

## CHAPTER SIX

### PUBLIC INVOLVEMENT



#### Introduction

Public involvement is essential to good planning. Without meaningful public participation, there is a risk of making poor decisions, or decisions that have unintended negative consequences. The fundamental objective of public involvement programs is to make certain that issues of everyone with an interest in transportation decisions are identified and addressed in the development of policies, programs and projects being proposed in Lycoming County.

Federal law, (SAFETEA-LU and MAP-21) require that *“the MPO shall develop and use a documented participation plan that defines the 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, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.”*



## Federal Requirements

According to the Federal Highway Administration, current Federal statutes and regulations provide general guidelines for public involvement processes and procedures. There is great flexibility available to transportation agencies in developing specific public involvement / participation plans. However, while the set of techniques for any given situation may differ depending upon such factors as demographics and identified potential impacts, the general approach to developing a public involvement / participation plan contains elements that are relevant and responsive to all communities. Below are brief excerpts from relevant federal statutes, regulations and Executive Orders setting forth key elements of the public involvement process that is to be used during the transportation planning and project development.

### *Americans with Disabilities Act (ADA)*

The Americans with Disabilities Act of 1990 (ADA) “prohibits discrimination on the basis of disability by public entities in services, programs and activities. Public entities are required to make programs accessible to individuals with disabilities including conducting meetings and hearings in ADA-compliant buildings. Special accommodations must be provided to ensure communications are equally effective for persons with disabilities in order to participate in meetings, planning and programming activities.” With advance notice, special provisions must be made to accommodate hearing-impaired or visually impaired participants.



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

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. Title VI states, “ No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

### *Environmental Justice*

Presidential Executive Order 12898 establishes provisions. The Environmental Protection Agency defines Environmental Justice as the “fair treatment of people in all races, cultures, and income with respect to development, implementation and enforcement of environmental laws, regulations, programs and policies.” Further, the Federal Highway Administration establishes three fundamental environmental justice principles:

- To 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.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

### *Limited English Proficiency*

On August 11, 2000, the President signed Executive Order 13166, “Improving Access to Services for Persons with *Limited English Proficiency*, (*LEP*). “LEP” persons are those individuals who do not speak English as their primary language, and who also have a limited ability to read, speak, write or understand English. The key commonality among LEP persons is their inability to communicate effectively in the English language, regardless of their native tongue. Persons that are multi-lingual, in that they speak one or more other languages in addition to being proficient in English, are not considered to be Limited English Proficient. The Executive Order is intended to improve access to federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency.

The Federal Highway Administration has published guidance related to LEP in 2005 which includes methods by which transportation agencies can determine the need for translation of materials or provision of interpreters at public hearings or other events. It states that recipients “are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.”



## **State Requirements**

*Commonwealth of Pennsylvania, Sunshine Law*



Act 84 of 1986 as amended June 15, 1993, February 26, 1996 and October 15, 1998 is an act requiring public agencies to hold certain meetings and hearings open to the public; and providing penalties. The PA General Assembly finds that secrecy in public affairs undermines the faith of the public in government. Highlights of this law include:

- ❖ *Official action and deliberation by a quorum of the members of an agency shall take place at a meeting open to the public.*
- ❖ *Written minutes shall be kept of all open meetings of agencies.*
- ❖ *Public notice is not required in the case of an emergency meeting or a conference.*
- ❖ *The board or council has the option to accept all public comment at the beginning of the meeting.*
- ❖ *A person attending a meeting of an agency shall have the right to use recording devices to record all the proceedings.*

## **Public Participation Plans**

SAFETEA-LU requires MPO's to develop and document, in consultation with interested parties, a Public Participation Plan that details strategies for incorporating visualization techniques, using electronic media, holding public meetings, and responding to public input, among other things prior to development of the Long Range Transportation Plan and Transportation Improvement Program. The public involvement process shall include the publication and distribution of draft versions of the proposed plan and provide adequate opportunities for review and comment. The approved plan must also be published or made readily available in other ways for informational purposes. Where possible, this process should include visualization techniques and make use of the internet. Federal regulations require that public officials (elected and appointed) and citizens have adequate opportunity to participate in the development of the Long Range Plan before it is approved and adopted by the MPO. The regulations explicitly identify several parties who should be engaged and involved throughout the plan development / update process.

