

NOACA

Technical Report

ODOT Title VI Report



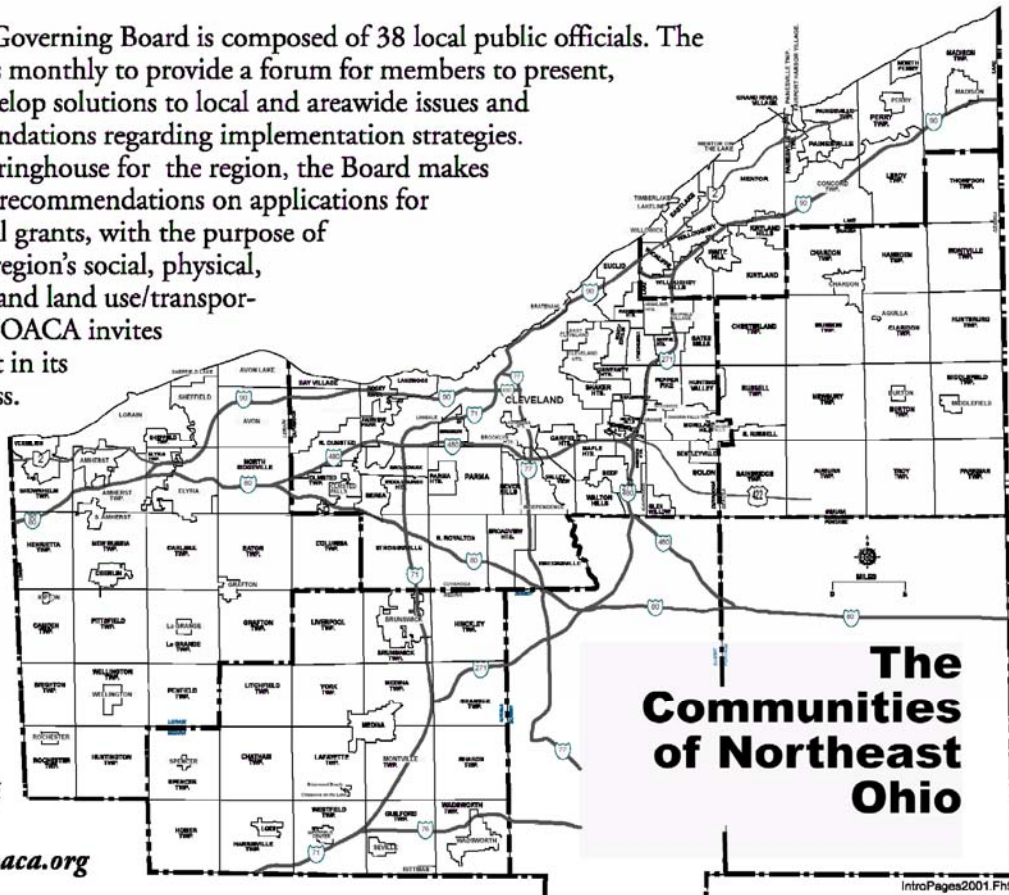
The Northeast Ohio Areawide Coordinating Agency (NOACA) is a public Organization serving the counties of and municipalities & townships within Cuyahoga, Geauga, Lake, Lorain and Medina (covering an area with 2.1 million people). NOACA is the agency designated or recognized to perform the following functions:

- **Serve as the Metropolitan Planning Organization (MPO), with responsibility for comprehensive cooperative and continuous planning for highways, public transit, and bikeways, as defined in the Transportation Equity Act for the 21st Century.**
- **Perform continuous water quality, transportation-related air quality and other environmental planning functions.**
- **Administer the area clearinghouse function, which includes providing local government with the opportunity to review a wide variety of local or state applications for federal funds.**
- **Conduct transportation and environmental planning and related demographic, economic and land use research.**
- **Serve as an information center for transportation and environmental and related planning.**
- **At NOACA Governing Board direction, provide transportation and environmental planning assistance to the 172 units of local, general purpose government.**

The NOACA Governing Board is composed of 38 local public officials. The Board convenes monthly to provide a forum for members to present, discuss and develop solutions to local and areawide issues and make recommendations regarding implementation strategies. As the area clearinghouse for the region, the Board makes comments and recommendations on applications for state and federal grants, with the purpose of enhancing the region's social, physical, environmental and land use/transportation fabric. NOACA invites you to take part in its planning process.

