



**HUMBOLDT COUNTY
ASSOCIATION OF GOVERNMENTS**

**Title VI Program and
Limited English
Proficiency (LEP) Plan
2015**

Adopted: June 2015



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

611 I Street, Suite B

Eureka, CA 95501

www.hcaog.net

RESOLUTION 15-21

**ADOPTING THE HUMBOLDT COUNTY
ASSOCIATION OF GOVERNMENTS
TITLE VI PROGRAM**

WHEREAS, the Humboldt County Association of Governments (HCAOG), in its official capacity as the Regional Transportation Planning Agency (RTPA), hereinafter referred to as the RTPA, is responsible to comply with Title VI of the Civil Rights Act of 1964, including provisions detailed in U.S. Department of Transportation’s Federal Transit Administration (FTA) Circular 4702.1B, “Title VI Requirement and Guidelines for Federal Transit Administration Recipients,” and

WHEREAS, the HCAOG wishes to authorize approval of the Title VI Program to comply with the necessary provisions of the Civil Rights Act, and

NOW, THEREFORE, BE IT RESOLVED, that the HCAOG adopts the “Humboldt County Association of Governments Title VI Program and Limited English Proficiency (LEP) Plan.”

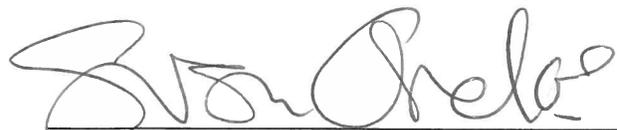
BE IT FURTHER RESOLVED, that the Executive Director of the HCAOG is authorized to implement components of the Title VI Program in order to meet Federal requirements and to implement the policies that may be necessary to comply with subsequent revisions or interpretations of the Civil Rights Act.

PASSED AND ADOPTED by the Humboldt County Association of Governments, in the City of Eureka, County of Humboldt, State of California, this 18th day of June 2015, by the following vote:

AYES:	MEMBERS:	Ornelas, Strehl, Jager, McCall-Wallace, Hindley, West, Johnson, Sundberg
NOES:	MEMBERS:	none
ABSENT:	MEMBERS:	none
ABSTAIN:	MEMBERS:	none

Attest:


Siana L. Emmons, HCAOG Executive Assistant


Susan Ornelas, HCAOG Chair

This document was prepared by Humboldt County Association of Governments (HCAOG) and approved by its board of directors to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation's Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirement and Guidelines for Federal Transit Administration Recipients."

TABLE OF CONTENTS

TITLE VI PROGRAM

INTRODUCTION.....	1
PURPOSE AND RESPONSIBILITIES	1
HCAOG’S TITLE VI NOTICE TO THE PUBLIC	2
POSTING LOCATIONS FOR TITLE VI PUBLIC NOTICES	3
<i>Table 1 – Posting Locations for HCAOG’s Title VI Notice</i>	3
TITLE VI COMPLAINT PROCEDURES	4
HCAOG REGIONAL TRANSPORTATION AGENCY TITLE VI COMPLAINT FORM.....	6
LIST OF TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS	9
<i>Table 2 – List of Title VI Investigations, Complaints, and Lawsuits</i>	9
HCAOG’S TITLE VI OUTREACH TECHNIQUES	9

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

INTRODUCTION.....	11
MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS.....	12
FACTOR 1	12
<i>Table 3 – HCAOG Region LEP Population</i>	13
FACTOR 2	13
FACTOR 3	14
FACTOR 4	14
LANGUAGE ASSISTANCE	14
LANGUAGE ASSISTANCE MEASURES	15
STAFF TRAINING	15
MONITORING	16
DISSEMINATION OF HCAOG’S LEP PLAN.....	16

ATTACHMENT A – MINORITY REPRESENTATION ON NON-ELECTED ADVISORY COMMITTEES

ATTACHMENT B – 2014 HCAOG PUBLIC PARTICIPATION PLAN

TITLE VI PROGRAM

INTRODUCTION

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have a longstanding policy of actively ensuring nondiscrimination under Title VI of the 1964 Civil Rights Act in federally funded activities. In recent years, a renewed emphasis on Title VI issues has become a more integral focus of the transportation planning and programming process.

Title VI is a federal statute that provides that no person shall, on 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. Title VI allows persons alleging discrimination by recipients of federal funds to file administrative complaints with the Federal departments and agencies that provide financial assistance.

A Title VI Program and English Language Proficiency (LEP) Plan refers to a document developed by a recipient of federal funding that demonstrates how the recipient is complying with Title VI requirements. As a subrecipient, Humboldt County Association of Governments (HCAOG) must submit a Title VI Program to the primary recipient, the California Department of Transportation (Caltrans). The submission of HCAOG's Title VI Plan is to assist Caltrans in its compliance efforts. Caltrans must document and submit its Title VI Program to the FTA every three years.

HCAOG is guided by federal Title VI mandates and strives to not only meet these mandates, but to create an overall transparent, inclusive planning process. As the Regional Transportation Planning Agency (RTPA) for the Humboldt County region, HCAOG is committed to making Title VI a part of our planning process and a guide for our public participation efforts. This document establishes a framework for HCAOG's efforts to ensure compliance with Title VI and related statutes regarding nondiscrimination. A commitment to Title VI has, and continues to be, reflected in HCAOG's Overall Work Program, communications, public involvement efforts, and overall operations.

PURPOSE AND RESPONSIBILITIES

HCAOG is one of 43 Regional Transportation Planning Agencies (RTPA) in California, created as a result of Section 29532 of the Government Code. The principal purpose of RTPAs in rural areas is to prepare and adopt planning and programming documents required by law, and allocate funds and administer various funding programs that involve cities, counties, and transit operators.

The HCAOG Board membership consists of elected representatives from the Board of Supervisors and Humboldt's seven (7) cities. The HCAOG Board, with the additions of a representative from the California Department of Transportation, and a representative from the Humboldt Transit Authority (Humboldt's regional transit system) serve as the Policy Advisory Committee.

HCAOG'S TITLE VI NOTICE TO THE PUBLIC



Notifying the Public of Rights under Title VI

The Humboldt County Association of Governments (HCAOG) is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin in accordance with Title VI of the Civil Rights Act of 1964.

- HCAOG's principle purpose as a Regional Transportation Planning Agency (RTPA) in a rural area is to prepare and adopt planning and programming documents required by law, and allocate funds and administer various funding programs that involve cities, counties, and transit operators.
- HCAOG provides these services without regard to race, color, and national origin in full compliance with Title VI.
- Any person who believes he or she has been aggrieved by any unlawful, discriminatory practice under Title VI while using HCAOG services may file a complaint with HCAOG. All complaints will be fairly and objectively investigated.
- To file a complaint, you may contact our Title VI Program Administrator at (707) 444-8208; or by email: debra.dees@hcaog.net; or visit HCAOG's office at 611 I Street, Suite B, Eureka, CA 95501.
- For more information about HCAOG's Title VI program, complaint procedure, or Limited English Proficiency Plan, contact (707) 444-8208; or visit HCAOG's website: www.hcaog.net
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor – TCR, 1200 New Jersey Ave., S.E., Washington, D.C. 20590
- If information is needed in another language, contact (707) 444-8208.
- Si se necessita información en español, llame (707) 444-8208.

POSTING LOCATIONS FOR TITLE VI PUBLIC NOTICES

HCAOG's Title VI notice to the public is posted at the following locations:

TABLE 1 – POSTING LOCATIONS FOR HCAOG'S TITLE VI NOTICE

Location Name	Address	City
HCAOG Office (Reception)	611 I Street, Suite B	Eureka
HCAOG Office (Meeting Room)	611 I Street, Suite B	Eureka

The Title VI notice to the public and program information is also provided on HCAOG's website:

<http://www.hcaog.net/hcaog-title-vi-program>

TITLE VI COMPLAINT PROCEDURES

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin by the Humboldt County Association of Governments (HCAOG) may file a Title VI complaint by completing and submitting HCAOG's Title VI Complaint Form which is available, in English or Spanish (translation into other languages available upon request), at the HCAOG office (611 I Street, Suite B, Eureka, CA 95501), or online at www.hcaog.net. HCAOG reserves the right not to investigate complaints received more than 180 days after the alleged incident. HCAOG will only process complaints that are complete.