## WATS MPO Approach Toward Fulfillment of Public Involvement Process



**Lycoming County Commissioners**

This section of the plan specifically outlines how the WATS MPO, under the leadership direction of the Lycoming County Board of Commissioners and planning staff, responds to the previously outlined federal and state requirements regarding public involvement in the development of this Long Range Transportation Plan, Transportation Improvement Program and during the transportation project development process and preparation of special studies and related plans.

### *Compliance With Americans with Disabilities Act*

All WATS MPO public meetings are located in ADA accessible buildings. Most meetings are held at the Lycoming County Executive Plaza Building, 300 Pine Street, Williamsport, PA 17701. This meeting location is conveniently situated near the River Valley Transit Hub (Trade and Transit Centre) which operates a fully accessible fixed route transit fleet as well as ADA paratransit services subcontracted through shared ride provider, STEP. All public notices published by WATS indicate that special ADA accommodations can be provided with advance notification to the Lycoming County Planning Commission. The WATS Transit Advisory Committee includes voting representation by physically and mentally disabled community organizations and individual transit consumers. If an alternate meeting site is chosen, care is taken to ensure ADA compliance is satisfied. All public meetings associated with development of this Long Range Transportation Plan have been held at the ADA accessible Executive Plaza meeting location.

### *Compliance with Title VI*

The WATS MPO is fully committed to ensure compliance with Title VI. Accordingly, the MPO adopted Title VI complaint procedures at their July 23, 2012 public meeting. Since discrimination can happen at any time in any organization, it is essential employees know what to do if they are given a complaint under Title VI. These MPO adopted

compliant procedures are provided in the Appendix section. An example of the Title VI WATS MPO complaint form is illustrated below:

**WILLIAMSPORT AREA TRANSPORTATION STUDY  
METROPOLITAN PLANNING ORGANIZATION  
TITLE VI COMPLAINT FORM**

Please Print All Information Below.

Complainant Name:

Name of Individual Assisting Complainant:

\_\_\_\_\_

\_\_\_\_\_

Complainant Address:

Assisting Individual Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Complainant Phone #

Assisting Individual Phone # ( Home or Cell)

\_\_\_\_\_

\_\_\_\_\_

Basis of Complaint: (e.g., Race, Color, National Origin, Sex, Age, Disability, Retaliation)

\_\_\_\_\_

Date(s) of alleged discrimination:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide the name(s), title and address of the person who discriminated against the Complainant.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of incident(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list any other agency where complaint has been filed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Complainant Signature:

Date:

\_\_\_\_\_

\_\_\_\_\_

The WATS MPO will acknowledge receipt of the complaint by notifying the Complainant within 15 days of the complaint filing. The WATS MPO will transmit the complaint to the proper state or federal agency (e.g., Federal Highway Administration, Federal Transit Administration, and PennDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures.

\_\_\_\_\_

Next Action:

All WATS public meeting notices indicate the procedures for filing a Title VI complaint. The WATS MPO has not received any complaints under Title VI associated with development of this plan or other WATS functions.



*Compliance with Environmental Justice*

Chapter 7 of this Plan provides mapping of Lycoming County environmental justice population areas based on 2010 Census information along with analysis of proposed transportation project impacts related to environmental justice populations.