Feel free to participate, to ask questions and to learn more about areawide planning. For more information, call:

(216) 241-2414
or log on at:
<http://www.noaca.org>



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<p>3) Author(s) John Hosek, Steve Jones, Bill Davis; Contributors: Sharon Hosek, Cheryl Kurkowski</p>	<p>4) Report Date</p> <p>May 2008</p>
<p>5) Performing Organization Name & Address</p> <p>Northeast Ohio Areawide Coordinating Agency 1299 Superior Avenue, Cleveland, OH 44114-3204 Phone: (216) 241-2414 FAX: (216) 621-3024 Web site: www.noaca.org</p>	<p>6) Project/Task No.</p> <p>6950 (FY 2008)</p>
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<p>12) Abstracts</p> <p>This report required by the Ohio Department of Transportation (ODOT), documents NOACA's response to ODOT's Title VI Compliance Review questions. These responses are related to the Fiscal Year 2009 Overall Work Program, beginning July 1, 2008 through June 30, 2009. Responses provided are related to the metropolitan planning organization (MPO) agency compliance, consultant contracts, and the urban transportation planning process regarding the Title VI program.</p>	
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ODOT Title VI Report

May 2008

Prepared by

NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

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The preparation of this publication was financed through grants received from the Federal Highway Administration and the Ohio Department of Transportation and appropriations from the counties of and municipalities within Cuyahoga, Geauga, Lake, Lorain and Medina. The contents do not necessarily reflect official views or policies of the U.S. Department of Transportation or the Ohio Department of Transportation. This report does not constitute a standard or regulation.

**TITLE VI PROGRAM
ODOT COMPLIANCE REVIEW RESPONSE
May 2008**

I. Metropolitan Planning Organization Handling Agency Compliance

- A. To what extent does the MPO Handling Agency employ minority staff personnel in the program area under review?

Response:

NOACA's most recent employment data included in the Agency's FY 2009 Overall Work Program (OWP) indicates a minority staff level of ten (10) among the total forty-four (44) staff members, for a rate of 23 percent. Female staff number twenty (22), or 50 percent of total. Based on available census data (2000 Census), the total available non-white labor force in the NOACA area numbers 216,536 out of a total labor force of 1,067,958 or a rate of 20 percent. The area's female labor force numbers 512,677 or 48 percent.

- B. Has the Agency adopted a formal Title VI complaint process?

Yes. See Section II K of the NOACA Public Interaction Policy update adopted March, 2006.

- C. Has the Agency received any specific Title VI complaints in the program area under review? If so, what corrective action has been taken?

No.

II. Consultant Contracts

- A. What considerations are given to minority contractors in the selection of consultants for transportation planning work?

1. Does the Agency establish and monitor annual Title VI contracting goals?
2. Does the consultant selection process include maintenance of records of qualified minority consultants?

Response:

NOACA's DBE/WBE Program contains an agency DBE/WBE participation goal of (12%) for DOT contracts and 7% for FTA assisted contracts awarded through the RFP process. This goal is considered in review of all bids and RFP's, and assures the agency and funding sources of proper consideration of DBE's/WBE's.

3. What other methods or procedures are utilized to encourage use of qualified minority consultants?

Response:

See above.

4. Are Title VI assurances and provisions included on consultant contracts?

Yes.

- B. Have consultants made positive efforts to employ qualified minority subcontractors? If so, to what extent?
- C. What are the MPO Handling Agency's procedures for monitoring consultant compliance with Title VI contract provisions?

Response:

Yes. Additionally, Agency procurement procedures provide for contractor and subcontractor compliance with Title VI of the Civil Rights Act of 1964. DBE/WBE goals are made part of requests-for-proposals concerning various projects for which the Agency requires professional services. Appropriate staff, as designated by the Executive Director, provides monitoring when appropriate.

III. Urban Transportation Planning Process

- A. What techniques and procedures are employed to provide data relative to minority populations, neighborhoods, income levels, physical environment, travel habits, etc?

Response:

NOACA obtains much of the above data from the U.S. Census. For example, Summary File 3 (SF3) and the Census Transportation Planning Package (CTPP) contain extensive census tract and zone level data on such variables as minority composition, income level, auto ownership, employment, and travel mode to work. In most cases we are currently using 2000 data, but later census estimates may be used for a few processes as available. We are also exploring the use of ES202 data to increase the depth of our knowledge regarding employment in the region.

NOACA also collects data on land use development and school enrollment along with other socio-economic and demographic data used to show change in travel patterns. This information is used in conjunction with observed data on transit

usage characteristics and highway travel volumes to analyze existing and projected future travel needs.

NOACA has identified Title VI/Environmental Justice target area populations in the five-county area based upon U.S. Census and Department of Health and Human Services (HHS) definitions of the “protected groups” and thresholds that are referenced to regional averages for minority and/or low-income populations. The “protected group” definitions are as follows:

- Black: a person having origins in any of the black racial groups of Africa;
- Hispanic: a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- Asian American: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
- American Indian and Alaskan Native: a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition; and
- Low-income: a person whose household income (or in the case of a community group, whose median income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

B. To what extent is the data considered in determining that a proposed transportation system will be capable of responding favorably to minority group requirements? What techniques are used?