The following procedures will be followed to investigate formal Title VI complaints:

- Within 10 business days of receiving a complete complaint form, the HCAOG Title VI Program Administrator will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.
- The investigation will be conducted and completed within 30 days of the receipt of the formal complaint.
- If more information is needed to resolve the case, HCAOG may contact the complainant by letter. The complainant has 10 business days from the date of the letter to send requested information to the Title VI Administrator. If the administrator is not contacted by the complainant or does not receive the additional information within 10 business days, HCAOG will administratively close the case.
- The complainant will be notified in writing of the cause to any planned extension to the 30-day rule (The investigation will be conducted and completed within 30 days of the receipt of the formal complaint.).
- A case may be administratively closed if HCAOG receives written confirmation that the complainant no longer wishes to pursue their case. Following the investigation, the Title VI Administrator will issue one of two letters to the complainant: 1) a closure letter; or, 2) a letter of finding (LOF). A closure letter summarizes the allegations and states that either there was not a Title VI violation or there were insufficient facts to determine whether or not there was a violation. In either case a closure letter results in the case being closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. Additionally, if the incident resulted from an inquiry by the complainant, HCAOG will respond to the inquiry by providing the complainant with relevant public information.
- If the complainant is unsatisfied with the decision, he/she has 30 days after the date of HCAOG's closure letter or the LOF to submit a written appeal to the HCAOG Board of Directors. The complainant is entitled to review the denial, to present additional information and arguments, and to separation of functions (i.e., a decision by a person not involved with the initial decision to deny eligibility). The complainant is entitled to receive written notification of the decision of the appeal and the reasons for it.

The complainant may also file a complaint directly with the Federal Transit Administration, as follows: Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor – TCR, 1200 New Jersey Ave., S.E., Washington, D.C. 20590

HCAOG Regional Transportation Agency Title VI Complaint Form

Section I: *Please write legibly*

1. Name:

2. Address:

3. Telephone :

3.a. Secondary Phone (*Optional*):

4. Email Address:

5. Desired communication methods for following up on complaint?

Large Print

Audio Tape

Telecommunications Device for the Deaf (TDD)

Other

Section II:

6. Are you filing this complaint on your own behalf?

Yes*

No

*If you answered “yes” to #6, go to Section III.

7. If you answered “no” to #6, what is the name of the person for whom you are filing this complaint?

Name:

8. What is your relationship with this individual:

9. Please explain why you have filed for a third party:

10. Please confirm that you have obtained permission from the aggrieved party to file on their behalf.

Yes

No

Section III:

11. I believe the discrimination I experienced was based on (*check all that apply*):

Race Color National Origin

12. Date of alleged discrimination (mm/dd/yyyy):

13. Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV:

14. Have you previously filed a Title VI complaint with HCAOG?

Yes

No

Section V:

15. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes* No

*If yes, check all that apply:

Federal Agency _____ State Agency

Federal Court _____ Local Agency

State Court _____

16. If you answered “yes” to #15, provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Email:

Section VI:

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date are required below to complete form:

Signature _____

Date _____

Please submit this form in person, or by mail, to the address below:

HCAOG Title VI Program Administrator

611 I Street, Suite B

Eureka, CA 95501

LIST OF TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

HCAOG has not been involved in any Title VI investigations, complaints, or lawsuits to date.

TABLE 2 – LIST OF TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations	None			
1				
2				
Lawsuits	None			
1				
2				
Complaints	None			
1				
2				

HCAOG’S TITLE VI OUTREACH TECHNIQUES

The following is a summary of techniques used by HCAOG to ensure compliance with Title VI and EJ requirements. HCAOG’S Public Participation Plan (Attachment B) contains policies for public involvement practices.

In order to ensure that LEP individuals are aware of language assistance opportunities available to them and to appraise LEP populations’ need for language assistance with HCAOG services, HCAOG provides the following:

- HCAOG’s website, where most documents are posted, is accessible to non-English speaking visitors who may translate www.hcaog.net to multiple languages.
- When public notices are provided, they are published in advance of HCAOG meetings (for details on public review periods, please consult the Public Participation Plan in Attachment B. The public notices delineate how prior arrangements can be made for a translator (LEP) or interpreter (sign language for hearing impaired individuals) to attend the meeting.
- Professional interpreter services are available upon request.
- Posted notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- “I Speak” cards for HCAOG staff, at public meetings, to identify language interpretation needed if the occasion arises.
- Annual survey of all HCAOG staff on their experience concerning any contacts with LEP persons during the previous year.

- Staff may greet participants as they arrive at meetings. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be possible at the meeting, one-on-one assistance could be provided later and it will help identify the need for future meetings.

Additionally, Title VI notices, complaint forms, and complaint procedures have been printed and posted in English and Spanish. These notices are posted in the following locations:

- HCAOG office
- HCAOG website

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

INTRODUCTION

This Limited English Proficiency (LEP) Plan was developed during the process of preparing HCAOG's Title VI Program to ensure that HCAOG's services are accessible to limited English proficient individuals. Title VI of the 1964 Civil Rights Act is one of two federal mandates that guarantee the provision of meaningful access to federally-funded services for LEP individuals:

- Title VI of the 1964 Civil Right Act prohibits federally-funded agencies from discriminating against individuals based on race, color, and national origin and includes meaningful access to LEP customers.
- Presidential Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (August 11, 2000): Instructs federal agencies to improve access to services by mandating that any federally conducted or assisted programs of activities (e.g. recipients of federal funding) must provide meaningful access to LEP customers.

HCAOG's Title VI Program has been prepared in accordance with FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients, October 1, 2012.

HCAOG has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, HCAOG used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by HCAOG.
2. The frequency with which LEP persons come in contact with HCAOG services.
3. The nature and importance of services provided by HCAOG to the LEP population.
4. The interpretation services available to HCAOG and the overall cost to provide LEP assistance.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

The U.S. Department of Transportation (DOT) issued its Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. This coverage extends to the recipient's entire program.

There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons, regardless of whether or not the agency chooses not to prepare a written LEP plan. In order to ensure meaningful access to programs and services, HCAOG has used the information obtained in the Four Factor Analysis (below) to determine the specific language services that are appropriate to provide. The analysis, based on the four factors below, reveals how the agency can improve communication with LEP individuals.

FACTOR 1

The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

HCAOG staff reviewed the American Community Survey Five-Year Estimate for language spoken at home and determined that 12,381 persons in the Humboldt region (9.7% of the population) speak a language other than English. Of those 12,381 persons, 4,331 persons, or 35%, have limited English proficiency; that is, they speak English "not well" or "not at all." This is 3.4 % of the overall population in the service area.

DOT has adopted Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations.

The "Safe Harbor Provision", as defined by Department of Justice, stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total populations of persons eligible to be served or likely to be encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations."

HCAOG examined the above specific languages using the 2013 American Community Survey 5-Year estimated: Language Spoken at Home by Ability to speak English for the Population 5 Years and Over. This data allowed HCAOG to determine whether or not those speaking languages other than English fall under the "Safe Harbor Provision."

Although all language groups other than Spanish have estimated populations of less than 1,000 persons and 5% of the total population, HCAOG will further examine providing services to these language groups in review of the Title VI Program.