*Compliance with Limited English Proficiency, (LEP)*

As noted in Chapter 3, according to American Community Survey, there are a total of 109,884 persons in Lycoming County aged five years and older. A total of 1,046 persons (1%) speak a primary language at home other than English and Speak English less than very well. Lycoming County is lower than the statewide percent of 3.8% primary non English speaking population. This LEP population breakdown for Lycoming County is illustrated below:

**Lycoming County Limited English Proficiency (LEP) Profile  
2007-2011 American Community Survey 5 Year Estimates**

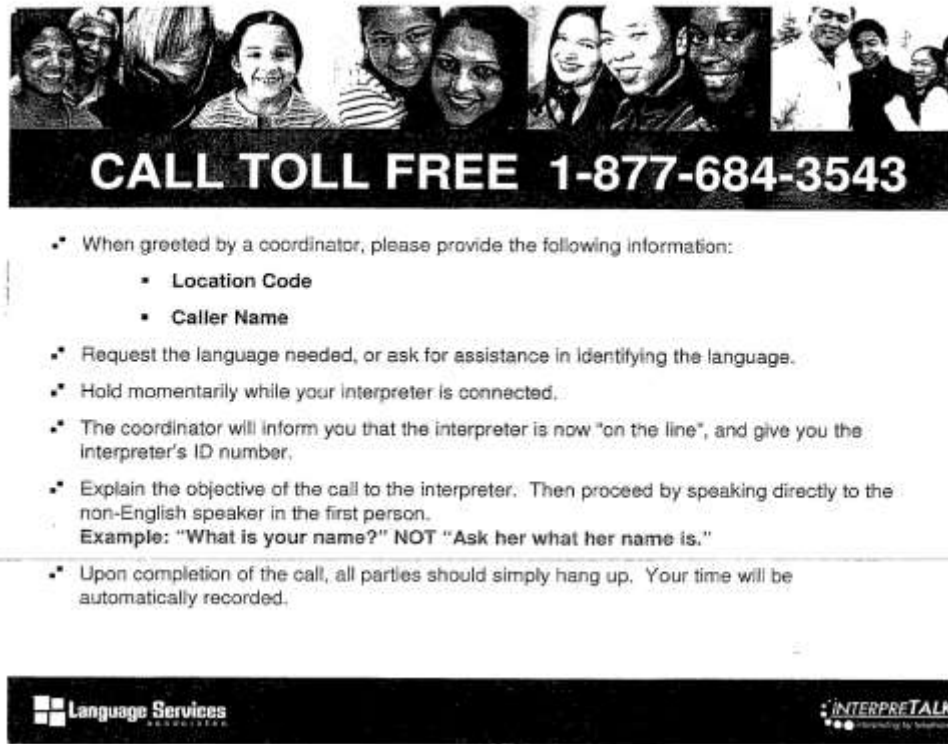
	Lycoming County,	
	Estimate	Margin of
Total:	109,884	+/-37
Speak only English	106,466	+/-430
Spanish or Spanish Creole:	1,197	+/-216
Speak English "very well"	898	+/-201
Speak English less than "very well"	299	+/-90
French (incl. Patois, Cajun):	180	+/-91
Speak English "very well"	162	+/-91
Speak English less than "very well"	18	+/-18
French Creole:	38	+/-60
Speak English "very well"	16	+/-25
Speak English less than "very well"	22	+/-35
Italian:	119	+/-60
Speak English "very well"	73	+/-36
Speak English less than "very well"	46	+/-39
Portuguese or Portuguese Creole:	2	+/-4
Speak English "very well"	2	+/-4
Speak English less than "very well"	0	+/-81
German:	535	+/-218
Speak English "very well"	435	+/-178
Speak English less than "very well"	100	+/-72
Yiddish:	17	+/-26
Speak English "very well"	17	+/-26
Speak English less than "very well"	0	+/-81
Other West Germanic languages:	450	+/-232
Speak English "very well"	248	+/-99
Speak English less than "very well"	202	+/-166

