



Public Participation Plan

Adopted February 22, 2018

Updated _____

DRAFT

HOW TO GET INVOLVED

Email



- General inquiries: rvarc@rvarc.org
- Media: Tim Pohlad-Thomas, timpohladthomas@rvarc.org
- Title VI Coordinator: Rachel Ruhlen, rrehlen@rvarc.org
- Para español, póngase en contacto con Amanda McGee al correo amcgee@rvarc.org o llame al número (540) 343-4417.
- ADA Coordinator: Bryan Hill, bhill@rvarc.org



Visit

- 313 Luck Ave SW, Roanoke VA 24016
- Normal business hours Monday through Friday, 8:30 am - 5:00 pm



Call

- (540) 343-4417
- Normal business hours Monday through Friday, 8:30 am - 5:00 pm



Write

Roanoke Valley Transportation Planning Organization
313 Luck Ave SW
Roanoke, VA 24016



Visit us online

- Website: <http://rvarc.org/transportation/mpo-urban-transportation/>
- Facebook: Roanoke Valley-Alleghany Regional Commission, <https://www.facebook.com/rvarc/>
- Twitter: [Roanoke Valley TPO](https://twitter.com/roanokempo), @roanokempo



Come to an event

- The RVTPO hosts special events and workshops throughout the Roanoke Valley. Visit the RVTPO website at <http://rvtpo.org> to learn more.
- Attend an RVTPO Policy Board or Transportation Technical Committee meeting.
 - The RVTPO Policy Board meets on the fourth Thursday of the month at 1:00 pm.
 - The RVTPO Transportation Technical Committee meets on the second Thursday of the month at 1:30 pm.

RESOLUTION

Regional Commission Staff

Rachel Ruhlen, Project Manager,
 Transportation Planner
 Cristina D. Finch, Director of Transportation
 Bryan Hill, Regional Planner III

The Roanoke Valley Transportation Planning Organization (RVTPO) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Discrimination Complaint Form, see www.rvarc.org or call (540) 343-4417.

RVTPO Policy Board

Steve Clinton, Botetourt County Board of Supervisors
 Steve Fijalkowski, Montgomery County Board of Supervisors
 Robert L. Jeffrey, Roanoke City Council
 Mickey Johnson, Bedford County Board of Supervisors
 Bill Jones, Salem City Council
 Ken King, Virginia Department of Transportation
 Keith Liles, Vinton Town Council
 Billy Martin, Sr., Botetourt County Board of Supervisors
 Stephanie Moon Reynolds, Roanoke City Council
 Phil North, Roanoke County Board of Supervisors
 Kevin Price, Greater Roanoke Transit Company
 David Radford, Roanoke County Board of Supervisors
 Daniel Sonenklar, Virginia Department of Rail and Public Transportation
 Mike Stovall, Vinton Town Council
 Renee Turk, Salem City Council

Non-Voting Members

Richard Caywood, Roanoke County Designee
 Bob Cowell, City of Roanoke Chief Administrative Official
 Kevin Jones, Federal Highway Administration
 Gary Larrowe, Botetourt County Chief Administrative Official
 Anita McMillan, Town of Vinton Designee
 Craig Meadows, Montgomery County Chief Administrative Official
 J. Lee E. Osborne, Roanoke Valley-Alleghany Regional Commission
 Wayne Strickland, Executive Director, Secretary
 Ben Tripp, Chair of the RVTPO Transportation Technical Committee, City of Salem Designee

Transportation Technical Committee

Dorian Allen, Greater Roanoke Transit Company
 Liz Belcher, Roanoke Valley Greenway Commission
 Dan Brugh, New River Valley Metropolitan Planning Organization
 Chris Chittum, City of Roanoke
 Will Crawford, Roanoke County
 Megan Cronise, Roanoke County
 Marial Fowler, Bedford County
 Michael Gray, Virginia Department of Transportation
 Mark Jamison, City of Roanoke
 Nathan McClung, Town of Vinton
 Anita McMillan, Town of Vinton
 Melinda Payne, City of Salem
 Nathan Sanford, Unified Human Services Transportation System
 Cody Sexton, Botetourt County
 Daniel Sonenklar, Virginia Department of Rail and Public Transportation
 Ben Tripp, City of Salem
 Peter Volosin, Botetourt County

Non-Voting Members:

Kevin Jones, Federal Highway Administration

Contents

1. Introduction to Transportation Planning	5
1.1 Transportation Funding	5
1.2 Six Core Functions of Metropolitan Planning Organizations	6
1.3 Opportunities for Public Participation	10
2. Purpose and Objectives	13
Objective 1: Meaningful to the public	13
Objective 2: High quality	14
Objective 3: Variety of input	14
Objective 4: High quantity	17
3. Toolbox	19
4. Evaluation	24
Appendices	26
Glossary	26
Development of the Public Participation Plan	28
2021 Update Public Input Survey Results.....	31
Title VI Implementation Plan	38

1. Introduction to Transportation Planning¹

Transportation planning for how people and goods can get from one place to another takes place at the local, regional, and state levels. Regional transportation agencies such as the Roanoke Valley Transportation Planning Organization (RVTPO) work with local and state governments and members of the public to determine transportation needs and envision goals for the future transportation system(s).

Under the federal law that governs planning for highways and transit (which includes walking and bicycling), the RVTPO must create a Long-Range Multimodal Transportation Plan every five years. The Long-Range Multimodal Transportation Plan lays out a vision of what the transportation system will look like in the future. It includes a list of the transportation projects that are planned for funding and scheduled over the next 20 years. The RVTPO is also responsible for creating a shorter-range plan called a Transportation Improvement Program. The Transportation Improvement Program includes all of the transportation projects that will be funded, designed, and built over the next four years.

A transportation project listed on either the Long-Range Multimodal Transportation Plan or the Transportation Improvement Program might be little more than a concept or it might be “shovel-ready,” thoroughly studied and developed. While the Long-Range Multimodal Transportation Plan and the Transportation Improvement Program each have a public input process, projects on the list may have their own focused public input processes, depending on their scope and funding sources.

1.1 Transportation Funding

Surface transportation projects are mostly funded by a mix of local, state, and federal sources. Often when a project uses federal funds, the local or state government must match those funds with their own. The amount of the match may be 50% or 20%, based on the type of federal funding. Federal funding for roads, rail, and transit is generated by a tax on gasoline and deposited into an account called the Highway Trust Fund, which is divided into the Highway Fund and the Mass Transit Account.

Transportation funding is in transition, with decreasing funding and increasing oversight. From the establishment of the national highway system in the 1930's to the completion of the interstate system in the early 1990's, transportation funding climbed steadily and precipitously; however, since 1993, the federal gas tax has stayed at 18.3 cents per gallon as gas prices rose and fell, regardless of the economy. Due to modern higher fuel efficiency standards, people use less gas, which means less gasoline tax into the Highway Trust Fund. The cost of land and construction materials, like steel and concrete, has increased. Funds are spread across a growing total mileage of roads, transit systems, and other transportation infrastructure. Transportation funding relies increasingly on

¹Adapted from “Every Place Counts: Leadership Academy”. U.S. Department of Transportation, 2016, <https://www.transportation.gov/sites/dot.gov/files/docs/ToolkitFinal2017.pdf>

additional government transportation revenue - including from state and local government - such as vehicle registrations, state fuel tax, general funds, bonds, highway tolls, sales tax, etc.

In addition to dwindling and changing funding, transportation funding oversight has changed. The internal combustion engine and the road network that supports it profoundly changed our world, putting opportunities and experiences within easy everyday reach of most people. But it hasn't been without a cost. The heyday of highway building coincided with urban renewal which devastated communities across the nation and left us with roads and bridges that are expensive to maintain and difficult to retrofit for today's needs. Oversight, including public participation requirements, ensures that today's transportation projects are fair and beneficial.

Even with less funding than in the past, the RVTPO area will receive hundreds of millions of state and federal transportation dollars during the next 20 years for maintenance and new construction. Public input helps the RVTPO Policy Board use these funds wisely on transportation projects that will provide the greatest benefits and least burdens now and in the future.

1.2 Six Core Functions of Metropolitan Planning Organizations²

Federal legislation passed in the early 1970s requires that any urbanized area with a population greater than 50,000 have a Metropolitan Planning Organization (MPO). As the MPO of the Roanoke Valley urbanized area (Figure 1), the RVTPO has authority and responsibility for transportation policy-making in the urbanized area, which covers seven jurisdictions: Bedford, Botetourt, Montgomery, and Roanoke Counties, the Cities of Salem and Roanoke, and the Town of Vinton. The RVTPO ensures that current and future expenditures for transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process.

Like most MPOs, RVTPO neither owns nor operates the transportation systems it serves, rather, it performs an overall coordination and consensus-building role in planning and programming funds for projects and operations. The RVTPO is a coalition of agencies and local and state governments:

- Bedford County
- Botetourt County
- Montgomery County
- Roanoke County
- City of Roanoke
- City of Salem
- Town of Vinton
- Greater Roanoke Transit Company (Valley Metro)

² The Transportation Planning Process Briefing Book: Key Issues for Transportation Decisionmakers, Officials, and Staff. U.S. Department of Transportation, 2015.

https://www.fhwa.dot.gov/planning/publications/briefing_book/fhwahep15048.pdf

- Roanoke-Blacksburg Regional Airport
- Virginia Department of Rail and Public Transportation
- Virginia Department of Transportation
- Federal Highway Administration (non-voting)
- Federal Transit Administration (non-voting)
- Roanoke Valley-Alleghany Regional Commission (non-voting)