Spanish is the only language group that meets the threshold specified by the Department of Transportation's Safe Harbor Provision of over 5% or 1,000 individuals (whichever is less). There are 2,935 LEP Spanish speakers in the Humboldt region (see Table 1). As a result,

HCAOG has translated the following vital documents into Spanish and made them available to the public (at HCAOG’s office and online):

- HCAOG’s Title VI Notice to the Public
- HCAOG’s Title VI Complaint Form
- HCAOG’s Procedures for filling out the complaint form

The next largest LEP populations in the Humboldt region are, respectively, Chinese and Hmong. While HCAOG will not immediately translate vital documents into Chinese or Hmong, as the number of LEP individuals is below the Safe Harbor Provision for each of these groups, it will continue to monitor the proportions of LEP individuals and corresponding languages as detailed in the Monitoring Section.

TABLE 3 – HCAOG REGION LEP POPULATION

	HCAOG County, California	HCAOG County Service Area
	Population Estimate	Percentage
Total Population (5 years and older)	127,149	100.0%
English Only	114,768	90.3%
Speak Other Than English	12,381	9.7%
Speak English less than "very well"	4,331	3.4%
Spanish or Spanish Creole:	2,935	2.3%
Portuguese:	129	0.1%
Chinese:	216	0.2%
Hmong:	185	0.1%
Tagalog:	119	0.1%
All other languages	747	0.6%

Source: 2009-2013 American Community Survey, Table B16001.

FACTOR 2

The frequency with which LEP persons come in contact with HCAOG services.

HCAOG staff reviewed the frequency with which the HCAOG Board of Directors and office staff have, or could have, contact with LEP persons. This includes documenting phone inquiries, emails, or office visits. To date, HCAOG has had no requests for interpreters and no requests for translated program documents. In their HCAOG capacity, the Board of Directors and office staff have had very little contact with LEP persons.

Now that HCAOG has identified Spanish speakers as an LEP population, staff can greet people at public meetings to determine if there are individuals who may benefit from one-on-one assistance later, or if Spanish translation and interpretation services may be needed at future meetings. HCAOG currently has an employee on staff that is willing and able to assist LEP Spanish speakers who call, email or come in to the office. If further translation or interpretation is required, HCAOG will contract out for those services.

FACTOR 3

The nature and importance of services provided by HCAOG to the LEP population.

HCAOG performs transportation planning for the region. Transit service questions (from LEP persons and otherwise) are generally directed to the Humboldt Transit Authority, the regional public transit agency or appropriate transit service agency.

There is no large geographic concentration of any type of LEP individuals in the Humboldt region. The overwhelming majority of the population in Humboldt, 90.3%, speaks only English. The HCAOG Board of Directors and office staff are most likely to encounter LEP individuals through office visits, phone conversations, email correspondence, and attendance at HCAOG Board of Directors' meetings.

FACTOR 4

The resources available to HCAOG, and overall costs to provide LEP assistance.

The HCAOG assessed its available resources that could be used for providing LEP assistance, including:

- Determining the cost of a professional interpreter and translation service on an as-needed basis
- Determining which documents would be the most valuable to be translated if the need should arise
- Taking an inventory of available organizations that the HCAOG could partner with for outreach and translation efforts
- Assessing the amount of staff training that might be needed.

Based on the four-factor analysis, HCAOG developed measures for language assistance, training staff, and for monitoring and disseminating its LEP Plan as outlined in the following sections.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a LEP person and may be entitled to language assistance with respect to HCAOG services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How HCAOG staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- HCAOG staff will be provided with "I Speak" cards, at public meetings, to identify language interpretation needed if the occasion arises.

- When public notices are provided, they are published in advance of HCAOG meetings (for details on public review periods, please consult the Public Participation Plan in Attachment B). The public notices delineate how prior arrangements can be made for a translator (LEP) or interpreter (sign language for hearing impaired individuals) to attend the meeting.
- Staff may greet participants as they arrive at meetings. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be possible at the meeting, one-on-one assistance could be provided later and it will help identify the need for future meetings.

LANGUAGE ASSISTANCE MEASURES

There are numerous language assistance measures available to LEP persons, including both oral and written language services. The HCAOG will ensure that vital documents, such as a Title VI complaint form, procedures for the form, and the notice of a person's rights under Title VI are translated into Spanish. Other vital documents may be translated as need arises.

HCAOG will strive to develop the following language assistance measures:

- Develop a list of language assistance products and methods and how HCAOG can access these.
- Develop staff procedures for customer service regarding:
 - How to respond to LEP callers
 - How to respond to correspondence from LEPs
 - How to respond to LEPs in person
 - How to document LEP needs
 - How to respond to civil rights complaints
- Develop a process for determining:
 - If a particular document needs to be translated
 - The language(s) into which the document(s) should be translated

STAFF TRAINING

The following training will be provided to HCAOG staff:

- Information on the HCAOG's Title VI procedures and LEP responsibilities
- Description of language assistance services offered to the public
- Use of "I Speak" cards
- Documentation of language assistance requests
- Use of professional interpreter services
- How to handle a potential Title VI/LEP complaint

All contractors or subcontractors performing work for HCAOG will be required to follow the Title VI/LEP guidelines.

MONITORING

A review of the LEP Plan will be undertaken every three years concurrent with updating and submitting the HCAOG Title VI Program. At that time, the LEP population will be reassessed, to ensure all significant LEP languages are included in HCAOG's language assistance efforts. The following reoccurring reporting and evaluation measures will be used to update the LEP Plan:

1. HCAOG will regularly assess the effectiveness of how HCAOG communicates with LEP individuals by:
 - Including questions about language assistance and information needs on any community surveys, such as Unmet Transit Needs surveys.
 - Conversations with key contacts that work with LEPs
 - Ad-hoc outreach with LEP groups
 - Determining whether the need for translation services has changed
 - Determining whether HCAOG's financial resources are sufficient to fund language assistance resources needed
 - Determining whether HCAOG fully complies with the goals of this LEP Plan
2. HCAOG will track its language assistance efforts, including:
 - Reporting front-line staff's interactions with LEP
 - Documenting the number of LEP persons encountered annually
 - Documenting how the needs of LEP persons have been addressed
 - Determining whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals
 - Maintaining a Title VI complaint log, including LEP to determine issues and basis of complaints

DISSEMINATION OF HCAOG'S LEP PLAN

Any person or agency with internet access will be able to access and download the HCAOG's LEP Plan. Notice of the public's Title VI rights (in English and Spanish) will be placed in the HCAOG office reception, as well as in HCAOG's meeting room.

Alternatively, any person or agency may request a copy of the plan via telephone, mail, or email and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which the HCAOG will provide, if feasible. HCAOG will also distribute copies of its Title VI Program (LEP Plan included) to members of the Social Services Transportation Advisory Council.

Questions or comments regarding the LEP Plan may be submitted to the HCAOG's Title VI Program Administrator:

Humboldt County Association of Governments (HCAOG)

Attn: Title VI Program Administrator
611 "I" Street, Suite B, Eureka, CA 95501

Tel: 707-444-8208 Fax: 707-444-8319

ATTACHMENT A

MINORITY REPRESENTATION ON NON-ELECTED ADVISORY COMMITTEES

This is a required table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils or committees. Also a description of efforts made to encourage minority participation.

Race and Ethnicity	Social Services Transportation Advisory Council
Ethnicity	
Hispanic or Latino	0.0%
Not Hispanic or Latino	99.0%
Elected not to report	1.0%
Total	100.0%
Race	
American Indian or Alaska Native	0.5%
Asian	0.0%
Black or African American	0.0%
Native Hawaiian or Other Pacific Islander	0.5%
White	98.0%
Other Race/Biracial/Multiracial	0.0%
Elected not to report	1.0%
Total	100.0%

HCAOG does not discriminate on the basis of race, color, or national origin against residents who wish to participate on non-elected or other advisory committees. In addition, HCAOG solicits participation and nominates individuals involved with local human services agencies, non-profit community based organizations, and other local stakeholders.