Scandinavian languages:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Greek:	8	+/-8
Speak English "very well"	8	+/-8
Speak English less than "very well"	0	+/-81
Russian:	105	+/-76
Speak English "very well"	65	+/-62
Speak English less than "very well"	40	+/-42
Polish:	47	+/-36
Speak English "very well"	40	+/-34
Speak English less than "very well"	7	+/-10
Serbo-Croatian:	43	+/-49
Speak English "very well"	29	+/-39
Speak English less than "very well"	14	+/-23
Other Slavic languages:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Armenian:	7	+/-9
Speak English "very well"	3	+/-4
Speak English less than "very well"	4	+/-5
Persian:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Gujarati:	117	+/-112
Speak English "very well"	16	+/-23
Speak English less than "very well"	101	+/-115
Hindi:	33	+/-48
Speak English "very well"	19	+/-29
Speak English less than "very well"	14	+/-21
Urdu:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Other Indic languages:	56	+/-47
Speak English "very well"	53	+/-44
Speak English less than "very well"	3	+/-6
Other Indo-European languages:	29	+/-23
Speak English "very well"	23	+/-16
Speak English less than "very well"	6	+/-9
Chinese:	40	+/-43
Speak English "very well"	27	+/-24
Speak English less than "very well"	13	+/-22
Japanese:	25	+/-23
Speak English "very well"	15	+/-18
Speak English less than "very well"	10	+/-15
Korean:	17	+/-18
Speak English "very well"	2	+/-5
Speak English less than "very well"	15	+/-18
Mon-Khmer, Cambodian:	12	+/-21
Speak English "very well"	5	+/-9
Speak English less than "very well"	7	+/-13
Hmong:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Thai:	0	+/-81





Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Laotian:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Vietnamese:	82	+/-63
Speak English "very well"	21	+/-23
Speak English less than "very well"	61	+/-54
Other Asian languages:	94	+/-67
Speak English "very well"	72	+/-56
Speak English less than "very well"	22	+/-33
Tagalog:	35	+/-32
Speak English "very well"	30	+/-31
Speak English less than "very well"	5	+/-6
Other Pacific Island languages:	26	+/-36
Speak English "very well"	24	+/-36
Speak English less than "very well"	2	+/-3
Navajo:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Other Native North American	41	+/-58
Speak English "very well"	41	+/-58
Speak English less than "very well"	0	+/-81
Hungarian:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
Arabic:	37	+/-32
Speak English "very well"	2	+/-3
Speak English less than "very well"	35	+/-32
Hebrew:	0	+/-81
Speak English "very well"	0	+/-81
Speak English less than "very well"	0	+/-81
African languages:	14	+/-25
Speak English "very well"	14	+/-25
Speak English less than "very well"	0	+/-81
Other and unspecified languages:	12	+/-22
Speak English "very well"	12	+/-22
Speak English less than "very well"	0	+/-81

The WATS MPO complies with LEP requirements by including in the WATS public meeting notices the availability of LEP language translation services upon advance notification. The WATS MPO has LEP translation service availability through PennDOT contract with INTERPRETALK Language Services Associates. Therefore, this plan document may be translated into other languages to facilitate public review by LEP individuals upon request.



**CALL TOLL FREE 1-877-684-3543**

- When greeted by a coordinator, please provide the following information:
  - Location Code
  - Caller Name
- Request the language needed, or ask for assistance in identifying the language.
- Hold momentarily while your interpreter is connected.
- The coordinator will inform you that the interpreter is now "on the line", and give you the interpreter's ID number.
- Explain the objective of the call to the interpreter. Then proceed by speaking directly to the non-English speaker in the first person.  
**Example: "What is your name?" NOT "Ask her what her name is."**
- Upon completion of the call, all parties should simply hang up. Your time will be automatically recorded.

### *Compliance with PA Sunshine Law*

All WATS public meetings are publicly advertised in the Williamsport Sun Gazette at least 7 days prior to the meeting and are open to the general public. Public information requests for WATS produced documents are handled directly either by LCPC Staff or the Lycoming County Right to Know Public Information Officer in a manner that is in compliance with state law. Minutes of all WATS public meetings are prepared by LCPC.

### *Compliance with Public Participation Plan*

In 1994, the WATS MPO developed a Public Participation Plan with subsequent plan amendments since that time to ensure compliance with federal public participation requirements and to respond to changing demographics and emerging new technologies that have become available to the WATS MPO to improve public outreach techniques.