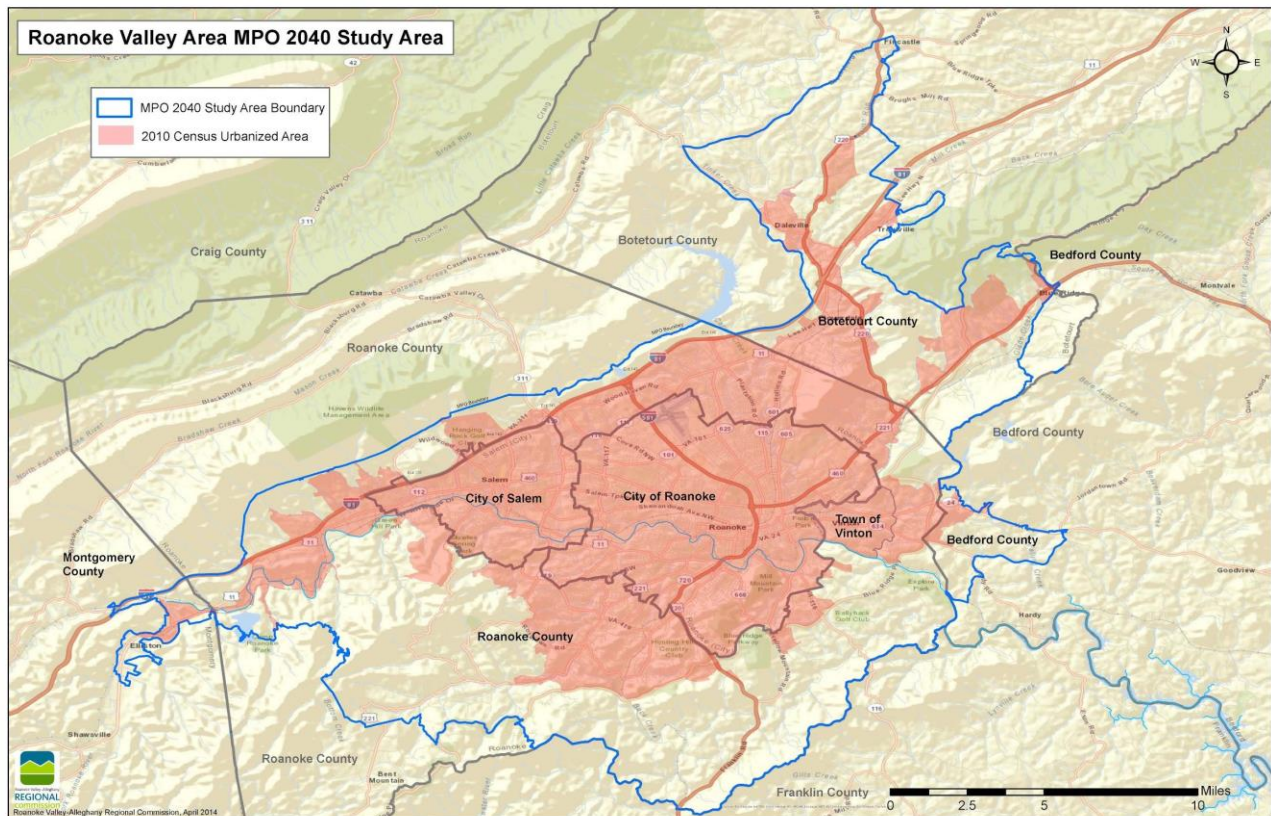


Figure 1. RVTPO area

Federal transportation agencies participate in the RVTPO but are not involved in decision-making. The Roanoke Valley-Alleghany Regional Commission, a planning district commission of eleven local governments (Figure 2), staffs and participates in the RVTPO but is not involved in decision-making.

The RVTPO performs the six core MPO functions:

1. **Establish a setting for effective decision-making.** Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.

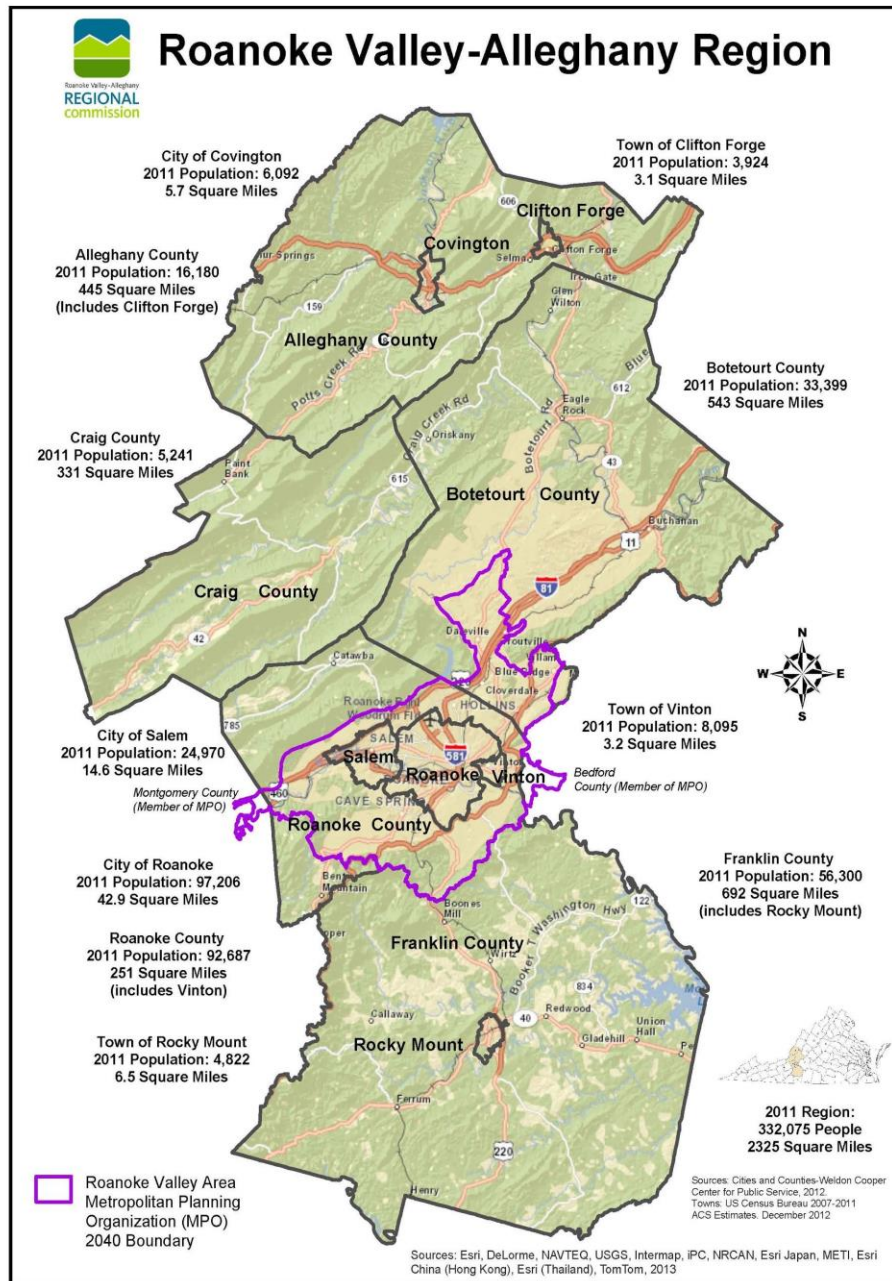


Figure 2. Roanoke Valley-Alleghany Region

2. **Identify and evaluate transportation improvement options.** Develop transportation improvement options and use data and planning methods to evaluate whether those options

support criteria and system performance targets. Planning studies and evaluations are included in the Unified Planning Work Program.

3. **Prepare and maintain a Metropolitan Transportation Plan.** Vision 2040 is the RVTPO's Metropolitan Transportation Plan which covers a planning horizon of at least 20 years, using performance measures and targets. To guide planning processes, the RVTPO considers these planning factors:
 - Support the economic vitality of the United States, the States, metropolitan areas, and nonmetropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
 - Increase the safety of the transportation system for motorized and non-motorized users;
 - Increase the security of the transportation system for motorized and non-motorized users;
 - Increase accessibility and mobility of people and freight;
 - Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
 - Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
 - Promote efficient system management and operation;
 - Emphasize the preservation of the existing transportation system;
 - Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
 - Enhance travel and tourism.
4. **Develop a Transportation Improvement Program.** Develop a short-range, four-year program of priority transportation improvements drawn from the Long-Range Multimodal Transportation Plan. The RVTPO creates the Transportation Improvement Program with spending, regulating, operating, management, and financial tools. The Transportation Improvement Program identifies immediate priority actions to achieve the area's goals and associated system performance targets.
5. **Identify performance measure targets and monitor whether implemented projects are achieving targets.** The RVTPO coordinates with State and public transportation operators to establish performance targets that address performance measures, as set forth in Federal law, related to surface transportation and public transportation. The RVTPO prepares plans that

The MPO shall develop and use a documented participation plan that defines a process for providing citizens...and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. (Code of Federal Regulations §450.316)

include performance targets addressing performance measures and standards. In addition to Federally required performance measures, the RVTPO may identify locally significant performance indicators that support decision-making.

6. **Involve the public.** Involve the general public and other affected constituencies related to the essential decision-making elements listed above. The metropolitan transportation planning process must engage the public and stakeholders on an ongoing basis in all facets of planning, to spur dialogue on critical issues facing regions and provide opportunities for the public to contribute ideas. This is especially important in the early and middle stages of the process, when the Long-Range Multimodal Transportation Plan and the Transportation Improvement Program are developed. Special attention should be paid to groups that are underrepresented in the transportation planning decision-making process or have been underserved in terms of the expenditure of transportation dollars.

The RVTPO is responsible for actively involving all affected parties in an open, cooperative, and collaborative process that provides meaningful opportunities to influence transportation decisions. Decisionmakers must consider fully the social, economic, and environmental consequences of their actions, and assure the public that transportation programs support adopted land use plans and community values.

[Provide] adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed [Long-Range Transportation Plan and the Transportation Improvement Program]. (Code of Federal Regulations §450.316)

1.3 Opportunities for Public Participation

The RVTPO is responsible for actively involving all affected parties in an open, cooperative, and collaborative process that provides meaningful opportunities to influence transportation decisions. In the past, federal legislation required a public comment period on the final draft of a document, but now, planning efforts incorporate opportunities for public participation earlier and more frequently in the planning process. At a minimum, the public has opportunities to participate in the Long-Range Multimodal Transportation Plan, the Transportation Improvement Program, and the Public Participation Plan (Table 1).

Table 1. Planning efforts with opportunities for public participation

Plan	Updates
Long-Range Multimodal Transportation Plan	Every five years, 20-year time frame
Transportation Improvement Program	Every three years, four-year time frame
Public Participation Plan	Reviewed for updates every three years
Amendments and other regional plans and studies	As needed or requested

Long-Range Multimodal Transportation Plan³

The Long-Range Multimodal Transportation Plan lays out a vision of the transportation system of the future. It includes all of the transportation projects that will be funded and scheduled over the next 20 years. Federal law requires that the plan “include both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.”

The Long-Range Multimodal Transportation Plan is prepared through active engagement with the public and stakeholders, the State, and public transit operators using an approach that considers how roadways, transit, nonmotorized transportation, and intermodal connections can improve the operational performance of the multimodal transportation system.

The Long-Range Multimodal Transportation Plan typically includes:

- An assessment of current transportation issues and future considerations
- Performance measures and targets.
- Evaluation of whether the transportation system is meeting those targets.
- Scenario analyses on transportation system conditions and performance.
- An evaluation of regional land use, development, housing, and employment goals and plans.
- Projected demand for transportation services over 20 years.
- Recommended policies, strategies, and projects.
- Cost estimates and reasonably available financial sources for operation, maintenance, and capital investments.
- Ways to preserve facilities and efficiently use the existing system.

³ The Transportation Planning Process Briefing Book: Key Issues for Transportation Decisionmakers, Officials, and Staff. U.S. Department of Transportation, 2015.

https://www.fhwa.dot.gov/planning/publications/briefing_book/fhwahep15048.pdf

The RVTPO must show that the expected revenue sources for transportation investments balance with the estimated costs of the projects and programs described in the plan. A key element of the Long-Range Multimodal Transportation Plan is the Fiscally Constrained List of Projects.

The prioritization framework adopted by the RVTPO identifies key considerations for the Long-Range Multimodal Transportation Plan:

- Transportation needs
- Regional and local priorities
- Solutions
- Projects
- Alignment review (meet needs, attain goals)

Transportation Improvement Program

The Transportation Improvement Program is a comprehensive list of highway, transit, and other projects slated to use federal transportation funds over the next four years. The federal government leaves the final decision about what projects go in the Transportation Improvement Program up to the RVTPO. The Transportation Improvement Program is the last approval of many that projects go through in order to be funded including the individual grant program's process and the state's Six-Year Improvement Program process. Projects funded through the Virginia Department of Transportation highway funding programs are included and fully funded as shown in its Six-Year Improvement Program. The Department of Rail and Public Transportation only programs funds one year out with the remaining five years in the Six-Year Improvement Program as projections, so funding has not been allocated yet to all the transit projects on the Transportation Improvement Program.