HCAOG welcomes all who are interested in serving on the Social Services Transportation Advisory Council (SSTAC) who meet the mandates of the Transportation Development Act (TDA). The HCAOG Board appoints all members seeking to participate on the SSTAC. Outreach efforts are focused on the primary intent of the SSTAC, which is to meet the mandates of the TDA.

Per section 99238 of the Transportation Development Act, each transportation planning agency shall provide for the establishment of a social services transportation advisory council for each county, or counties operating under a joint powers agreement, which is not subject to the apportionment restriction established in Section 99232 which states:

The social services transportation advisory council shall consist of the following members:

- One representative of potential transit users who is 60 years of age or older.
- One representative of potential transit users who is handicapped.
- Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
- Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, if one exists.
- One representative of a local social service provider for persons of limited means.
- Two representatives from the local consolidated transportation service agency, designated pursuant to subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
- The transportation-planning agency may appoint additional members in accordance with the procedure prescribed in subdivision (b).

Members of the social services transportation advisory council shall be appointed by the transportation planning agency which shall recruit candidates for appointment from a broad representation of social service and transit providers representing the elderly, the handicapped, and persons of limited means. In appointing council members, the transportation-planning agency shall strive to attain geographic and minority representation among council members. Of the initial appointments to the council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term. The transportation planning agency may, at its discretion, delegate its responsibilities for appointment pursuant to this subdivision to the board of supervisors.

ATTACHMENT B

Humboldt County Association of Governments
Public Participation Plan

Approved
July 2014



Prepared by:

Humboldt County Association of Governments
611 I Street, Suite B
Eureka, CA 95501
(707) 444-8208

HCAOG

Humboldt County Association of Governments

RESOLUTION 14-08

A RESOLUTION OF THE HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS TO ADOPT A PUBLIC PARTICIPATION PLAN

WHEREAS, the Humboldt County Association of Governments (HCAOG), in its official capacity as the Regional Transportation Planning Agency, hereinafter referred to as the RTPA, prepares and adopts a regional transportation plan, and serves as the regional agency for federal and State transportation programs and funding opportunities, has developed a Public Participation Plan hereinafter referred to as the PPP; and

WHEREAS, the federal transportation bill, Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law on July 6, 2012 and directs transportation planning agencies to outreach and consult with all interested parties throughout the agencies' planning processes so that interested parties have reasonable opportunities to comment on transportation plans and programs; and

WHEREAS, Caltrans 2013 Regional Planning Handbook directs that each RTPA develop a Public Participation Involvement Plan [23 USC 134(i)(5)(b); and

WHEREAS, HCAOG agrees to comply with the public participation process as outlined in the PPP; and

WHEREAS, the RTPA will be consistent with Title VI and Americans with Disabilities Act (ADA) requirements and policies.

NOW, THEREFORE, BE IT RESOLVED that the Humboldt County Association of Governments, in its capacity as the RTPA for Humboldt County, hereby adopts the HCAOG Public Participation Plan to comply with state law, inform the public and other stakeholders about HCAOG's public participation process, and serve as a directive to staff to carry out public participation activities in the transportation planning process of the RTPA in order to meet the RTPAs transportation planning responsibilities.

PASSED AND ADOPTED by the Humboldt County Association of Governments, in the City of Eureka, County of Humboldt, State of California, this 17th day of July, 2014, by the following vote:

AYES: *Ornelas, Strehl, Jäger, Schapira, Mierzwa, Thompson, Sundberg*
NOES: *none*
ABSENT: *West*
ABSTAIN: *none*

Attest:

Liana Y. Watts

HCAOG, Executive Assistant

Susan Ornelas

Susan Ornelas
HCAOG, Chair

Table of Contents

Chapter 1. Introduction	3
Chapter 2. Federal and State Requirements	4
Chapter 3. Objectives & Policies	6
Chapter 4. Opportunities for Public Participation	8
Chapter 5. Public Involvement Practices	9
Chapter 6. Public Participation Processes for Specific Plans	17

Chapter 1. Introduction

HCAOG

The Humboldt County Association of Governments (HCAOG) is a Joint Powers Authority (JPA) comprising the seven incorporated cities (Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, and Trinidad) and the County of Humboldt. HCAOG was established as a JPA to bring together multiple public agencies (local governments) to coordinate regional transportation planning.

HCAOG serves as the Regional Transportation Planning Agency (RTPA) for Humboldt County. Transportation planning involves coordinating and collaborating with an assortment of partners to develop a shared vision for transporting goods and people, and to create a functional, balanced, multi-modal transportation system. HCAOG also serves as the Service Authority for Freeway Emergencies (SAFE) to administer and implement the region's motorist aid call box program.

As the RTPA, HCAOG provides a forum to plan, discuss, and study Humboldt County's transportation issues. HCAOG prepares and adopts a regional transportation plan, and serves as the regional agency for federal and state transportation programs and funding opportunities.

Region

Humboldt County is a geographically diverse region located in northwestern California. The County encompasses 3,500 square miles of forested mountains, river valleys, coastal terraces, agricultural lands and coastline. Humboldt County's 2013 estimated population is 135,200. Populations include:

- Eureka (26,021)
- Arcata (17,836)
- Fortuna (11,885)
- Rio Dell (3,363)
- Ferndale (1,366)
- Blue Lake (1,260)
- Trinidad (365)
- Unincorporated areas (73,104)

Purpose of the Public Participation Plan

HCAOG recognizes the importance of public participation as well as interagency and intergovernmental participation to effectively meet the transportation needs of Humboldt County. The HCAOG Public Participation Plan (PPP) is meant to inform the public and other stakeholders about HCAOG's public participation process. The PPP describes how the public can receive information from HCAOG, and how the public can provide input into regional planning. The PPP also serves as a directive to HCAOG staff to carry out public participation activities when developing and implementing the following:

- Regional Transportation Plan (RTP)
- Regional Transportation Improvement Program (RTIP)
- Annual Overall Work Program (OWP) & Budget
- Administration of Transit Development Act (TDA) funds
- Transportation Development Act Unmet Transit Needs Report of Findings
- Federal and State grant programs
- Coordinated Human Transportation Plan
- Transit studies

Furthermore HCAOG has developed the PPP to comply with state law. Caltrans requires (*Regional Planning Handbook 2013*) each RTPA to develop a Public Participation Involvement Plan [23 USC 134(i)(5)(b)]. The Caltrans Handbook requires that a Public Participation Involvement Plan be developed for the Regional Transportation Plan. The Handbook says:

The plan will be the foundation for transportation planning decisions and shall contain these principles:

- Be developed in consultation with all interested parties.
- Provide all interested parties reasonable opportunities to comment on the contents of the transportation plan.

The Public Participation Plan should also take into consideration the transportation system as a whole and involve the entire community as well as the interplay and impact of transportation on other regional factors such as the economy, the environment and quality of life.

Chapter 2. Federal and State Requirements

In addition to the specific requirement outlined in the Caltrans Handbook, there are other laws that require transportation planning agencies to have public involvement programs. Certain federal and State statutes specifically require agencies (and other entities that receive public funds) to carry out open, public processes. The laws direct agencies to make reasonable and proactive efforts to give all stakeholders an opportunity to voice their opinions. Most laws set general directives; some set specific requirements and/or offer guidelines.

The following describes the federal and State laws that apply to HCAOG, requiring public participation processes, either general or specific.

Moving Ahead for Progress in the 21st Century (MAP-21)

The federal transportation bill, MAP-21, was signed into law on July 6, 2012. MAP-21 emphasizes public participation. MAP-21 directs transportation planning agencies to outreach and consult with all interested parties throughout the agencies' planning process. The goal, and the direction, is that all interested parties have reasonable opportunities to comment on transportation plans and programs.