This plan provides a demographic overview of Lycoming County based on Census information, identifies “interested parties” for WATS targeted public outreach in response to federal SAFETEA-LU requirements and outlines a variety of techniques used by WATS to conduct its public outreach program. The updated demographic profiles for Lycoming County which serve as a foundation of WATS public outreach are outlined in Chapter 3. This section of the plan will focus on the identification of “interested parties” in response to SAFETEA-LU requirements along with discussion of WATS public outreach techniques used in Long Range Plan development and other WATS programs.

### **Interested Parties**

At the beginning of this Chapter, interested parties are defined under federal SAFETEA-LU legislation. In response, the WATS MPO has further defined interested parties to ensure local public participation among all categories of transportation users and stakeholders defined in the law. The WATS Public Participation Plan identifies the following organizations as interested parties:

- ✚ PennDOT
- ✚ River Valley Transit
- ✚ SEDA-COG Joint Rail Authority
- ✚ Norfolk Southern
- ✚ STEP
- ✚ Billtown Cab
- ✚ Williamsport-Lycoming Chamber of Commerce
- ✚ Lycoming County Tourist Promotion Agency
- ✚ Lycoming County Industrial Properties Corporation
- ✚ All 52 Lycoming County Municipalities (Inc. Townships / Boros Association)
- ✚ Susquehanna Trailways
- ✚ Williamsport Bicycle Club
- ✚ Our Towns 2010
- ✚ PA Motor Truck Association
- ✚ SEDA-COG
- ✚ West Branch Manufacturers Association
- ✚ West Branch Council of Governments
- ✚ Pine Creek Council of Governments
- ✚ PA Department of Environmental Protection
- ✚ PA Department of Community and Economic Development
- ✚ US Army Corps of Engineers
- ✚ Williamsport Municipal Airport Authority
- ✚ PA Aviation Advisory Committee
- ✚ Williamsport Parking Authority
- ✚ Lycoming County Housing Finance, Inc.
- ✚ First Communities Foundation of PA
- ✚ Route 15 Coalition
- ✚ Appalachian Thruway Association
- ✚ PA Highway Information Association

- ✦ Children's Development Center
- ✦ National Multiple Sclerosis Society
- ✦ Easter Seal Society
- ✦ Susquehanna Health
- ✦ Bi-County Office for the Aging
- ✦ American Association of Retired People
- ✦ Lycoming County Mental Health and Mental Retardation
- ✦ Hope Enterprises
- ✦ Williamsport Home
- ✦ Center of Independent Living / Roads to Freedom of Northcentral PA
- ✦ Rose View Manor
- ✦ Sycamore Manor
- ✦ Manor Care Health Services
- ✦ North Central Sight Services
- ✦ Office of Vocational Rehabilitation
- ✦ American Cancer Society
- ✦ Lycoming Valley Association for the Deaf
- ✦ American Lung Association of Central PA
- ✦ Lycoming County Public Assistance Office
- ✦ Williamsport YMCA/YWCA
- ✦ Valley View Nursing Home
- ✦ The Center
- ✦ Lycoming College
- ✦ Penn College
- ✦ Career-Link
- ✦ Lycoming County Health Improvement Coalition
- ✦ AFSCME
- ✦ Coalition for Responsible Growth and Resource Conservation

The WATS MPO conducts directly mailings to the above-listed organizations during development of the WATS Long Range Plan and Transportation Improvement Program and other WATS initiatives as appropriate.



## **WATS Public Outreach Techniques**

The Lycoming County Planning Commission utilizes a variety of public outreach techniques to encourage public participation in the development of WATS programs, including the Long Range Plan and Transportation Improvement Program. These outreach techniques are summarized below:

<b>Public Participation Element</b>	<b>Outreach Technique</b>
WATS Documents Availability	LCPC Office, Interested Party mailings, county website <a href="http://www.lyco.org">www.lyco.org</a>
Comment Opportunities	Public meeting, written comments (email or hardcopy)
Public Meeting	Hold minimum of 1 public meeting during public comment period and 1 public meeting at plan adoption stage
Public Comment Period Notice	Publish legal notice at least 30 calendar days prior to TIP public comment period ending and 45 calendar days for Long Range Plan ending (appearing in the Williamsport Sun Gazette minimum of 3 times.)
Public Meeting Notice	Publish legal notice at least 7 calendar days prior to public meeting (appearing in Williamsport Sun Gazette)
Public Comment Summary	Prepare a summary of comments received during public comment period)
Visualization Techniques	Where appropriate, make use of Lyco- Geographic Information System, (GIS) to develop maps, charts, figures, power-point presentations and public displays.