Public Participation Plan

RVTPO staff will review the Public Participation Plan every three years and determine whether an update or full redevelopment of the plan is necessary. If only minor updating is necessary, staff may choose to use the Transportation Technical Committee and the final public comment and review period as the means for involving the public in the adoption of the updated plan.

[Demonstrate] explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP.

When significant written and oral comments are received on the draft [Long-Range Multimodal Transportation Plan and Transportation Improvement Program] (including the financial plans) as a result of the participation process...a summary, analysis, and report on the disposition of comments shall be made as part of the final [Long-Range Multimodal Transportation Plan and Transportation Improvement Program].

(Code of Federal Regulations §450.316)

Other Opportunities for Public Participation

Amendments to the Long-Range Multimodal Transportation Plan, the Transportation Improvement Program, and the Public Participation Plan involve opportunities for public participation. The RVTPO develops and updates other plans and studies as needed or requested, which may also offer opportunities for public participation. The Congestion Management Process, the Pedestrian Vision Plan, and the Transit Vision Plan are examples of regional efforts which included a public participation component.

2. Purpose and Objectives

This document describes how the RVTPO obtains public participation. The purpose of public participation is to support transportation planning and promote the integrity and transparency of the transportation planning process.

RVTPO wants public participation to be:

- **Meaningful to the public** - People should feel that their comments matter. Public input into a transportation plan should be timely, happen early enough to influence the outcome, and continue as the plan develops. The RVTPO is accountable to the public for their input. RVTPO Policy Board decisions reflect the diversity of viewpoints.
- **High quality** - When people understand that transportation planning is complex, regional, and long-term, they can give input that is relevant, thoughtful, and practical. The RVTPO educates and explains transportation planning. Clarity of purpose and clarity of expectation improve the quality of public input.
- **Variety of input** - The RVTPO seeks a breadth of representation in public input that is from different points of view, different needs, and different backgrounds.
- **High quantity** - The more people who are engaged, the better the RVTPO can understand the transportation needs and priorities of the region. The RVTPO will provide convenient and delightful ways to participate with many options of how to participate and continue to seek new ways to invite participation.

Objective 1: Meaningful to the public

People should feel that their comments matter.

Many people lose interest when they realize that the Long-Range Multimodal Transportation Plan won't fix the potholes on their street or extend evening bus hours next year, but is a 20-year,

regional, big-picture plan. For participation to be meaningful to citizens, they must understand the relevance of transportation planning to their lives.

We can communicate this relevance by:

- Posting articles on our website and blog
- Giving presentations to groups.

Public input into a transportation plan should be timely, happening early enough to influence the outcome, and continue as the plan develops.

Traditional public comment periods and public hearings that occur on near-final drafts of plans and studies provide opportunities for final approval or objections but not opportunities to be involved in setting goals or identifying solutions. To be meaningful, public engagement must be timely, occurring early enough in the process to influence the outcome with additional opportunities for participation at later stages as well.

The RVTPO is accountable to the public for their input. RVTPO decisions reflect the diversity of viewpoints.

People need to feel that their comments make a difference. Did anyone listen? The RVTPO reassures the public that their participation is meaningful by:

- Documenting public input, summarizing feedback, and including it in plans and studies.
- Incorporating public input into plans and studies and documenting how input was included.
- Documenting responses to comments in plans and studies.

Objective 2: High quality

When people understand that transportation planning is complex, regional, and long-term, they can give input that is relevant, thoughtful, and practical. The RVTPO educates and explains transportation planning.

Online public participation can achieve much but can't entirely replace in-person interactions with a person who will explain and answer questions immediately. Relying too much on surveys may exclude people who aren't comfortable with tests or writing answers. A balance of in-person and online public participation strategies achieves high quality efficiently.

Clarity of purpose and clarity of expectation improve the quality of public input.

High quality surveys with clear purpose and expectation can elicit high quality public input. Poorly designed surveys yield poor quality input.

Objective 3: Variety of input

The RVTPO seeks a breadth of representation in public input that is from different points of view, different needs, and different backgrounds.

Some points of view that should be represented include:

- Demographics, including race, ethnicity, age, income, disability, limited English proficiency, gender, and sexual orientation
- Economic, health, and education interests
- All modes of transportation
- Geography

Demographics

The existing transportation system does not meet everyone's needs, yet identifying and engaging citizens from a variety of backgrounds in public participation can be challenging. Sometimes this is due to the transportation logistics that bar them from attending a public meeting. Often the issues are more complex, involving cultural mistrust of government stemming from unjust urban renewal practices, not being aware of public participation opportunities, or not understanding the relevance. Community surveys and needs assessment, such as the United Way Community Listening Tour (2016) and the AARP's Age-Friendly Community Project (2017), reveal that transportation issues contribute to unmet needs and reduce quality of life for people of demographics who are underserved by the Roanoke Valley's transportation system. The RVTPO Title VI and Limited English Proficiency Plan⁴ addresses involving traditionally underserved populations in transportation decision making. Choosing words, images, concepts, and languages that resonate with stakeholders will encourage their participation.

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

(Code of Federal Regulations §450.316)

3. How do you meet those needs?

I do my best with my income and transportation.

Survey response from the United Way Community Listening Tour

⁴ The Title VI and Limited English Proficiency Plan is available on the RVARC website: <http://rvarc.org/wp-content/uploads/2016/02/RVTPO-Title-VI-and-LEP-Plan-FY15-Approved-12-10-15-Adjusted-January-28-2016.pdf>

Economic, health, and education interests

Many other interests intersect with transportation. Considering these interests during transportation planning promotes a more comprehensive transportation system.

- Economic, health, and education interests intersect with transportation around access to jobs, healthcare, and schools.
- Land use and transportation influence each other, and housing that is affordable may be offset by expensive or difficult transportation to service.
- Traffic safety best practices promote incorporating engineering, enforcement, and emergency management, which can be done at the planning stage as well as other opportunities.
- Considering the environment during transportation planning helps preserve and steward resources now and for future generations.

...no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation. (Title VI of the Civil Rights Act of 1964, 49 Code of Federal Regulations §21.1)

...recipients of Federal financial assistance [shall] provide meaningful access to their LEP applicants and beneficiaries. (Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency)

no...individual with a disability...shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (Americans with Disabilities Act of 1990, 49 Code of Federal Regulations §27.1)

All modes of transportation

For many decades, planners and engineers prioritized moving large numbers of automobiles quickly. As concerns about congestion and safety have risen, the focus has shifted to safety and convenience for all modes of transportation. Transportation modes include:

- Passenger motor vehicle
- Freight motor vehicle
- Public transportation
- Walking, wheelchairs, and mobility aids
- Bicycling, scooters, etc.

The RVTPO does not plan for rail, air, and water transportation directly, but considers access to these modes.

Geography

The RVTPO covers the urbanized area of the Roanoke Valley. Member governments are:

- City of Roanoke
- City of Salem
- Bedford County
- Botetourt County
- Montgomery County
- Roanoke County
- Town of Vinton

The Roanoke Regional Airport Commission is also a governmental agency member of the RVTPO.

Localities routinely engage the public at various points in the development of projects. Most projects on the Fiscally Constrained List of Projects in the Long-Range Multimodal Transportation Plan have already received public input through locality efforts.

Objective 4: High quantity

The more people who are engaged, the better the RVTPO can understand the transportation needs and priorities of the region. The RVTPO will provide convenient and delightful ways to participate with many options of how to participate and continue to seek new ways to invite participation.

Public participation requirements have evolved since the earliest days of planning and zoning. Early laws required only that the public be given an opportunity to comment. Later regulations tightened the loopholes, spelling out how long the comment period was and how it must be advertised. Today, it isn't enough to make sure there are opportunities to comment. The RVTPO actively seeks broad public participation. MetroQuest, a leading public engagement software, emphasizes that the public participation experience must be 'delightful' to engage a high quantity of people.

Before adoption of this Public Participation Plan, the RVTPO typically received few or no comments during public comment periods, which consisted of the document posted on the website with contact information for comments to be submitted. Nearly all public comment periods now include a brief survey often made available online to assess support for the new content in a plan or program to be adopted. With this process, the

...consult with agencies and officials responsible for other planning activities...that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. (Code of Federal Regulations §450.316)

RVTPO has received hundreds of survey responses with dozens of comments.

Strategies that promote high quantity include:

- Creating online surveys during public comment periods,
- Promoting surveys and participation opportunities through social media, including paid social media ads,
- Maintain a database of interested stakeholders to keep informed of opportunities for public input,
- Making participation easy and pleasant,
- Continual evaluation of public participation,
- Review the Public Participation Plan every three years and update as necessary to keep up with changing technology.

Final Comment Period and Public Hearing

The final comment period and public hearing is the last chance for public input before the plan is adopted. The Long-Range Multimodal Transportation Plan, the Transportation Improvement Program, the Public Participation Plan, and major amendments to these *must* include a final comment period and public hearing. Other plans, studies, and key decision points may include a public comment period or public hearing as well.

Because the projects listed in the Transportation Improvement Program are typically also included in the Long-Range Multimodal Transportation Plan with early and continuous opportunity for public input, a final comment period and public hearing is sufficient public input opportunity for the Transportation Improvement Program. If the Transportation Improvement Program is significantly different than the Fiscally Constrained List of Projects in the Long-Range Multimodal Transportation Plan, a more extensive process should be followed.

1. The comment period will be 45 days for the Public Participation Plan and at least 14 days for other plans.
2. Hold a public hearing on the draft, with provisions upon request to allow people with visual or hearing impairment or limited English proficiency to participate.
3. Advertise the comment period and public hearing on the web page and Facebook before the beginning of the comment period and at least 7 days in advance of the public hearing. Newspaper ads are not an effective way to reach people, but Virginia state law requires that local governments publish newspaper ads for public hearings for funding allocation decisions. Newspaper ads, when used, should be published in the Roanoke Times and the Roanoke Tribune.

3. Toolbox

The appropriate public participation tools depend on the situation, the objectives, and the resources available. Not all tools listed here will be used for every public participation effort but will be selected to meet the public participation objectives given the purpose and context. This list is not comprehensive but contains the tools typically used by the RVTPO. The tools available to the RVTPO changed during the COVID-19 pandemic when groups could not gather for meetings and events. However, the RVTPO had already moved away from in-person public meetings and open houses because they were less effective tools.

Description of public participation tools

Blog. Informal and easy to digest. To be most effective, update weekly.

Comment period. A final comment period is an opportunity to publicly approve or object to a plan. May not have much effect on the outcome but can gauge public sentiment. Can be effective if a survey is part of the comment period.

Display, flyers. Used to promote other strategies, such as meetings or surveys.

Email. Maintain an email list of partner agencies and interested individuals and email links to surveys, blog posts, and other material, announcements of public participation opportunities, and information about transportation planning. Emails to a list of interested stakeholders yields a higher response rate than any other method.

Focus group. Structured small group discussion led by a trained facilitator. Participants may be selected to represent specific stakeholders or interests.

Interviews. In-person, virtually through the computer, or phone, interviews enable open discussions to gather information. Participants may be selected to represent specific stakeholders.

Media. Radio, television, newspaper. Selecting specific outlets can increase engagement from a select population. For example, the Roanoke Tribune newspaper and the WTOY radio station are African-American media outlets.

Multimedia. Video, maps, images, podcasts. May be on website, social media, media. To increase engagement with select population, choose words, images, concepts, and languages that resonate with them.