National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA)

The purpose of NEPA is to ensure that federal agencies consider environmental factors before deciding on discretionary policies, projects, and programs. California's multidisciplinary environmental law, CEQA, requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. Both the CEQA and NEPA require an agency such as HCAOG to conduct public participation programs to inform the public and identify community concerns.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 enacts legislation prohibiting public agencies, as well as private entities, from discriminating against people on the basis of race, color, national origin or disability. Congress supplemented the 1964 statute with the Civil Rights Restoration Act of 1987 and other statutes enacted in the 1990s relating to the concept of environmental justice. The general principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

Americans with Disabilities Act

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination based on disability. The ADA requires that governmental agencies provide information in ways that people with disabilities can access.

Executive Orders

An Executive Order is an order given by the President to federal agencies. As a recipient of federal revenues, HCAOG assists transportation agencies to comply with these orders.

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

Executive Order 12898 mandates that federal agencies make achieving environmental justice part of their missions. The order requires federal agencies, and other recipients of federal funds, to identify and address related actions and adverse health or environmental effects that do or would disproportionately affect minority and low-income populations.

- ***Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP)***

Executive Order 13166 requires federal agencies, recipients, and sub-recipients of federal financial assistance to ensure that people who speak limited English can access federally-conducted and federally-funded programs, and activities, and services.

- ***Executive Order 13175: Consultation and Coordination with Native American Tribal Governments***

Executive Order 13175 calls for federal agencies and federal fund recipients to consult and collaborate with tribal officials, regularly and meaningfully, when developing federal policies that have tribal implications. The order also directs such agencies to strengthen the government-to-government relationships with Native American tribes, and to reduce imposing unfunded mandates upon Native American tribes.

Federal Transit Administration (FTA)

The FTA directs that transportation planning agencies carry out a public participation process to provide all citizens with reasonable opportunities to be involved in the planning process. HCAOG adheres to FTA guidance in administering FTA transit funding programs.

The Ralph M. Brown Act (Brown Act)

The Ralph M. Brown Act governs the meeting and actions of governing boards of local public agencies and their created bodies. Brown Act requirements apply to any committee or other subsidiary body that such a governing board creates, whether permanent or temporary, decision-making or advisory. The Brown Act sets minimum standards for open public meetings, such as for access to the public, meeting locations, posting notices, distributing agendas, and accepting public input. A public agency may adopt reasonable regulations to ensure the public's right to address the agency, including limiting the time allocated for public testimony.

Chapter 3. Objectives & Policies

Broad-based community participation is essential to good transportation planning because the best decisions are made with a fully-informed and involved public. When we inform the public, and in turn the public informs us, it improves the agency's understanding of the subject. Ultimately, this helps the HCAOG Board understand how members of the community perceive or anticipate pros and cons of matters affecting transportation projects, plans, and funds. HCAOG provides for and encourages the public to participate in planning the region's multi-modal transportation system.

Public Participation Goal:

That interested parties will have a meaningful role in Humboldt County's transportation planning process, and that public participation helps clarify stakeholder sentiment and capture diverse opinions.

Objective 1: Increase public awareness and understanding of the transportation planning process in Humboldt County.

Policy 1.1 Clearly communicate HCAOG's authority, roles and responsibilities, and processes and timelines for carrying out regional transportation programs and plans.

- Policy 1.2 Provide agency reports that are clear, timely, and broadly distributed. Use visuals to help describe concepts and data; examples include photos, charts, graphs, maps, artist renderings, and computer simulations.
- Policy 1.3 Provide timely and consistent public forums for interested parties and agencies to meaningfully participate in the transportation planning process. Provide timely notice of and reasonable access to HCAOG's public forums.
- Policy 1.4 Use multiple media and outlets to disseminate information on issues important to Humboldt County's transportation system.

Objective 2: Promote dialogue and partnership between HCAOG and Humboldt communities, including residents, property owners, business owners, people with disabilities, people with limited or no English sufficiency, advocacy organizations, local and Native American governments, and public officials.

- Policy 2.1 Provide adequate time for the public to review and make recommendations on regionally significant plans and programs. Give participants feedback on how their input is considered.
- Policy 2.2 Provide varied opportunities for the public to review and offer input on policies, plans, and programs. Provide adequate public notice of public participation opportunities, encouraging active public participation at the initial stages and throughout the process. Opportunities include, but are not limited to, public meetings, workshops and events, webinars, surveys, newspaper articles and columns, radio interviews, websites, social media, and printed materials. Proactively outreach to other committees, associations, and organizations by attending their meetings.

Objective 3: Sectors of the population who are traditionally under-served are aware of, and can easily access, opportunities to participate in regional transportation planning. Those traditionally under-served include youth, seniors, minorities, people with disabilities, people with limited or no English sufficiency, and households with low income(s).

- Policy 3.1 Create and maintain opportunities for those traditionally under-served to participate in HCAOG's transportation planning processes.
- Policy 3.2 Utilize the Social Service Transportation Advisory Council (SSTAC) for outreach to seniors, minorities, people with disabilities, and low income households, and other stakeholder communities. Ensure that representation on the SSTAC is reflective of the underserved communities within Humboldt County.
- Policy 3.3 Make key information such as notices and announcements (printed, website, and audio) accessible for disabled users, and attempt to offer such information in alternative languages when appropriate or requested.
- Policy 3.4 When appropriate, utilize alternative media outlets including facebook that may target minority, youth or underserved segments of the community.

Chapter 4. Opportunities for Public Participation

HCAOG Committees

HCAOG has a variety of committees that assist in its planning and decision-making process. The committees help inform and advise the HCAOG Board and staff, as well as interested members of the public, on transportation issues in our region. The following HCAOG committees create consistent opportunities for the public to be involved:

- Social Service Transportation Advisory Council (SSTAC) – Meets quarterly, and as needed.
- Service Coordination Committee (SCC) – Meets bi-monthly, and as needed.
- Technical Advisory Committee (TAC) – Meets monthly, and as needed.
- Policy Advisory Committee (PAC) – Meets monthly in conjunction with the HCAOG Board.

The following summarizes the composition and functions of each HCAOG committee and the HCAOG Board.

Social Service Transportation Advisory Council (SSTAC)

The HCAOG SSTAC was established, as required by the Transportation Development Act, to ensure that unmet transit needs are identified within Humboldt County. The SSTAC is required to have a minimum of nine members serving as representatives of the transit community, including disabled and senior populations, social service providers, persons of limited means, and representatives of the Consolidated Transportation Service Agency.

It is the SSTAC's responsibility to identify and review unmet transit needs information and recommend to the HCAOG Board unmet transit needs within Humboldt County, as part of the annual unmet transit needs process. The SSTAC also participates in updates of the Coordinated Public Transit--Human Services Transportation Plan, and provides a forum to address other transportation issues facing disabled, seniors, and economically disadvantaged populations within the County.

Service Coordination Committee (SCC)

The HCAOG SCC is comprised of local public and private transit operators, local colleges, and Caltrans. The purpose of the SCC is to advise the HCAOG Board on all matters relevant to providing public transportation services in Humboldt County. The SCC regularly reviews transit performance and productivity issues, recommends action to HCAOG on transit programs, and provides input on the annual unmet transit needs process and the Coordinated Public Transit--Human Services Transportation Plan.

Technical Advisory Committee (TAC)

The HCAOG TAC includes representatives from public works, planning, or engineering staff of each of the JPA members, Native American tribes and rancherias, transit managers, Caltrans, and the California Highway Patrol. The TAC provides technical expertise on transportation issues. The TAC leads in developing the Regional Transportation Improvement Program, and assists in developing the Regional Transportation Plan and the Overall Work Program.

Policy Advisory Committee (PAC)

In accordance with an approved Memorandum of Understanding between Caltrans and HCAOG, the RTPA is required to include a Policy Advisory Committee (PAC). The PAC consists of all members of the HCAOG Board plus a Caltrans representative and the Chair of the Humboldt Transit Authority (HTA). At each HCAOG Board meeting, the Board members adjourn as the RTPA and meet as the PAC. The PAC recommends action to the HCAOG Board. The HCAOG Board ratifies PAC actions.