## Lycoming County Area Television, (LCAT)

In addition to the previously mentioned public outreach techniques, a major new public outreach initiative is beginning in Lycoming County. Lycoming County Area Television (LCAT) is a nonprofit entity filling a significant gap in the education-government information dissemination throughout Lycoming County. There is currently very limited or sporadic television coverage of major events within the county. Regional TV stations, operating in Wilkes-Barre and Scranton Areas have no incentive to provide this type of programming throughout Lycoming County since we are on the fringe of their 12 county viewing area and lack the type of population figures that make it financially worthwhile for the for-profit TV companies, located over 100 miles away to cover.



LCAT is broadcasting on the existing Comcast Channel # 75 program with content that is educational and / or governmental. LCAT intends to design and activate an associated web site for announcing program content and for providing “Live Streaming” of broadcast material to listeners/viewers across the internet. Program content will help promote regional tourism opportunities, focus on community events, provide viewing of governmental meetings and presentations of local interest, and serve as a direct means of disseminating public safety and emergency information, a function particularly important to the County. The WATS Long Range Transportation Plan will be presented on LCAT during the 45 day public comment period, likely to be publicly aired during November, 2013. WATS access to the other area-wide TV stations such as WNEP, WBRE, WYOU will continue be maintained as well along with radio, newspaper and internet. The LCPC working with PennDOT maintains a comprehensive, updated media contact list for distribution of press releases and other important public information announcements about WATS plans and TIP projects.



## WATS Long Range Plan Development Public Meeting Schedule

There are 11 publicly advertised meetings being held or arranged by WATS during the development of this WATS Long Range Transportation Plan Update as follows:

<i>Public Meeting</i>	<i>Date/Time</i>	<i>Place</i>
WATS Technical Committee (Plan Kickoff)	December 17, 2012 (10 AM)	Executive Plaza 330 Pine St Williamsport, PA
WATS Technical Committee	February 7, 2013 (10 AM)	Executive Plaza
WATS Coordinating Committee	February 25, 2013 (1 PM)	Executive Plaza
WATS Technical Committee	May 7, 2013 (10 AM)	Executive Plaza
WATS Coordinating Committee	May 28, 2013 (1 PM)	Executive Plaza
WATS Technical Committee	September 25, 2013 (10 AM)	Executive Plaza
WATS Coordinating Committee	October 8, 2013 (1 PM)	Executive Plaza
Lycoming County Planning Comm.	November 21, 2013 (6PM)	Executive Plaza
WATS Technical Committee	December 10, 2013 (10 AM)	River Valley Transit 1500 West 3 <sup>rd</sup> St. Williamsport, PA
Lycoming County Commissioners	December 12, 2013 (10 AM)	Executive Plaza
WATS Coordinating Committee (WATS MPO Plan Adoption)	December 19, 2013 (1 PM)	Executive Plaza

The WATS Technical Committee is serving as the overall WATS Long Range Plan development steering committee. In addition to the above noted public meeting schedule, an Agency Coordination Meeting, (ACM) consultation is being scheduled with ACM participation environmental agencies on October 23, 2013 as noted in Chapter 5 fulfilling the federal environmental consultation public involvement requirements. A federally required 45 day public comment period will be advertised by WATS following the ACM presentation beginning on November 1, 2013 and concluding on December 15, 2013 for this draft Long Range Transportation Plan with all public comments summarized and addressed prior to the WATS MPO plan adoption date at the December 19, 2013 WATS Coordinating Committee public meeting. Direct mailings of Long Range Plan summary documents will be provided directly to all interested parties outlined previously in this Chapter.

