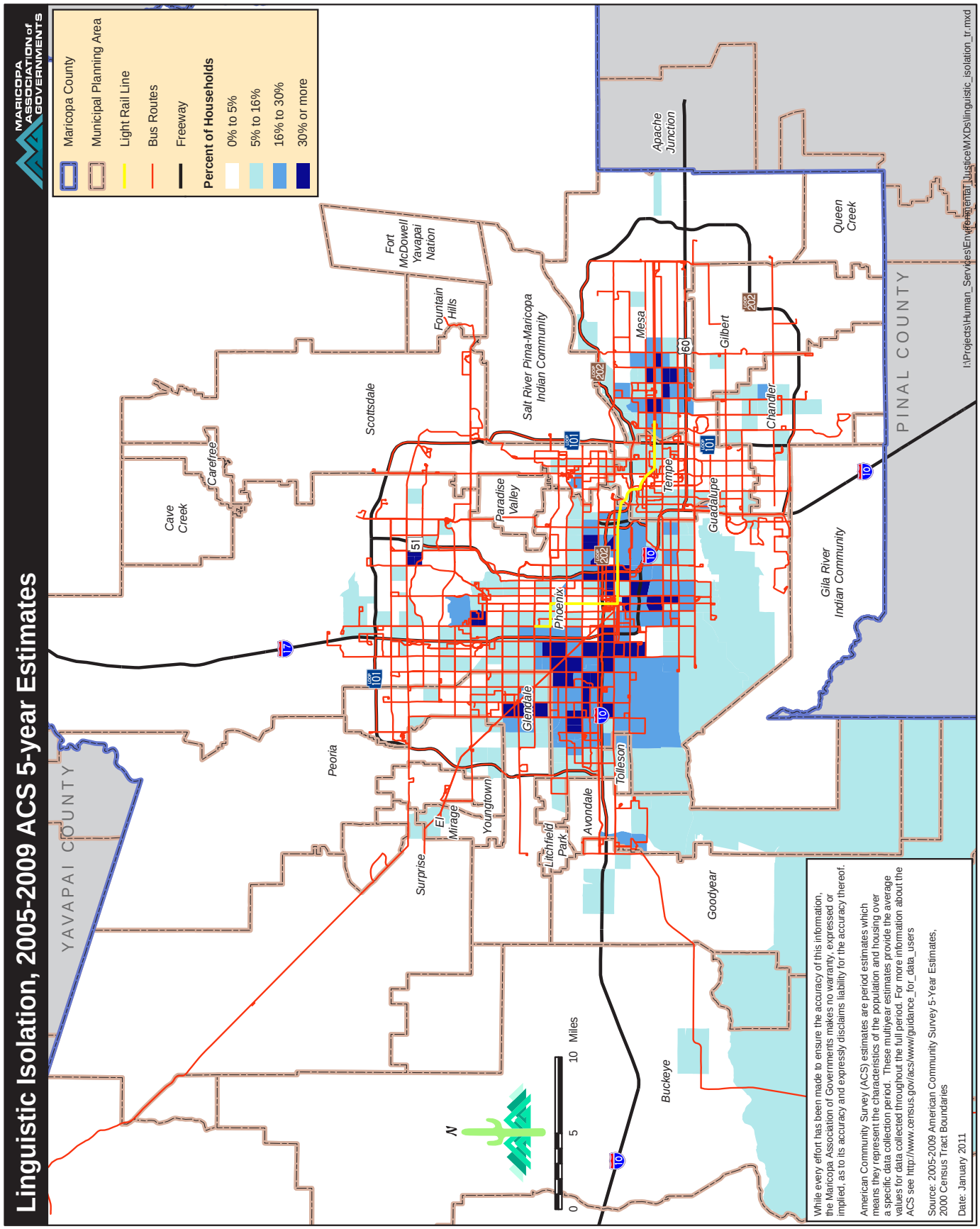
Limited English Proficient (LEP) households: An LEP person is described as a person who does not speak English as a primary language and has a limited ability to read, write, speak and understand English. An area is identified as LEP when five percent/more of the population or 1,000 people within a neighborhood fit this definition.

The 2009 American Community Survey reports the following data on the ability of people in this region to speak English. At 11.7 percent, this region would be considered LEP with a focus on people who speak Spanish but cannot speak English very well.

Maricopa County Households	Estimate	Percent	Percent of Linguistically Isolated Households
Total Households	1,338,468	100.0%	---
English Speaking only	988,658	73.9%	---
Spanish Speaking	258,766	19.3%	---
Linguistically Isolated Households	96,945	7.2%	100%
Spanish; Linguistically isolated	81,438	6.1%	84%
Other Indo-European languages; Linguistically isolated	6,418	0.5%	7%
Asian and Pacific Island languages; Linguistically isolated	6,506	0.5%	7%
Other languages; Linguistically isolated	2,583	0.2%	3%
Source: U.S. Census Bureau, 2009 American Community Survey 5 Year Data			

The following map indicates the location and density of people who speak English less than very well in the region.


Linguistic Isolation, 2005-2009 ACS 5-year Estimates
MARICOPA ASSOCIATION of GOVERNMENTS
Maricopa County
Municipal Planning Area
Light Rail Line
Bus Routes
Freeway
Percent of Households
0% to 5%
5% to 16%
16% to 30%
30% or more
YAVAPAI COUNTY
PINAL COUNTY
Fort McDowell Yavapai Nation
Fountain Hills
Salt River Pima-Maricopa Indian Community
Apache Junction
Queen Creek
Scottsdale
Carefree
Cave Creek
Paradise Valley
Mesa
Gilbert
Chandler
Tempe
Guadalupe
Phoenix
Glendale
Peoria
Gila River Indian Community
Tolleson
Avondale
Litchfield Park
Youngtown
El Mirage
Surprise
Goodyear
Buckeye
0 5 10 Miles
N
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Source: 2005-2009 American Community Survey 5-Year Estimates, 2000 Census Tract Boundaries
Date: January 2011
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Environmental Justice and Title VI Plan