HCAOG Board

The HCAOG Board is comprised of the Chairman of the Board of Supervisors and the Mayors (or designated alternate) of Humboldt's seven incorporated cities. The Board is responsible for all policy decisions of HCAOG.

In addition to the HCAOG committees described above, the following Ad hoc committees were formed in 2014 to assist planning activities for specific projects:

- Ad hoc Bicycle Advisory Committee – to develop the annual bike plan progress report.
- Ad hoc 101 Eureka-Arcata Corridor and Bay Trail Committee – multi-jurisdictional committee to coordinate planning and developing the Humboldt Bay Trail, north and south segments.
- Ad hoc Dial-A-Ride/Dial-A-Lift Committee - to review roles and responsibilities of the DAR/L program.

Chapter 5. Public Involvement Practices

I. HCAOG Public Meetings

HCAOG committees and the Board decide and conduct business on HCAOG matters at public meetings and public hearings. (One exception is for confidential matters for which the Board must confer in closed session.) HCAOG's public meetings are a consistent, on-going, and accessible way that interested members of the public (stakeholders) can be involved in HCAOG's planning, programs, and projects. Each meeting provides the opportunity for the public to provide comments or express concerns under a reasonable time constraint. HCAOG encourages the public to attend public meetings.

HCAOG generally holds three types of public meetings:

- ❖ Committee meetings
- ❖ Board meetings
- ❖ Public meetings on a single topic (e.g. a plan or project)

HCAOG has standard procedures for all public meetings and hearings and ensures that information on all meetings is routinely and easily available to the public.

Beginning in July 2014, HCAOG Board meetings will be held at Eureka City Hall Council Chambers, 531 K Street, Eureka. HCAOG Board meetings will also be televised and available on the Access Humboldt channel for public viewing beginning in July.

1. Open and Accessible Meetings. HCAOG's public meetings and meeting procedures adhere to the Brown Act, the American with Disabilities Act (ADA), and other applicable laws. All meeting locations are ADA accessible. HCAOG will accommodate, to the best of its ability, persons who may need special assistance to attend or participate in a meeting. All HCAOG agendas/meeting notices will display this message in English and in Spanish:

Persons who require special accommodations, accessible seating, or documentation in alternative formats under the Americans with Disabilities Act, or persons who require translation services (free of charge) should contact the HCAOG office at 444-8208 at least two days prior to the meeting.

Las personas que requieren alojamiento especial de acuerdo con el American with Disabilities Act, o personas que requieren servicios de traducción (libre de cargo) deben comunicarse con HCAOG al menos dos días antes de la reunión.

HCAOG will make arrangements for languages other than English translators upon request including, but not limited to: Spanish, American Sign Language, and Hmong since these languages represent known pockets of the local public population whose members may not use English as their primary language.

Meetings are held near transit routes whenever possible. HCAOG also strives to set workshop times to coordinate with bus schedules, including bus routes that run less frequently (e.g. 60+ minute headways), such as in Willow Creek, Garberville/Redway or Trinidad.

2. Meeting Notices & Packets. HCAOG posts all committee and board meeting notices in a public place. As required in the Brown Act Section 54954.2(a)(1), "the agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public." HCAOG posts meeting notices (including meeting cancellation notices) at the HCAOG office. Beginning in July 2014 notice of HCAOG Board meetings will also be posted at Eureka City Hall, 531 K Street, Eureka. Notices are posted at additional places as warranted.

The meeting notice typically consists of the meeting agenda, with day, time, and place of the meeting. Notices for regularly scheduled meetings are posted at least 72 hours in advance; agendas for special meetings are posted at least 24 hours in advance.

For all committee and board meetings, HCAOG makes the meeting agenda and packets available (1) on the HCAOG website (<http://hcaog.net>); (2) via e-mail to any person who has requested to be on the e-mail listserve; (3) via post to any person who has requested to be mailed an agenda or packet.

3. Meeting Records. Draft meeting records are included in meeting packets, and approved meeting records are posted on the HCAOG website. The public can read meeting records to learn what decisions committees and the board made at previous meetings.

4. Agendized Public Participation. Each public meeting is designed to solicit and receive public comments. Every committee and board agenda includes a stand-alone "Public Participation" agenda item, which states, "This agenda item is reserved for matters that are not

on the agenda that may be presented by the public.” In addition, the Chair (or Vice Chair) at the meeting allows public comment on each action item on the agenda.

II. Public Involvement in Plans & Studies

When HCAOG develops a special plan or study, or updates a long-range plan, staff typically implements public involvement practices that are more customized to the project at hand than the routine practices described above. The following describes HCAOG’s public involvement practices for non-routine plans, studies, or projects. In Chapter 6, we describe the public involvement processes and practices that HCAOG has established for particular HCAOG plans.

A) Public Meetings on a Single Topic (e.g. a specific plan or project)

HCAOG holds focused public meetings to expand opportunities for HCAOG staff, committee members, and the Board to converse with the public and better understand stakeholders’ perspectives on the subject matter. Public meeting formats for a single topic include workshops, charrettes (in which participants collaboratively design a project), and open houses with exhibits.

B) Attend External Meetings & Events

Upon request and with a reasonable notice, HCAOG staff members are available to provide general and project-specific information to community interest groups. For example, staff will attend other organizations’ meetings. Or, staff will attend public community events to “table” for a particular plan or project, bringing informational materials and visualization tools to show the public, and being available to answer questions in person.

C) Public Notices

When HCAOG is engaging the public to participate on a particular plan, staff will use additional means to notify the general public and stakeholder groups. Beyond the standard practices described above (e.g., posting meeting notices at buildings and on websites), staff will use newspapers and radio to broadcast public notices.

- General Circulation Newspaper: HCAOG prints public notices in broad circulation newspapers, either dailies or weeklies. HCAOG sends press releases and/or PSAs to newspaper outlets and follows up by phone to encourage coverage or printing of the notice.
- Organization Newsletters: HCAOG will have a PSA or article printed in organizations’ newsletters, if and when available.
- Radio: HCAOG sends press releases and/or PSAs to radio stations, and follows up by phone to encourage stations to cover it. Radio stations might post the PSA on their website and/or read it on the air; local stations might report the item in a news story. HCAOG can also do radio interviews; two of the best opportunities are KMUD FM’s local news shows and KHUM FM’s “Happy Trails” weekly program.

Public Notice Opportunities in the Media

	General Circulation Newspaper	Organizations' Newsletters	Radio
PAID	<ul style="list-style-type: none"> • Classified notices. • Advertisement in the main body or a specified section. 	<ul style="list-style-type: none"> • Advertisement (depends on organization's policy). 	<ul style="list-style-type: none"> • Advertisement
FREE	<ul style="list-style-type: none"> • Press releases. • Calendar item. 	<ul style="list-style-type: none"> • Public notice reprinted or article printed (depends on organization's policy). • Calendar item. 	<ul style="list-style-type: none"> • Press releases. • Public service announcement (PSA) • Calendar item. • Interviews

- **Direct Mail:** Budget allowing, HCAOG may mail printed notices direct to known stakeholders to notify them of an upcoming meeting(s) or hearing(s). Mailers would be mailed to those known to reside or have a business in a subject area (e.g. a neighborhood, adjacent to a bus route, within a limited radius of an intersection, etc.), or those known to be interested in the subject matter (e.g. transit service, freight/goods movement, trails, etc.). HCAOG gathers addresses through our internal master contact database, and/or through a targeted mailing list from the local planning department. The mailer may be produced as a postcard, or a flyer, or another format, and may include supplemental information. It is cost prohibitive to use this method for mass outreach in the region.

Public notices will include the following statement in both English and Spanish.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the American with Disabilities Act or persons who require translation services (free of charge) should contact HCAOG at least two days prior to the meeting.