Open House. Drop-in event. Traditionally attended by only the most motivated citizens, it is more effective if a remote or online option is offered. It should be held at convenient times for citizens and, if there is an in-person option, at a location frequented by stakeholders.

Paid ads. Radio, television, newspaper, social media. Ads can target specific groups.

Partners. Other agencies or groups provide RVTPO with opportunity to reach their members, by sending information out, letting RVTPO staff speak at their meeting, etc. Partners allow RVTPO to

tap into the intersection of transportation and other interests, such as health or a locality. Collaborating with partners can increase engagement with stakeholders by reaching out to partners with networks with stakeholders. Localities are important partners and may provide local public input on projects that are on the Fiscally Constrained List of Projects in the Long-Range Multimodal Transportation Plan.

Policy Board and committee meetings. RVTPO Policy Board and committee meetings are open to the public unless otherwise indicated, and a public comment period is included on the agenda of each meeting.

Pop-up booth. Staff engage the public at a high-traffic location, such as a grocery store, or event, such as a festival. This may include a survey or other activity and participation incentives. Set up pop-up booths at locations frequented by specific stakeholders.

Presentation. Civic groups, employers, neighborhood associations, etc.

Public hearing. A final public hearing, typically during the Policy Board meeting, is an opportunity to publicly approve or object to a plan. As described in the Title VI Implementation Plan, public hearings will include provisions upon request to allow people with visual or hearing impairment or limited English proficiency to participate. Public hearings that have a remote or online option for participation are more accessible to more people.

Public meeting. Presentation or discussion that uses the entire block of time. Traditionally attended by only the most motivated citizens, it is more effective if a remote or online option is offered. It should be held at convenient times for citizens and, if there is an in-person option, at a location frequented by stakeholders.

Social media. While there are many social media platforms, the most common is Facebook, with 80-95% of users of other platforms also using Facebook. To be most effective, update regularly and engage with followers. Studies show that nearly all demographics use social media. Social media can reach specific stakeholders through Facebook groups and Twitter hashtags.

Stakeholder group. A group that meets regularly, either ongoing or a limited time. Participants may be selected to represent specific stakeholders or interests tailored to the needs of the plan, study, amendment, or key decision point. The committee may advise the Policy Board, the Transportation Technical Committee, and/or staff.

Survey. Questionnaire that may be online or paper. There are many online survey platforms, and the right one depends on cost, effort required, and what is needed from the survey. MetroQuest surveys have a high response rate but are expensive and may be best suited for major efforts, such as priority setting and/or project selection in the Long-Range Multimodal Transportation Plan. For smaller efforts, the Regional Commission subscription to Survey Monkey may be more appropriate.

Website. Central repository and archive of information. Other strategies can work in conjunction with the website, such as a Facebook post that directs people to the website. Once adopted, plans are available on the website.

The appropriate tool to use depends on the situation and desired outcome (Table 2). Some tools achieve one or more objectives better than other tools. Passive tools wait to be found, such as an article on the website. Others actively seek the public, such as direct mailings. Some tools are better suited for outreach or for input, and some tools are suitable for both. Newer technology may reduce staff time and reach more people, but traditional methods should not be neglected to reach people unable or unwilling to use technology. Finally, some tools are more time and resource intensive than others. All of these and other factors are taken into consideration for each planning effort.

Table 2. Overview of Public Participation Tools

Tool	Objective	Active/ passive strategy	Outreach/Input	Technology required of public	Resources and challenges
Blog	Meaningful, High quality	Passive	Mostly outreach	Internet	Staff time to update
Comment period	Meaningful	Passive	Input	Access to material, ability to submit comment, awareness of opportunity	Low staff time, inexpensive
Display, flyers	Depends on what it is coupled with	Active	Outreach	None	High staff time
Email	Meaningful, High quality, Variety	Active	Outreach	Internet	Staff time to maintain list
Focus group	Meaningful, High quality, Variety of input	Active	Interactive	Time and transportation to attend, awareness of opportunity	High staff time and skill
Interviews	Meaningful, High quality, Variety	Active	Interactive	Time, opportunity	High staff time, skill
Media	Variety of input	Active	Outreach	Radio, TV, print or online newspaper	Staff time to write press release

Tool	Objective	Active/ passive strategy	Outreach/Input	Technology required of public	Resources and challenges
Multimedia	Meaningful, High quality	May be either	Outreach	Internet	Staff time, skill
Paid ads	Can be used for any objective	Active	Outreach	Radio, TV, or internet	Expensive
Partners	Meaningful, Variety, High quantity	Active	Can be either	None	Efficient
Pop-up booth	Meaningful, High Quality, Variety of input	Active	Interactive	None	Obtaining permission from property manager, Staff time, Incentives
Presentation	Meaningful, High quality, Variety of input	Active	Interactive	None	High staff time
Public hearing	Meaningful	Passive	Input	Time and transportation to attend, awareness of opportunity	Low staff time, inexpensive
Social media	Variety of input, High quantity	Active	Interactive	Internet, social media	Staff time to post and respond
Stakeholder group	Meaningful, High quality, Variety of input	Active	Interactive	Time and transportation to attend, awareness of opportunity	High staff time
Survey	Primarily Quantity	Can be either	Mostly input	Ability to take surveys	Skill and/or expense

Tool	Objective	Active/ passive strategy	Outreach/Input	Technology required of public	Resources and challenges
Website	Meaningful, High quality	Passive	Mostly outreach	Internet	Staff time to update

A stakeholder group may be an important element of each step of public participation efforts. Table 3 describes the stakeholder group role in each activity and identifies which activities may be employed during the development of the Long-Range Multimodal Transportation Plan, Public Participation Plan, the Transportation Improvement Program, and amendments to them. This is intended as a guide; the RVTPO may select these or other activities for each planning effort depending on the context.

Table 3. Potential Public Participation Activities by Planning Effort

Step	Activity	LRTP	PPP	TIP
Identify stakeholders	Identify partners	Ongoing		
	Establish relationships			
	Maintain database			
Early and continuous engagement, ample opportunity for comment	Develop outreach materials	✓	✓	
	Survey	✓	✓	
	Events	✓	✓	
	Interviews	✓	✓	
Reasonable opportunity for comment	Comment period	14 day	45 day*/ 14 day	14 day
	Public hearing	✓	✓	✓

LRTP = Long-Range Multimodal Transportation Plan, PPP = Public Participation Plan, TIP = Transportation Improvement Program

*PPP requires a 45-day public comment period

4. Evaluation

By consistently documenting public participation efforts and recording the effectiveness of each tool used for quantity, quality, and diversity of public input, the RVTPO can be efficient and effective.

The RVTPO may follow these guidelines to evaluate public participation, adjusting the details as needed and in response to experience. Evaluation determines how effective public participation tools were in eliciting input, engaging and reaching people, and engaging and reaching stakeholders (Table 4). RVTPO may track how much staff time each step took and note unexpected hurdles or outcomes. Evaluation generally occurs after each public participation event.

Table 4. Evaluation Methods

Tool	Criteria	Methods to improve performance
Display, flyers	Number of people reached, number of flyers/displays	Choose locations convenient to stakeholders. Create material that resonates with stakeholders.
Email	Number of emails sent, number of recipients, number of responses	Maintain email database. Collect email contacts with every survey.
Interviews	Number of interviews, number of interviewees who feel satisfied with the interview	Incentives.
Media	Reach	Submit press releases to media.
Multimedia	Number of views, viewers, listeners	Create videos, podcasts, graphics, promote with other tools.
Paid ads	Number of participants/respondents indicating they saw the advertisement	Use separate survey collectors to track survey response rate through paid social media ads.
Partners	Number of partners, number of presentations to potential partners	Maintain database of partners.

Tool	Criteria	Methods to improve performance
Pop up booth	Number of interactions, number of participants reporting satisfactory interaction	Incentives, crowd draws, hold booths at events and locations to reach stakeholders, use visual displays and staff interactions.
Presentation	Number of presentations, number of people attending presentations	Keep presentations short and focused on a few key points.
Public hearing, comment period	Number of public who attend hearing, number of comments	Advertise in newspaper, publicize on blog, Facebook, and email list.
Public Participation Plan	Required by law. No measure	Update and incorporate feedback from evaluations. Review every 3 years and update or redevelop if necessary.
Social media	Number of messages, number of views, number of Facebook 'friends'	Promote through partners, post regularly.
Stakeholder group, focus group	Number of participants, number of participants who report feeling engaged	Schedule at convenient times and locations on transit routes and in accessible venues, choose locations convenient to stakeholders, promote with other tools, administer survey to assess engagement, consider virtual meetings.
Survey	Number of survey responses, number of survey respondents who feel satisfied with the survey	Use public-friendly words and phrases and common names of roads. Avoid acronyms, jargon, and numerical road designations. Have a member(s) of the public review the survey and provide feedback.
Website, blog	Number of website hits, number of blog articles	Link to partner organizations, post relevant, useful information, update website, use accessible formatting, promote with other tools.

Appendices

Glossary

Americans with Disabilities Act: The disabled communities shall be involved in the development and improvement of transportation services. People with disabilities shall be able to access meeting sites and have access to the information.

Environmental Justice: Fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Federal Highway Administration: An agency of the U.S. Department of Transportation responsible for funding highways and trails.

Federal Transit Administration: An agency of the U.S. Department of Transportation responsible for funding and providing technical assistance to public transit systems.

Limited English Proficiency: An executive order mandating that agencies receiving federal financial assistance have a plan for accommodating people with limited English proficiency. The Title VI and Limited English Proficiency Plan is available on the RVARC website.

Long-Range Multimodal Transportation Plan (LRTP): A long range plan that identifies area transportation needs in light of projected growth patterns and broadly charts major capital investments for transportation system development to meet these projected needs.

Metropolitan Planning Organization (MPO): A planning body required by the federal government which is responsible for the transportation planning and project selection in its region. It is a coalition of local governments that provides a forum for cooperative decision making for the metropolitan planning area. RVTPO is the Roanoke Valley urbanized area's MPO.

Public Participation Plan (PPP): Outlines how the RVTPO will work to achieve public participation in all planning activities.

Roanoke Valley-Alleghany Regional Commission: The Planning District Commission, a coalition of local governments, that includes the RVTPO area. A Planning District Commission is based on a community of interest and is authorized by state and federal legislation. The Roanoke Valley-Alleghany Regional Commission staffs the RVTPO.

Roanoke Valley Transportation Planning Organization (RVTPO): The Metropolitan Planning Organization for the Roanoke Valley urbanized area. The RVTPO is staffed by the Roanoke Valley-Alleghany Regional Commission.

Title VI of the Civil Rights Act of 1964: Ensures that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in transportation programs. The Title VI and Limited English Proficiency Plan is available on the RVARC website.

Transportation Improvement Program (TIP): Spending plan for funding expected from all sources for transportation projects of all types in the RVTPO over the next four years. RVTPO prepares the Transportation Improvement Program annually based on information submitted by local and state governments.

Transportation Technical Committee: An RVTPO committee, comprised of a broad representation of RVTPO jurisdictions and related agencies. The Transportation Technical Committee reviews the Long-Range Multimodal Transportation Plan, the Transportation Improvement Program, and makes recommendations to the RVTPO Policy Board.

Virginia Department of Transportation: A State agency responsible for building, maintaining and operating the state's roads, bridges and tunnels. Through the Commonwealth Transportation Board, it provides funding for airports, seaports, rail and public transportation.