Response:

After the above data are collected, they are input into various databases and used for analysis, using accepted state of the practice techniques. Once the draft analyses are created, a report is written and presented to the public and NOACA committees and Governing Board for review and comment.

NOACA’s latest planning efforts in this regard, New Freedom and Job Access/Reverse Commuter (JARC) programs, both provide unique opportunities to address the transportation concerns of the region’s economically disadvantaged. Unfortunately, a majority of these are also minorities. As a result these programs directly benefit minority groups.

NOACA employs Geographic Information Systems (GIS) and transportation modeling techniques that allow it to creatively respond to its metropolitan planning requirements, including Title VI and Environmental Justice (E.J). When combined with its other analytical software, policies and procedures, NOACA can evaluate Title VI and E.J. issues on a transportation system, corridor and project level. NOACA will continue to utilize these tools to better define the many challenges to the populations that it serves, and devise strategies to respond to these challenges.

- C. Do the MPO Transportation Plan and TIP include assessments of the impacts that planned transportation system investments will have on both minority and non-minority areas? Discuss the assessment methodology and resulting documentation.

Response:

Yes. As noted above, using GIS and transportation modeling NOACA assessed the impact of proposed improvements on various populations. In general, NOACA follows the following outline, as practical.

- Economic Assessment
 - Near Term
 - Construction Jobs in and Available to Target Area Population
 - Contracts and Subcontracts
 - Multiplier Effect
 - Far Term
 - Business and Employment Impacts
 - Tax Base
 - Property
 - Income
- Access and Mobility
 - Vehicular Access
 - Distance
 - Travel Time/LOS
 - Public Transportation Access
 - Fixed Route
 - Demand Responsive
 - Pedestrian, Bicycle, et al.
- Community Cohesion
 - Public Facility
 - Improvement
 - Displacement/Isolation
 - Residential
 - Business
- Aesthetics
 - Natural Environment
 - Built environment
- Land Use
 - Land Use Patterns
 - Farm Land Consumption
 - Open Space Consumption
 - Brownfield Redevelopment

- Safety
 - Security
 - Traffic Accidents
 - Emergency Response Time
- Natural Environment
 - Energy
 - Air Quality
 - Watershed Impact
 - Land Quality
 - Habitat
 - Noise et al.
- Impact Summary
 - Benefits
 - Burdens
- Addressing Impacts
 - Enhancement
 - Avoidance
 - Minimization
 - Mitigation
 - Corrections

As noted above the resulting documentation is the Planning for All People document.

- D. To what extent has the MPO developed a formalized procedure (organization, responsibilities, etc.) to provide for citizen participation in the transportation planning process?

Response:

The Governing Board approved an update to its Public Interaction Policy in March 2006 in response to SAFETEA-LU regulations. The document states that it is the Board's policy to be proactive in reaching out to the regional community, informing the public and encouraging its participation. NOACA works to foster a program that is informative and easily understood and that involves all citizens, interested parties, agencies and other groups provided for in law and regulation. (A copy of the policy is available at www.noaca.org/PIPfinal.pdf.)

- E. Are minorities, both individually and through their organizations, represented in the citizen participation effort? If so, how many and in what capacities?

Response:

NOACA administers a proactive Public Outreach Program (POP) to engage the region's diverse populations in public involvement. The POP includes NOACA working alone

and in partnership with county/community organizations to hold outreach meetings throughout the region.

Many groups and organizations are willing to assist NOACA in obtaining information about community and county issues. NOACA is constantly working to identify these opportunities with assistance from locally elected and appointed officials, neighborhood organizations, civic and community organizations as well as business and professional groups.

- F. What techniques or procedures are employed to address limited English proficiency?

NOACA's Web site includes a Google language translator to make all of NOACA's documents available in dozens of languages. Language assistance is offered at large public meetings with advance notice.

- G. Are there any further affirmative actions taken by the MPO to enlist the involvement and support of minority populations in the transportation planning process?

Response:

The FY 2009 OWP continues an ongoing research program to assist the Governing Board in its efforts to engage the traditionally underserved as well as other population groups and organizations referenced in federal law and regulation. The goal of the ongoing research is to continually improve the agency's interactions with the public.

Activities include the following:

- NOACA will continue to build and maintain a public outreach mailing/email list that includes neighborhood organizations, civic and community organizations, business and professional groups, environmental and special interest groups, locally elected and appointed officials and other public agencies. This list is used in various outreach efforts
- Identifying community interests regarding NOACA activities and programs
- Identifying barriers to participation (language, transportation, notice, accessibility)
- Identifying barriers to understanding (language, communication products).

NOACA endeavors to administer a regional transportation planning process that meets all federal laws and requirements, including but not limited to Title VI and Executive Order 12898 (Environmental Justice). NOACA will work to resolve all issues/complaints relative to Title VI and Environmental Justice through the above detailed public involvement process. Complainants that desire issues/complaints to be handled formally can submit them in writing to NOACA.