La participación pública es solicitada sin distinción de raza, color, origen nacional, edad, sexo, religión, discapacidad o su estado familiar. Las personas que requieren alojamiento especial de acuerdo con el American with Disabilities Act, o personas que requieren servicios de traducción (libre de cargo) deben comunicarse con HCAOG al menos dos días antes de la reunión.

D) Public Review & Comment Periods

Larger planning efforts—beyond routine duties—generally warrant a set public review and comment period. Such instances include, for example, updating the Regional Transportation Plan or the Regional Bike Plan, and the annual Unmet Transit Need Public Participation Process. If the public review period is mandated, HCAOG complies as required (for example, public review periods per the California Environmental Quality Act). If not otherwise required, HCAOG's practice is to allow 30 or more days for any public review and comment period, except when extenuating circumstances prohibit it.

Public Drafts: Draft planning documents are available on-line and in hard copy. Additionally, during formal public comment periods, draft planning documents are available at regional libraries and local government offices. (section V. Access to HCAOG Documents.)

Submitting Comments: HCAOG strives to accommodate all basic means of communicating comments, and encourages the public (or agencies) to submit comments in the manner that best suits them. That said, written comments are often preferred for their benefit of recording a commenter's remarks just as he or she intended them to be.

As standard practice, HCAOG accepts comments:

- by phone {call HCAOG at (707) 444-8208. Callers can leave voicemail messages, too.}
- by fax {fax HCAOG at (707) 444-8319}
- by e-mail {to marcella.clem@hcaog.net, or as otherwise noted}
- by post or hand-delivery {HCAOG, 611 I Street, Suite B, Eureka, CA 95501}
- by verbal testimony (public comment) at an HCAOG committee or Board meeting, hearing, or other HCAOG public meeting.

For some plans or studies, HCAOG develops and distributes pre-made comment forms. Comments are never required to be submitted on comment forms. Comment forms can be submitted by mail, by hand, by fax, or by e-mail.

E) Record of Comments & Responses

Record of Comments: HCAOG makes a record of public comments in one of two ways, generally:

- 1) HCAOG staff reproduces, in the plan, the original comment letters (including e-mails) and telephone transcripts (usually in an appendix). Staff deletes (or blacks out) the commenter's address (physical and electronic) and phone number.
- 2) HCAOG staff summarizes the disposition (or general viewpoint) of comments and publishes the summary in the plan or study. HCAOG keeps the original letters on file in-house, which are available to view upon request.

Response to Comments: Staff reviews public comments and forwards them, as needed, to be considered by HCAOG committee members, Board members, or other agencies. HCAOG gives appropriate feedback to the individual/group who commented. Feedback might be given verbally, during discussions at the committee or Board meetings, and the meeting minutes serve as the primary record. Feedback might also be shown directly in the subject plan or study, where staff has added, revised, corrected, or deleted information, as directed and/or approved by HCAOG committee(s) and/or the Board. HCAOG staff might also contact a commenter directly to give him or her feedback on his or her comment(s).

III. Contact Database/Mailing List of Interested Parties

HCAOG maintains a master contact database. HCAOG uses the database to generate a mailing list(s) for disseminating timely information to interested parties, and to notify them of opportunities to review and provide comments. Mailings are sent via post and/or e-mail.

IV. Internet Access

HCAOG Website

We utilize the HCAOG website (www.hcaog.net) to offer the public independent, i.e., self service, access to regional transportation planning information. (Internet access is available, for free, at most Humboldt County libraries.) HCAOG designs the website pages to be as user-

friendly and understandable as possible, and maintains website content to be timely, consistent, and comprehensive.

Web Accessibility Policy: HCAOG policy is to maintain a website that is accessible to people with vision or motor-skill disabilities, and that is in accordance with Section 508 of the Americans with Disabilities Act for disabled users.

HCAOG is referencing the Web Accessibility Initiative (WAI), developed by the World Wide Web Consortium (W3C), for guidance. The W3C offers Web Content Accessibility Guidelines (WCAG), which they have organized around four principles of web accessibility: perceivable, operable, understandable, and robust.

When the HCAOG website is updated in the future, we will include a feature to help translating pages for non- English speakers.

The HCAOG website includes the following information:

- Contact information (physical address, phone, fax, e-mail)
- Regular business hours
- Current board members with affiliations
- Current committee members with affiliations
- Meeting notices and agendas (current and archived to November 2012)
- Meeting calendar
- HCAOG adopted plans
- HCAOG projects
- Project-specific public surveys and/or comment forms (e.g. annual Unmet Transit Needs process).
- Other transportation planning documents and forms
- Social media link (facebook)
- Local transportation-related events

Social Media

HCAOG posts meeting announcements/reminders on facebook (www.facebook.com/hcaog). Each week we also post transportation-related news, events, legislation, technologies, practices, or fun facts.

Interactive On-line Applications

HCAOG may use on-line (web) applications to increase the ways that the public can see, review, discuss, brainstorm, critique and comment on specific projects and plans. For example, HCAOG used the web application Crowdbrite to engage the public in developing the regional blueprint plan, “*imagine humboldt!*” These types of “crowdsourcing” applications are customized for each project, give information in various visual forms (e.g., photos, videos, maps, text), are interactive, and can show comments (and replies, and revisions) updated in real-time.

Web-based technology allows people to engage in a project when and where it is convenient to them—they can log-on from home (or anywhere) at the crack of dawn (or anytime). The web applications are free for the public to download and use.

Mobile Applications

HCAOG prints a Quick Response (QR) code, as applicable, on flyers, posters, and public announcements. For example, HCAOG uses a QR code on posters to conveniently link mobile-device users to an on-line survey.



Electronic Mail (E-mail)

HCAOG utilizes e-mail to disseminate to the public: meeting notices, project-specific notices, technical memos, plan drafts, and other updates regarding transportation planning (e.g. legislation, funding, grant applications, etc).

HCAOG may also imbed an e-mail feature directly into a project's webpage (on HCAOG's website). That way, for added convenience, people can send a comment directly from the webpage of the project they are interested in.

V. Access to HCAOG Documents

The public can view final publications of planning documents (plans, programs, studies, audits, etc.) at the HCAOG office and/or electronically via the HCAOG website (www.hcaog.net).

Hard copies on-site (at HCAOG)

The HCAOG library holds past and current planning documents prepared for and by HCAOG. The library also has transportation plans and studies from other jurisdictions, as well as from federal and state agencies. At the front desk, HCAOG keeps a public copy of the meeting packet(s) for upcoming committee or board meeting(s). During the public review and comment period for HCAOG plans, a public review draft is also made available at the front desk.

Hard copies off-site

During the public review and comment period for HCAOG plans, HCAOG delivers copies of public drafts to other public agencies around the county, where members of the public can review them. HCAOG hopes this makes the documents easier to access for more people. HCAOG usually delivers public drafts to:

- Humboldt County Library (multiple branches)
- City Halls
- County Board of Supervisors
- Native American tribal offices
- Humboldt Transit Authority office

Additional places where HCAOG may send public copies to be displayed:

- College of the Redwoods Library
- Humboldt State University Library
- Social Service Agencies
- Project-specific agencies and venues

Take-home copies

The public may request copies of HCAOG public drafts and final documents (other than legally confidential data). Requests are handled as follows:

- Reports and technical information that are part of a meeting packet are available free of charge. The public can receive a document(s) via post, or pick it up at the HCAOG office, or get it during the public meeting.
- The public can request hard copies of relevant reports and technical information not distributed during a public meeting.
- The HCAOG library also holds electronic copies of many recent plans on compact discs (CDs). HCAOG can provide cd copies to the public upon request.

HCAOG can and does supply most take-home copies free of charge. However, HCAOG does reserve the right to supply such copies at cost. The charge would include the cost of staff time spent reproducing the document and/or the cost of reproduction materials.

On-line copies

The public can access electronic copies of draft documents, adopted documents, and meeting packets on the HCAOG website (www.hcaog.net).