Development of the Public Participation Plan

The RVTPO sought extensive public collaboration in developing the draft Public Participation Plan which was originally approved in 2018.

Public Participation Plan Ad-hoc Committee

The Public Participation Plan Ad-hoc Committee extended invitations to 82 agencies and individuals representing:

- RVTPO member jurisdictions and agencies
- Business interests
- Economic development
- Communications and marketing
- Environmental protection
- Environmental justice
- Transportation
- Freight
- Safety & emergency management
- Health
- Education
- Housing
- Transportation workers

Thirty-eight people from thirty agencies attended at least one meeting, and several others provided feedback. The committee met six times between May 8 and Oct 23, 2017. During this time, the committee:

- Reviewed public participation plans from eleven MPOs
- Identified agencies and demographic groups missing from the table, and assisted staff in reaching out to them
- Learned about the transportation planning process and opportunities for public participation
- Drafted public participation Purpose and Objectives
- Provided feedback on survey questions to capture public input on the Purpose and Objectives
- Brainstormed and discussed public participation tools with respect to the Purpose and Objectives
- Provided feedback on the draft Plan
- Responded to feedback from the Transportation Technical Committee on the draft Plan

Minutes from these meetings available [online](http://rvarc.org/wp-content/uploads/2018/01/Compiled-Minutes.pdf) (<http://rvarc.org/wp-content/uploads/2018/01/Compiled-Minutes.pdf>) or by request.

The RVTPO thanks the members of the committee for their hard work developing this plan:

<i>Dee King, Chair</i>	<i>City of Salem citizen representative</i>
<i>Ben Bristol, Vice Chair</i>	<i>City of Roanoke citizen representative</i>
John Busher	Botetourt County citizen representative
Tim Martin	City of Roanoke business representative
alternate Melinda Mayo	
Bruce Mayer	Vinton business representative
Carl Palmer	Valley Metro
Kevin Jones	Federal Highway Administration
Olivia Byrd	Grandin Village Business Association
Wendy Jones	Williamson Road Area Business Association
Michael Shelton	Brambleton Area Business Association
Josh Baumgartner	Roanoke Regional Chamber of Commerce
Morgan Romeo	Western Virginia Workforce Development Board
Landon Howard	Visit Virginia's Blue Ridge
Amar Bhattarai	Refugee and Immigration Services
Bethany Lackey	Roanoke Refugee Partnership
Aaron Fallon	Total Action for Progress
Antwyne Calloway	Blue Ridge Independent Living Center
Michelle Via	Roanoke Area Visually Enabled
Kim Gembala	Roanoke Rescue Mission
Shawn Hunter	The Peacemakers, Inc.
Paul Workman	Blue Ridge Bicycle Club
Liz Belcher	Greenway Commission
Jeremy Holmes	Ride Solutions
alternate Tim Pohlrad-Thomas	
Robert Stutes	Uber
David Foster	Rail Solution
James Humanik	Fetch
Marci Stone	Roanoke City Emergency Manager
Aaron Boush	Carilion
alternates Sierra Steffan, Amy Michals	
Sean Pressman	Lewis Gale
Stacie Turner	Blue Ridge Behavioral Healthcare
Forest Jones	Salem Public Schools
alternate Lewis Armistead	
Crystal Hall	Roanoke Housing Authority
Wayne Leftwich	

Public Input

In addition to the contributions of the committee, there were early and late opportunities for public input. Two surveys sought input on the newly developed Purpose and Objectives early in the development of the draft. A 45-day public comment period and a public hearing were opportunities for final comments on the draft. The comments and responses, early and late, are available at <http://rvarc.org/wp-content/uploads/2018/01/Public-input-summary.pdf> or by request.

2021 Update Public Input Survey Results

A survey to collect public input on the update of the Public Participation Plan was available from March 4, 2021 to April 19, 2021. The Public Participation Plan, first adopted in 2007 and updated in 2018, states that it should be reviewed every three years. In 2021, staff reviewed the plan and identified minor changes:

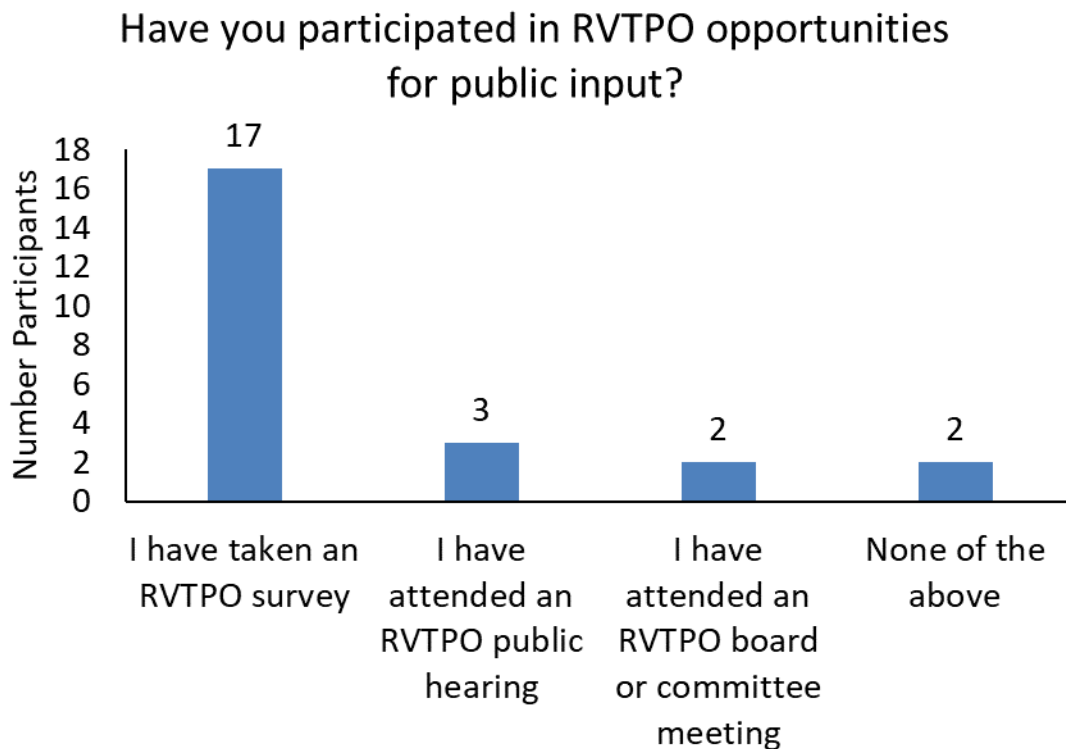
- Updated contact information (page i).
- Reorganization:
 - “2. Purpose and Objectives of Public Participation” is now simply “2. Purpose and Objectives”.
 - Objectives are now second-level headings so they appear in the table of contents.
 - Removed “2.2 Public Participation Strategies” which was redundant with other sections.
 - “2.3 Toolbox” (under “2. Purpose and Objectives of Public Participation”) is now “3. Toolbox”.
 - “2.4 Evaluation Guidelines of Public Participation Efforts” (under “2. Purpose and Objectives of Public Participation”) is now “4. Evaluation”.
- Rephrased “key decision points” which was confusing (Table 1 and throughout).
- Updated the planning factors to match 23CFR 450.306 (page 9).
- Removed Figure 3 and “Public participation permeates the planning process” from the description of the long-range transportation plan because there are many planning steps that the public does not participate in (page 11).
- Revised the description of the Transportation Improvement Program to explain that the Virginia Department of Rail and Public Transportation makes funding decisions one year out while the Virginia Department of Transportation makes a six-year improvement plan (page 12).
- Objective 1, changed the bow-tie model to a more accurate statement about timeliness (page 14).
- Updated Objective 4, High Quantity to reflect recent RVTPO experience with public input (pages 17-18).
- Clarified Final Comment Period and Public Hearing section (page 18) to allow flexibility in the event that state law changes regarding the requirement of newspaper ads.
- Removed items that were not successful and updated details on items based on RVTPO recent experience with public participation in section 3. Toolbox (formerly section 2.3) (pages 19-20).
- Changed the 15-day requirement, which was effectively a 21-day requirement because newspaper ads must be submitted a week in advance, to 14 days (page 23).

- Replaced Appendix material, Title VI and Limited English Proficiency, with the most recent Title VI Implementation Plan. (The Title VI Implementation was updated in 2019 and amended March 25, 2021 to correct deficiencies identified during a compliance review from the Virginia Department of Transportation.)

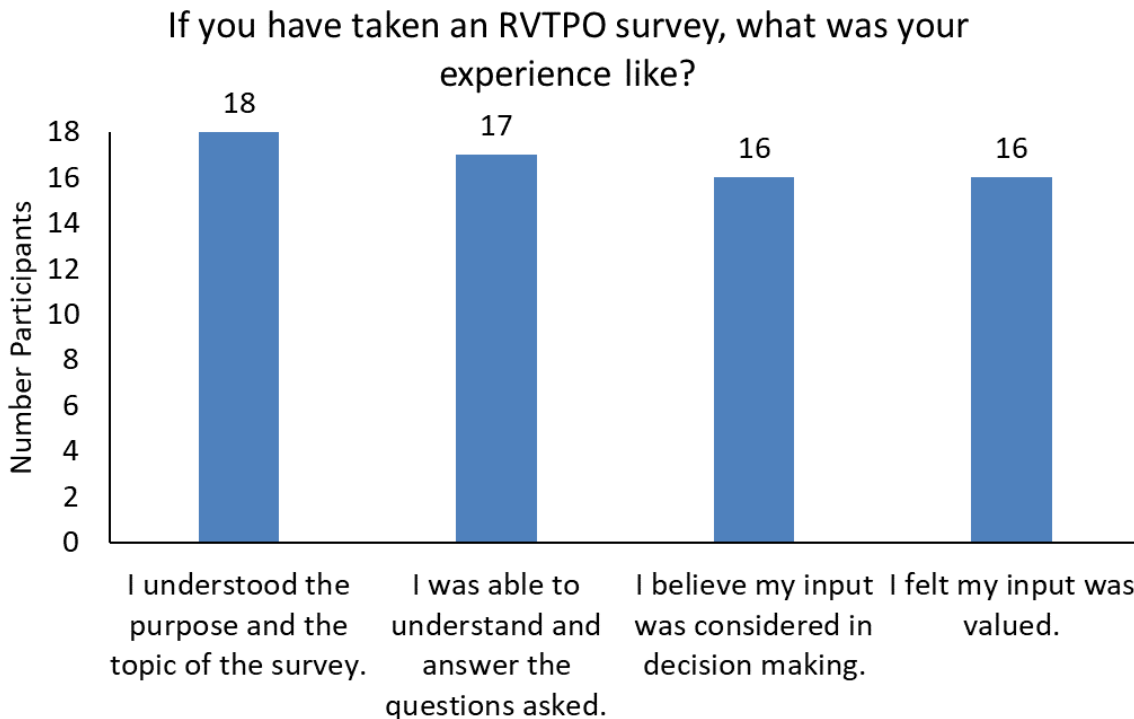
The comment opportunity and survey were promoted through:

- RVARC blog
- RVARC Facebook page
- Email to organizations and individuals who had served on the steering committee for the 2018 update
- Email to about 300 people who have taken an RVTPO survey in the past
- RVARC e-newsletter
- Published in the Roanoke Times and the Roanoke Tribune

Public input on the 2018 update was robust, and actively seeking broad public input across the region that was representative of the region’s demographic makeup on minor updates could confuse citizens who had not been involved in the process. Twenty-one people took the survey.