VI. General Outreach to Traditionally Underserved Citizens

This strategy has been developed to identify strategies for considering the needs of, and reaching out to, traditionally underserved citizens. The goal of this strategy is to encourage and solicit the involvement of these groups. These special groups include older adults, persons who have limited proficiency in English, persons with disabilities, ethnic groups and persons with low incomes. This strategy incorporates public involvement practices for Title VI Nondiscrimination and Limited English Proficiency (LEP) efforts.

Information & Outreach at Target-Community Events: HCAOG staff may bring informational materials and visualization tools to community events where the target-community is likely to attend. Examples include the annual health fair for Spanish-speakers (Festejando Nuestro Salud), coordinated by the Humboldt County Department of Health and Human Services, Senior Lunches at local community centers, and the North Coast Veterans Stand Down for military veterans.

Partnering Activities: HCAOG coordinates outreach efforts with social service and other agencies that can help disseminate information and facilitate contacts and publicity for traditionally underserved groups. Groups include, but not limited to, older adult residents, people with low income/low income households, ethnic minority groups, and people with limited English proficiency.

Targeted Posting: Flyers may be posted at locations where the target population is likely to visit, shop, pass by or otherwise frequent.

Newspaper Press Releases & Advertisements: Newspaper advertisements may be translated into Spanish and placed in local and regional newspapers for public comment periods, public meetings and public hearing notices. Press releases will be distributed to minority media outlets.

Access for Persons with Disabilities: Public meetings are held at ADA-accessible locations, and print and electronic advertisements/notifications include information for those who may need

special assistance to attend (see I.1. Open and Accessible Meetings). The HCAOG website is designed for formats for ADA access (see V. Internet Access, Web Accessibility Policy).

Chapter 6. Public Participation Processes for Specific Plans

Regional Transportation Plan (RTP) and Regional Transportation Improvement Plan (RTIP)

To fulfill its RTPA duties, HCAOG must develop a Regional Transportation Plan (RTP) and update it every five years¹. An RTPA must have an adopted RTP in order to qualify for and receive federal transportation funding. Caltrans states (“Regional Planning Handbook 2013”),

The RTP is a comprehensive, 20+ year vision of a balanced, multimodal transportation system. The RTP includes a list of proposed projects known as the Regional Transportation Improvement Program (RTIP). The RTIP is designed to implement the vision and goals of the RTP.

The California Transportation Commission (CTC) develops RTP guidelines to help transportation planning agencies statewide prepare consistent and comprehensive plans. The guidelines direct transportation planning agencies to carry out proactive public participation processes to coordinate and consult with interested parties. Interested parties include, but are not limited to, the business community, community groups, walking and bicycling representatives, environmental organizations, the Native American tribal governments and communities, neighboring Metropolitan Planning Organizations (MPOs)/RTPAs, transportation providers, facility operators such as airports, appropriate federal, state and local agencies (including local elected officials), environmental resource and permit agencies, and air districts, in addition to the general public (“California 2010 RTP Guidelines” (Jan 2011 Technical Change), CTC). The guidelines also direct transportation planning agencies on considering and addressing social equity and environmental justice issues in the RTP and public processes.

The guidelines advise what RTPAs “shall” and “should” do to coordinate and consult with stakeholders. Briefly, the guidelines state,

In summary, the consultation process shall:

1. Provide adequate public notice and the opportunity to comment on proposed RTPs and public participation plans;
2. Employ visualization techniques to describe the RTP;
3. Make the RTP electronically accessible, such as placing it on the Internet;
4. Hold public hearings at convenient and accessible locations and times;
5. Demonstrate explicit consideration and response to public input on the RTP (documentation);
6. Seek out and consider the needs of those traditionally underserved by existing transportation systems, such as low income and minority households;

¹ Required by federal law (Title 23CFR 450.300, Subpart C) and by state law (Government Code section 65080 et seq).

7. Provide additional opportunities to comment on the RTP and the Federal Transportation Improvement Program (FTIP), if the final version differs due to additional comments;
8. Coordinate with the state transportation planning and public involvement processes; and,
9. Periodically review intended RTP outcomes, products and/or services. (*ibid*).

All RTPs must also be accompanied by an environmental review document pursuant to the California Environmental Quality Act (CEQA). CEQA is primarily a mandated public information process. Therefore, agencies carry out specific public involvement activities to comply with CEQA.

Unmet Transit Needs Report of Findings

As the RTPA, HCAOG is responsible for administering the Transportation Development Act (TDA) funds received for the Humboldt region. The TDA establishes state funding to develop and support public transportation needs in California. Each year, per the requirements of the TDA, HCAOG must conduct an unmet transit needs (UTN) process to identify and assess any unmet public transit need that may exist in Humboldt County. The purpose of the Unmet Transit Needs process is to ensure that all unmet transit needs, that are reasonable to meet, are met before funds are expended for non-transit uses, such as streets and roads.

HCAOG conducts an extensive public participation process for the UTN cycle. HCAOG's SSTAC leads the process to solicit broad input from the public.

The following summarizes the Unmet Transit Needs public participation process.

- Notify member entities and Native American tribal governments of upcoming UTN cycle, distribute information on the UTN public participation process, and request dates of public hearings to be held by member entities and/or Native American tribal governments.
- Prepare a press release and publish a minimum 30 day notice of the UTN public hearing(s) schedule in local newspaper(s), and distribute to local radio stations.
- Post the public hearing schedule on the HCAOG website.
- Distribute the UTN public hearing schedule to HCAOG member entities, Native American tribes, libraries, College of the Redwoods, Humboldt State University, transit facilities to be provided on transit buses, the HCAOG SSTAC, social service agencies, and any member of the public or agency that has requested the information. The SSTAC also distributes the schedule through agency newsletters, and posts the schedule throughout the county on various community bulletin boards and the like.
- Public Hearings
 - As the RTPA, HCAOG conducts the statutorily required public hearing to receive public input on unmet transit needs.
 - Following HCAOG policy, HCAOG member entities also conduct their own public hearings on unmet transit needs and provide public comment to HCAOG. Seven additional public hearings are held annually by HCAOG member entities (Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad, and the County of Humboldt) for unmet transit needs. These city and county hearings are in addition to HCAOG's required public hearing, and expands the level of public

input. They provide local elected officials an opportunity to hear and respond directly to the expressed needs of their constituents.

- HCAOG staff and SSTAC members attend as many member entity public hearings as possible.
- HCAOG may also attend various social service agency meetings as invited to provide information on the unmet transit needs process.
- The SSTAC evaluates and determines the best method to receive public input and regularly develops transit surveys to gather input from the public. Surveys are developed and posted on HCAOG's website in both English and Spanish. Surveys are distributed widely throughout the county including all local transit facilities, on transit buses, city halls, libraries, social service agencies, and various other points throughout the County.
- Preparation of the Unmet Transit Needs (UTN) Report of Findings (ROF).
 - Concluding all public input, a draft UTN ROF is prepared which includes all public comment and any survey results regarding unmet transit needs.
- At SSTAC meetings, which are open to the public, the SSTAC reviews the Draft UTN ROF data with HCAOG approved UTN definitions and criteria and makes a recommendation to the HCAOG Board on unmet transit needs for the region.
- The HCAOG committees (SSTAC, SCC, TAC, and HCAOG Board) review public comments, and evaluate the most common requests against HCAOG's criteria for determining if an unmet transit needs is reasonable to meet.
- The HCAOG committees, SCC and TAC, review the Draft UTN ROF to determine support of the SSTAC's recommendation.
- After considering all available information compiled pursuant to the Unmet Transit Needs public participation process the HCAOG Board must adopt, by resolution, one of the following findings:
 - (1) there are no unmet transit needs;
 - (2) there are no unmet transit needs that are reasonable to meet; or
 - (3) there are unmet transit needs, including needs that are reasonable to meet.