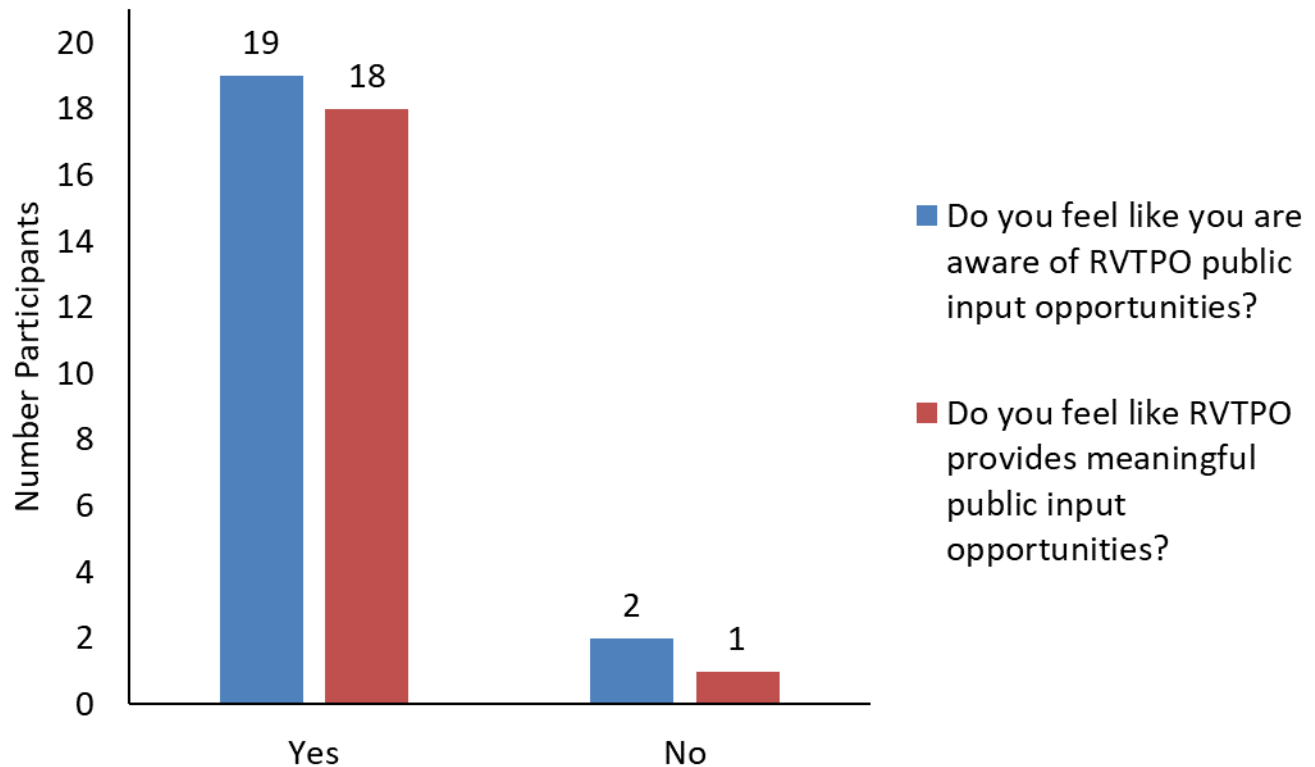
All but two people had participated in at least one RVPTO opportunity for public input, such as taking a survey or attending a hearing or meeting.



Participants were asked about their experience with RVTPO surveys. Most participants understood the purpose and the questions and felt their input was considered and valued. Additional comments were:

- I thought that the wrong questions were asked, and not enough room for other info to be added.
- I am hopeful, not a yes or no answer for the last two questions

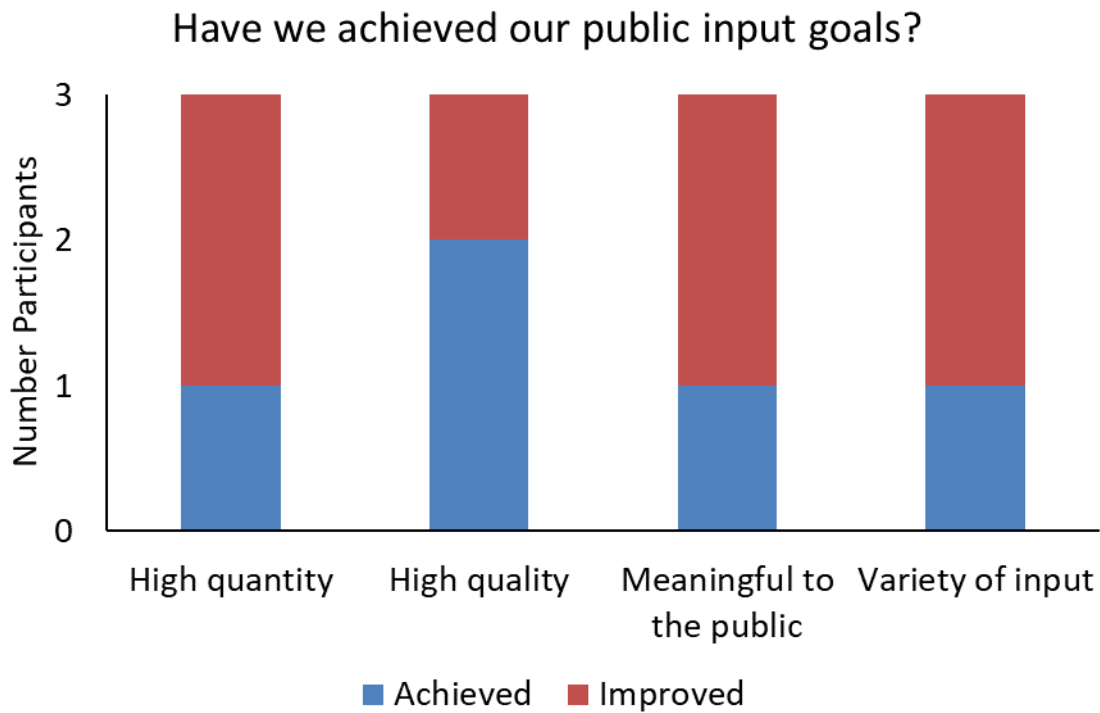
How are we doing?



Most participants feel aware of public input opportunities and feel they are meaningful. Additional comments about how the RVTPO can improve its public participation included:

- Encourage people that participate to share the survey with family and friends in the area so that they, too, may take the survey and submit their input.
- I think it's fine
- I don't know I got the information on Next Door.
- I wish I knew. Older educated white people seem to make up the majority of people with the time and interest to do this. I think you would have to pay people or give gift cards to get other input.
- not knowing more is on me
- More social media updates
- Again, the answer would be "hopeful" for the second part of question three. It is possible that more people would respond if they could be sure their voices were listened to, not just heard.
- continue to try and get the word out there

Participants who had been part of the steering committee for the development of the 2018 Public Participation Plan were invited to review a report on the RVTPO’s public participation efforts and answer some questions. Of the four participants who indicated they had served on the steering committee, three completed this section.



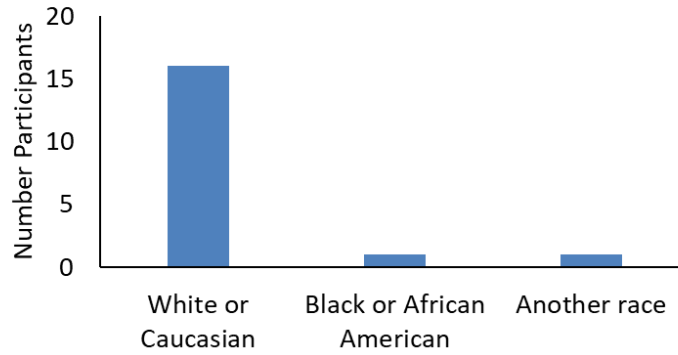
All three former steering committee members feel that the RVTPO has achieved or improved its public participation goals of high quantity, high quality, meaningful to the public, and variety of input. No one indicated that the RVTPO has not improved. All members agreed with all of the proposed changes.

Demographic questions

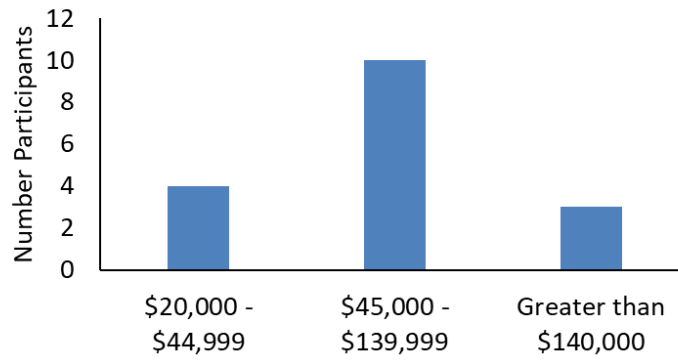
While broad input representative of the region’s demographics was not an appropriate goal for this survey, standard demographic questions were included. Of 21 participants, 17 provided a five-digit zip code, all of which were within the RVTPO boundary. Most participants identified as white, one Black and one “another race”. No participants had income less than \$20,000, four participants had income in the \$20,000-\$49,000 range, the remaining had incomes above that range. Most participants were 55 years or older and no participants were younger than 35 years. To determine how much public input was from RVTPO decision makers, participants were asked if they were a member of the RVTPO Policy Board or Transportation Technical Committee. One participant said “Yes” and seventeen said “No or Not Sure”.

Zip code	No. of responses
24012	1
24013	0
24014	0
24015	2
24016	1
24017	2
24018	3
24019	0
24153	6
24175	1
24179	0
24011	0
24064	0
24065	0
24077	0
24083	0
24087	0
24090	0

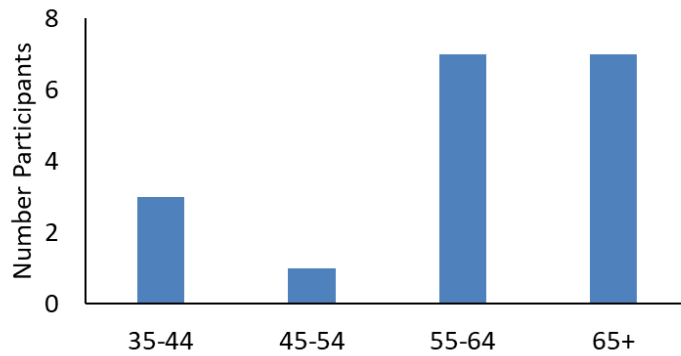
Race/Ethnicity



Income



Age





Title VI

Implementation

Plan

Approved October 24, 2019

Amended March 25, 2021

REGIONAL COMMISSION BOARD

Shannon Cox	Alleghany County	J. Lee E. Osborne	Roanoke County
Jon Lanford	Alleghany County	David Radford	Roanoke County
Joan Vannorsdall	Alleghany County	Krystal Onaitis	City of Covington
Stephen Clinton	Botetourt County	Allan Tucker	City of Covington
Erin Henderson	Botetourt County	Robert L. Jeffrey, Jr.	City of Roanoke
Gary Larrowe	Botetourt County	Bill Bestpitch	City of Roanoke
Billy Martin, Sr	Botetourt County	Elda Stanco Downey	City of Roanoke
Dan Collins	Craig County	Stephanie Moon Reynolds	City of Roanoke
Jesse Spence	Craig County	Peter Volosin	City of Roanoke
Mike Carter	Franklin County	James W. Wallace III	City of Salem
Roy Enslow	Franklin County	John Saunders	City of Salem
Ronnie Thompson	Franklin County	Denise P. King	City of Salem
Lori Smith	Franklin County	Melinda Payne	City of Salem
Christopher Whitlow	Franklin County	Pam Marshall	Town of Clifton Forge
Kevin Hutchins	Roanoke County	James Ervin	Town of Rocky Mount
Dean Martin, <i>Treasurer</i>	Roanoke County	Mark Newbill	Town of Rocky Mount
Phil North, <i>Vice Chair</i>	Roanoke County	Bradley E. Grose, <i>Chair</i>	Town of Vinton
Dan O'Donnell	Roanoke County	Richard "Pete" Peters	Town of Vinton

REGIONAL COMMISSION STAFF

Wayne G. Strickland, Executive Director
Sherry Dean, Director of Finance/Human Resources
Cristina D. Finch, AICP, LEED AP, Director of Transportation
Bryan W. Hill, AICP, CZA, Regional Planner III
Jeremy Holmes, Director of RIDE Solutions, Associate
Executive Director
Amanda McGee, AICP, Regional Planner III
Matt Miller, Director of Information Services
Virginia Mullen, Office Manager
Tim Pohlad-Thomas, Outreach and Communications Specialist
Rachel Ruhlen, Transportation Planner II, Project Manager
Eddie Wells, AICP, Director of Community Development
Programs

RVARC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. RVARC strives to provide reasonable accommodations and services for persons who require special assistance to participate in public involvement opportunities. For more information, or to obtain a Discrimination Complaint Form, contact the Title VI Manager or ADA Coordinator at (540) 343-4417 or see www.rvarc.org.



Roanoke Valley-Alleghany

REGIONAL
commission

RVARC.ORG

313 Luck Avenue, SW | Roanoke, Virginia 24016 | P: 540.343.4417 | F: 540.343.4416 | rvarc@rvarc.org

The 25th day of March 2021

Resolution

by the Roanoke Valley-Alleghany Regional Commission to Adopt a Title VI Implementation Plan

WHEREAS, the Title VI of the Civil Rights Act of 1964 provides that no person shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal Funds; and

WHEREAS, the Title VI responsibilities of the Roanoke Valley-Alleghany Regional Commission include providing methods of administration, described in the Roanoke Valley-Alleghany Regional Commission's Title VI Implementation Plan, that give reasonable guarantee of Title VI compliance; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission is the recipient of federal funds and uses those funds to support various regional organizations and programs; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission through its Commissioners, staff, and others who represent the Commission or are members of any of its committees are hereby obliged to adhere to the Title VI Implementation Plan, and

WHEREAS, the Virginia Department of Transportation has found deficiencies in the 2019 Title VI Implementation Plan to which RVARC staff have reviewed and corrected,

NOW, THEREFORE, BE IT RESOLVED, that the Roanoke Valley-Alleghany Regional Commission does hereby adopt the updated Title VI Implementation Plan.

A handwritten signature in black ink that reads "Bradley E. Grose".

Bradley E. Grose
Chairman

The 22nd day of April 2021

Resolution

by the Roanoke Valley Transportation Planning Organization to Accept the Title VI Implementation Plan of the Roanoke Valley-Alleghany Regional Commission

WHEREAS, the Title VI of the Civil Rights Act of 1964 provides that no person shall on the grounds of race, color, national origin, gender, or disabilities be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal Funds; and

WHEREAS, the Title VI responsibilities of the Roanoke Valley-Alleghany Regional Commission include providing methods of administration, described in the Roanoke Valley-Alleghany Regional Commission's Title VI Implementation Plan, that give reasonable guarantee of Title VI compliance; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission is the recipient of federal funds and uses those funds to support various regional organizations and programs including the Roanoke Valley Transportation Planning Organization; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission through its Commissioners, staff, and others who represent the Commission or are members of any of its committees, which include the Roanoke Valley Transportation Planning Organization and members of its boards and committees, are hereby obliged to adhere to the Title VI Implementation Plan; and

WHEREAS, the Virginia Department of Transportation has found deficiencies in the 2019 Title VI Implementation Plan to which the Roanoke Valley-Alleghany Regional Commission has reviewed and corrected;

NOW, THEREFORE, BE IT RESOLVED, that the Roanoke Valley Transportation Planning Organization does hereby accept the Title VI Implementation Plan of the Roanoke Valley-Alleghany Regional Commission which replaces any previous Title VI plan or process.



Billy Martin, Sr., Chair

Abstract

The Title VI Implementation Plan describes the measures the Roanoke Valley-Alleghany Regional Commission (RVARC) adopts to ensure compliance with Title VI of the Civil Rights Act of 1964 which prohibit discrimination on the basis of race, color, or national origin. Any agency that receives federal financial assistance must comply with Title VI. RVARC and the organizations and programs it staffs are subject to the Title VI Implementation Plan.

Title VI Policy

RVARC assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (Public Law 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. RVARC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event RVARC distributes federal-aid funds to another governmental entity, it will include Title VI language in all written agreements and will monitor for compliance.

Contents

Resolutions.....	4
Abstract	6
Contents	7
Overview.....	8
1. Title VI Program.....	8
1.1 Communications and Public Participation	8
1.2 Planning and Programming	9
1.3 Consultant Contract	10
1.4 Education and Training	11
2. Limited English Proficiency	11
2.1 Statement of Commitment.....	11
2.2 Implementation.....	12
LEP Encounter	12
Routine LEP Implementation Activities	12
2.3 Monitoring and Updating	13
3. Coordinator	14
4. Discrimination Complaints	14
4.1 Eligibility	14
4.2 Filing a complaint	14
4.3 Complaint processing.....	15
Appendix A: Title VI	16
Appendix B: Non-Discrimination Statement	17
Appendix C: Certificate of Assurance	18
Appendix D: Discrimination Complaint Form	27

Overview

Title VI of the Civil Rights Act of 1964 prohibit discrimination on the basis of race, color, or national origin by agencies that receive federal financial assistance (see Appendix A: Title VI). As a recipient of federal financial assistance, the Roanoke Valley-Alleghany Regional Commission (RVARC) and its programs do not discriminate on the basis of race, color, or national origin (see Appendix B: Non-Discrimination Statement).

The Title VI Implementation Plan describes the measures RVARC adopts to ensure compliance with Title VI in four sections: Title VI Program, Limited English Proficiency, Coordinators, and Discrimination Complaints. Title VI Program describes how RVARC ensures nondiscrimination in communications and public participation, planning and programming, consultant contracts, and education and training. Limited English Proficiency (LEP) describes the statement of commitment to LEP persons, implementation of LEP activities, and monitoring and updating of LEP procedures. The relevant coordinators are the Title VI Manager and the ADA Coordinator. Discrimination Complaints describes the procedures for handling discrimination complaints.

1. Title VI Program

To ensure Title VI Compliance, RVARC staff and the decision-makers of its organizations and programs will not discriminate on the basis of race, color, or national origin.

RVARC staff evaluate and monitor compliance with nondiscrimination authorities in its:

- Communications and Public Participation
- Planning and Programming
- Consultant Contracts
- Education and Training

To comply with Title VI, RVARC:

- Maintains current Title VI Assurances (Appendix C: Certificate of Assurance)
- Promptly corrects any deficiency identified
- Conducts regular reviews of program areas and contractors
- Documents and prepares reports of Title VI efforts on a regular basis
- The RVARC executive director designates a Title VI Manager.

1.1 Communications and Public Participation

RVARC endeavors to communicate with and provide opportunities for minority, low-income, and disabled persons to participate. The Roanoke Valley Transportation Planning Organization, which is staffed by RVARC, maintains a Public Participation Plan that

describes the process by which it consults with interested and affected individuals, organizations, agencies, and government entities and includes them in the decision-making process. The Public Participation Plan and all other public participation opportunities of RVARC and the organizations and programs it staffs comply with Title VI requirements.

To ensure Title VI compliance in communications and public participation, RVARC staff will:

- Include contact information for people needing accommodations in notifications of opportunities for public participation.
- Post the Title VI Policy on the website.
- Include the following statement in public notices:
“RVARC fully complies with Title VI of the Civil Rights Act of 1964 in all programs and activities. RVARC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities. For more information, or to obtain a Discrimination Complaint Form, contact (540) 343-4417 or www.rvarc.org.”
- Provide reasonable accommodations for persons who require special assistance to participate in public involvement opportunities.
- Collect and monitor demographic data during public input opportunities, conducting additional target outreach if the data show a deficiency in public input from particular groups.
- Recruit diverse applicants, including minorities, low-income persons, and disabled, to opportunities for public participation and to serve on committees.

1.2 Planning and Programming

To ensure compliance in planning and programming processes, RVARC staff will:

- Prepare and update publicly available demographic profiles of the region using the most current and appropriate statistical information.
- Consider a high-level overview of benefits and burdens of transportation projects on minority and low-income populations, using maps and geographic demographic data to determine projects that could impact such populations. Lead agencies in individual projects are responsible for in-depth analyses of environmental justice as they move forward.
- Conduct an environmental justice analysis during the development of the Roanoke Valley Transportation Planning Organization Long-Range Transportation Plan, analyzing the relative distribution of costs and benefits from transportation investment strategies and policies on minority or low-income populations.
- Review directives to determine if there are Title VI implications and interpret how directives impact Title VI program areas.
- Include environmental justice aspects of performance measures in transportation performance-based planning and programming, when relevant.

1.3 Consultant Contract

RVARC is responsible for selection, negotiation, and administration of its consultant contracts. RVARC complies with all relevant federal and state laws in contract selection. RVARC staff evaluate and monitor consultant contracts for compliance with nondiscrimination authorities. RVARC staff will:

- Ensure inclusion of nondiscrimination language in contracts and Requests for Proposals.
- Ensure that all consultants verify their compliance with nondiscrimination authorities, procedures, and requirements.
- Work with the recipient or sub-recipient, if found to be not in compliance with nondiscrimination authorities, to resolve the deficiency status and write a remedial action if necessary.
- Review outreach activities to ensure small, disadvantaged, minority, women, and disabled veteran businesses are not excluded to participate in opportunities to compete for consulting contracts.

As part of the Certifications and Assurances submitted to the Virginia Department of Rail and Public Transportation (DRPT) with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, RVARC submits a Nondiscrimination Assurance which addresses compliance with Title VI, nondiscrimination in hiring (Equal Employment Opportunity) and contracting (Disadvantaged Business Enterprise), and nondiscrimination on the basis of disability. In signing and submitting this assurance, RVARC confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

Disadvantaged Business Enterprise

Disadvantaged Business Enterprises (DBE) are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis. The U.S. Department of Transportation's DBE regulations require state and local transportation agencies that receive federal financial assistance to establish goals for the participation of DBEs.

RVARC supports the objectives of the DBE Program:

- To ensure nondiscrimination in the award and administration of Federal Highway Administration assisted contracts
- To create a level playing field on which DBEs can compete fairly for Federal Highway Administration-assisted contracts
- To ensure the DBE Program is narrowly tailored in accordance with applicable law

- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs
- To help remove barriers to the participation of DBEs in Federal Highway Administration-assisted contracts
- To assist the development of firms that can compete successfully in the marketplace outside of the DBE Program
- To provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs

1.4 Education and Training

To ensure compliance through education and training, the RVARC Title VI Manager will:

- Distribute information to staff, board and committee members, and other stakeholders on training programs regarding Title VI and related nondiscrimination authorities.
- Offer training to staff in Title VI nondiscrimination and implementation.
- Track Title VI nondiscrimination training of staff and board and committee members.
- Develop Title VI educational information for dissemination to the general public.

2. Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are Limited English Proficient (LEP). For a LEP person, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. LEP persons may be entitled to language assistance at no cost to them with respect to a service, benefit, or encounter.

RVARC provides meaningful access to programs and activities by giving LEP persons adequate and understandable information to participate in programs and activities and by taking reasonable steps to remove barriers for LEP persons.

2.1 Statement of Commitment

Meaningful access to LEP persons means ensuring that LEP persons can communicate effectively and act appropriately based on that communication. RVARC will take reasonable steps to ensure LEP persons have meaningful access to programs, activities, services, and information that are normally provided in English. Failure to ensure that LEP persons can effectively participate in federally assisted programs and activities may violate the prohibition against national origin discrimination under Title VI of the Civil Rights Act of 1964.

2.2 Implementation

Implementation guidelines describe what should be done when an LEP person is encountered or an LEP request is made as well as what activities should be done routinely to keep information and training up to date.

LEP Encounter

When staff encounter LEP persons or request for language assistance, use these guidelines to determine what assistance can be provided.

The language assistance services available to RVARC are:

- CyraCom: RVARC has a Pay-As-You-Go account with CyraCom – On Demand Over-the-Phone Interpretation (www.cyracom.com). CyraCom maintains telephone assisted interpretation capability for over 100 languages (\$2.98/minute) and written translation services for a fee.
- Translation services available through Roanoke Spanish (\$0.15/word or \$85/page)
- RVARC bilingual employees fluent in Spanish: As of 2019, two RVARC bilingual employees, Cristina Finch and Amanda McGee, are fluent in Spanish.

The need for LEP services depends on the type of contact.

- In-person Contact: Use the Language Identification Flashcard, posted in the RVARC entrance, to attempt to identify the language spoken. Enlist the assistance of bilingual staff and/or Cyra-Com service to obtain the LEP person's name and contact information.
- Telephone Contact: Enlist the assistance of bilingual staff and/or Cyra-Com service as needed.
- Written Contact or Documents: Engage translation service such as Roanoke Spanish or Cyra-Com.
- Request for translation at a meeting: Use Cyra-Com service or other translation service.

Cost alone will not determine whether a request is granted. Language assistance services deemed appropriate will be made available at the expense of RVARC.

- Requests for under \$100: Will be granted. For Spanish, a phone call that might last up to 30 minutes or a document that is 1 typed page in English is likely to fit this criterion.
- Requests for over \$100: Title VI Manager and the RVARC Executive Director review based on the four-factor analysis (page 13) and grant if deemed vital.

Routine LEP Implementation Activities

The Title VI Manager will:

- Post written notices on the website and/or in a public area regarding the right to free language assistance for persons conducting business with RVARC in the most likely to be encountered languages (as determined using the four-factor analysis).

- Ensure that public notices and publications include statements that RVARC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities.
- Maintain the language assistance resource list, updating with current resources.
- Ensure staff understand:
 - The right to free language assistance for LEP persons.
 - How to use language assistance resources.
 - To include statements in public notices and publications that RVARC provides reasonable accommodations.

2.3 Monitoring and Updating

RVARC will monitor its LEP policies and practices, review them regularly with the four-factor analysis, and update as needed.

To monitor LEP policies and practices, the Title VI Manager will:

- Review RVARC activities on a regular basis for providing meaningful access to LEP persons.
- Document requests for translation services and encounters with LEP persons and provide reports when requested.

Four-factor analysis

The four-factor analysis is used to assess the need for language assistance services:

1. Demography – number and proportion of LEP persons served and languages spoken in service area.
2. Frequency – rate of contact with service or program.
3. Importance – nature and importance of program/service to people’s lives.
4. Resources – available resources, including language assistance services.

The Title VI Manager will:

- Regularly review demographic data based on the four-factor analysis. If a language other than English is the primary language of >5% of the population, the LEP guidelines may need to be modified to meet the new needs.
- Collect and maintain demographic statistics on persons who participate in their programs and services.
- Solicit feedback from locality social service departments and community-based organizations serving LEP persons to evaluate how well its practices meet their needs.

Locality social service departments and community-based organizations serving LEP persons include:

- Roanoke Refugee Partnership
- Roanoke Spanish
- City of Roanoke Division of Human Services
- Roanoke County Department of Social Services

- Virginia Department of Social Services
- Council of Community Services

The feedback solicited from these departments and organizations may include:

- Nature and importance of programs, services, and activities to LEP persons
- The effectiveness of current language assistance measures in meeting the needs of LEP persons
- The effectiveness of staff LEP trainings and agency-wide language assistance protocol
- Changes in the frequency of contact with LEP language groups
- Changes in the availability of resources, including technological advances or financial resources

3. Coordinator

The Title VI Manager is Rachel Ruhlen, (540) 343-4417, email rrehlen@rvarc.org. The secondary contact for Title VI issues is Wayne Strickland, (540) 343-4417, email wstrickland@rvarc.org.

4. Discrimination Complaints

Any person who believes that RVARC has unlawfully discriminated against them may file a complaint with RVARC. These procedures are written for RVARC staff to follow. A person who believes there has been discrimination may not be aware of the requirements of the complaint procedures.

4.1 Eligibility

Any person who believes they—or a specific class of persons—were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of a Subrecipient that receives Federal financial assistance through a primary Recipient may file a Title VI complaint.

4.2 Filing a complaint

A discrimination complaint form is available online (link: <https://rvarc.org/wp-content/uploads/2021/03/Amended-Title-VI-Complaint-Form.pdf>). A paper copy can be obtained at 313 Luck Ave SW, Roanoke VA or requested by mail, and a copy is provided in Appendix D: Discrimination Complaint Form. The complaint form can be submitted online, by mail, or in person at 313 Luck Ave SW, Roanoke VA. The Title VI Manager can assist the person in filing a complaint if needed.

According to USDOT regulations, 49 CFR §21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the processing agency.

4.3 Complaint processing

Complaints will be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.

Complaints will be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with RVARC, RVARC will forward the complaint to the Virginia Department of Transportation, which should forward the complaint to Virginia's FHWA Division Office, which should forward the complaint to HCR.

RVARC will log all complaints received.

When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, the Virginia Department of Transportation, and RVARC.

Appendix A: Title VI

The eleven titles of the Civil Rights Act of 1964 are:

- I. Voting Rights
- II. Public Accommodation
- III. Desegregation of Public Facilities
- IV. Desegregation of Public Education
- V. Commission on Civil Rights
- VI. **Nondiscrimination in Federally Assisted Programs and Activities**
- VII. Equal Employment Opportunity
- VIII. Registration and Voting Statistics
- IX. Intervention and Procedure after Removal in Civil Rights Cases
- X. Establishment of Community Relations Service
- XI. Miscellaneous

Title VI of the Civil Rights Act of 1964 addresses nondiscrimination in federally assisted programs and activities. Title VI declares it to be the policy of the United States that discrimination on the grounds of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy. Subsequent nondiscrimination laws expanded the range and scope of Title VI coverage and applicability. Executive orders and federal agency orders and memos clarify implementation of nondiscrimination policy.

Appendix B: Non-Discrimination Statement

The Roanoke Valley-Alleghany Regional Commission (RVARC) gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), and all related statutes. RVARC is committed to ensuring that no person in the United States of America shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which RVARC receives Federal financial assistance as required by Title VI.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been excluded from the participation in, been denied the benefits of, or been otherwise subjected to discrimination under any program or activity for which RVARC provides assistance, and believes the discrimination is based upon race, color, or national origin has the right to file a formal complaint.

The RVARC Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

If a complaint addresses a particular service provider, the complaint should be lodged with that provider.

For complainants who may be unable to file a written complaint, verbal information will be accepted by RVARC at 540-343-4417 or in person.

To submit a formal complaint or to request additional information on Title VI obligations, contact Rachel Ruhlen, RVARC Title VI Manager, 313 Luck Avenue, SW, Roanoke, Virginia, 24016; phone 540-343-4417; email rruhlen@rvarc.org.

Appendix C: Certificate of Assurance

This Certificate of Assurance has Appendices A through E.

Roanoke Valley-Alleghany Regional Commission
TITLE VI / NONDISCRIMINATION ASSURANCE
(DOT Order No.1050.2A)

The Roanoke Valley-Alleghany Regional Commission which includes the Roanoke Valley Transportation Planning Organization, (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration (FHWA)* and/or the *Federal Transit Administration (FTA)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation – Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurance

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"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 otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration and/or Federal Transit Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted Highway and/or Public Transportation Programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway and/or Public Transportation Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Roanoke Valley-Alleghany Regional Commission in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the **Roanoke Valley -Alleghany Regional Commission** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **Federal Highway Administration, Federal Transit Administration, Virginia Department of Transportation, and/or Virginia Department of Rail and Public Transportation** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by **Federal Highway Administration, Federal Transit Administration, Virginia Department of Transportation, and/or Virginia Department of Rail and Public Transportation**. You must keep records, reports, and submit the material for review upon request to **Federal Highway Administration, Federal Transit Administration, Virginia Department of Transportation, and/or Virginia Department of Rail and Public Transportation**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The **Roanoke Valley-Alleghany Regional Commission** gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal-Aid Highway and/or Public Transportation Programs**. This ASSURANCE is binding on the **Commonwealth of Virginia**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the **Federal-Aid Highway and/or Public Transportation Programs**.

Roanoke Valley-Alleghany Regional Commission

by Wayne Strickland
Wayne Strickland, Executive Director

Date: March 25, 2021

APPENDIX A

Contractor/ Consultant/Supplier Agreement: U.S. DOT 1050.2A -- Appendix A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration and/or Federal Transit Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration and/or Federal Transit Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration and/or Federal Transit Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration and/or Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration and/or Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **Roanoke Valley-Alleghany Regional Commission** will accept title to the lands and maintain the project constructed thereon in accordance with the Virginia General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the **Federal Highway Administration and/or Federal Transit Administration** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Roanoke Valley-Alleghany Regional Commission** all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

The **Roanoke Valley-Alleghany Regional Commission** in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the **Roanoke Valley-Alleghany Regional Commission** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C
CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER
THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *Roanoke Valley-Alleghany Regional Commission* pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the *Roanoke Valley-Alleghany Regional Commission* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the *Roanoke Valley-Alleghany Regional Commission* will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the *Roanoke Valley-Alleghany Regional Commission* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D
CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER
THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Roanoke Valley-Alleghany Regional Commission pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the Roanoke Valley-Alleghany Regional Commission will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the Roanoke Valley-Alleghany Regional Commission will there upon revert to and vest in and become the absolute property of the Roanoke Valley-Alleghany Regional Commission and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

Contractor/ Consultant/Supplier Agreements: U.S. DOT 1050.2A -- Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

Appendix D: Discrimination Complaint Form

The discrimination complaint form is available below and online (link: <https://rvarc.org/transportation/title-vi-and-ada-notices/>). The complaint form can be submitted by email, by mail, or in person at 313 Luck Ave SW, Roanoke VA. The Title VI Manager can assist the person in filing a complaint if needed.