

# Birmingham Metropolitan Planning Organization (MPO)



## ***PUBLIC PARTICIPATION PLAN (PPP)***



Prepared By the Regional Planning Commission  
of Greater Birmingham (RPCGB)  
*Staff to the MPO*

APRIL 2014

Birmingham Metropolitan Planning  
Organization (MPO)

*Public Participation Plan*  
*(PPP)*

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*Staff to the MPO*

April 2014

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## Public Participation Plan (PPP)

This document is posted at <http://www.rpcgb.org/transportation/regional-transportation-plan/public-involvement/>

For information regarding this document, please contact  
Scott Tillman, Director of Planning and Operations  
Regional Planning Commission of Greater Birmingham  
2 North 20<sup>th</sup> Street, Suite 1200  
Birmingham, AL 35203  
(205) 251-8239  
[stillman@rpcgb.org](mailto:stillman@rpcgb.org)

Date Adopted April 9, 2014

This document is a cooperative effort by the U.S. Department of Transportation, Federal Highway Administration, Federal Transit Administration, Alabama Department of Transportation, and local governments, in partial fulfillment of Task 3.0 of the FY 2013 Unified Planning Work Program, and as a requirement of 23 USC 134 and 135 as amended by MAP-21, Sections 1201 and 1202, July 2012. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

**TRANSPORTATION CITIZENS COMMITTEE (TCC)**  
**April 2014**

Chairman: Jackie Dye  
 Vice-Chairman: Willie Osborne

<b>Last Name</b>	<b>First Name</b>	<b>Membership District</b>
Adcock	Joanne	East / Northeast Jefferson County
Brown	Anna	City of Birmingham
Cochran	Peggy	South / Southeast Jefferson County
Denson	Elizabeth	City of Birmingham
Dye	Jackie	Shelby County
Ferrell	Butch	City of Birmingham
Fritschi	Ouida	South / Southeast Jefferson County
Giddens	Harry	City of Birmingham
Gilbert	Joel	City of Birmingham
Goldstein	Richard	South/Southeast Jefferson County
Gordon	Judy	South / Southeast Jefferson County
Ludwig	Bruce	South / Southeast Jefferson County
McKenna	Barbara	East / Northeast Jefferson County
Osborne	Willie	City of Birmingham
Owen	Pittman	City of Birmingham
Peebles, III	Johnny	South / Southeast Jefferson County
Richardson	Robert	Shelby County
Robertson	T.H.	City of Birmingham
Rumph	Calvin	Shelby County
Springer	John	City of Birmingham
Stokes	Sarah	South / Southeast Jefferson County
Wiedmeyer	Phillip	South / Southeast Jefferson County

**TRANSPORTATION TECHNICAL COMMITTEE (TTC)**  
**April 2014**

Chairman: Greg Dawkins

Vice-Chairman: Rod Long

*(All persons listed below are voting members unless otherwise noted)*

<b>Last Name</b>	<b>First Name</b>	<b>Membership Designation</b>
Abel	Richard	Clastran Representative
Acoff	Alfedo	ALDOT Design Bueau Representative
Boozar	Ken	Jefferson County Dept. of Roads and Transportation Representative
Brady	Chris	City of Vestavia Hills Representative
Caudle	Richard	At-Large
Chaffin	Sheila	UAB Campus Planning Representative
Church	Fenn	Trucking Representative
Cobb	Matthew	City of Homewood Representative
Cothron	Scott	At-Large
Dahlke	Dan	St. Clair County Representative
Darden	Richard	At-Large
Davis	Andre	UAB Parking and Trans Services Representative
Dawkins	Greg	City of Birmingham Traffic Engineer Representative
Folcher	Al	At-Large
Hale	Doug	Bicycle / Pedestrian Representative
Hatcher	Chris	REV Birmingham Representative
Hawkins	Fred	At-Large
Henry	George	City of Alabaster Representative
Holladay	Scott	At-Large
Hornbuckle	Denise	Traffic Safety Representative
Howanitz	Jason	Jeff. County Dept. of Health Chief Representative
Hunke	David	At-Large
Ikwu-Utwa	Henry	BJCTA
Lawlor	Elizabeth	Railroad Representative
Long	Rod	City of Hoover Engineer Representative
Magee	Tom	City of Birmingham Chief Planner Representative
Malone	Charles	ALDOT Maintenance Representative-Birmingham
McCord	Wallace	At-Large
Oranika	Emmanuel	ALDOT Transportation Metropolitan Planning Admin- Montgomery
Perry	Blair	At-Large
Portera	Bob	At-Large
Reeves	Chris	At-Large
Rudolph	Alicia	At-Large
Sitton	Winston	Blount County
Strickland	Keith	At-Large
Sullivan	Andrew	At-Large
Taylor	Lance	ALDOT Preconstruction Engineer – Birmingham Representative
Womack	Eric	Shelby County Development Services Representative
Riviera	Abigail	FTA Representative (Non-Voting Member)

Baldwin	Nan	B'ham Business Alliance Representative (Non-Voting Member)
Gore	Ron	ADEM Air Division Chief (Non-Voting Member)
Andrews	Clint	FHWA Representative (Non-Voting Member)

**METROPOLITAN PLANNING ORGANIZATION (MPO)  
Policy Committee  
April 2014**

Chairman: Honorable Tom Henderson

Vice Chairman: Mr. Tim Westhoven

Secretary: Honorable William Parker

**\* Serves on MPO Advisory Committee**

<b>Last Name</b>	<b>First Name</b>	<b>Membership District</b>
Abbott	Valerie	City of Birmingham
Alexander	Tommy	Jefferson County Municipalities- Irondale
Allison	Lindsey	Shelby County
<b>Armstrong*</b>	Allen	Blount County Public Transportation
Baumann	Delor	Jefferson County Municipalities- Hueytown
Beard	Cletus	St. Clair County
<b>Bell*</b>	William	City of Birmingham
<b>Bittas*</b>	Andre	City of Birmingham
<b>Brasseale*</b>	Jerry	Jefferson County Municipalities- Pleasant Grove
<b>Brooks*</b>	Joyce	BJCTA
Brown	Sandra Little	Unincorporated Jefferson County
Coachman	Kenneth	Jefferson County Municipalities - Fairfield
<b>Cole*</b>	Randy	Shelby County
Cooper	Lisa	City of Birmingham
<b>Davis*</b>	Brian	Alabama Department of Transportation 3rd Division
Dawkins	Greg	City of Birmingham
Hall	Mark	Shelby County
Handlon	Marty	Shelby County- Alabaster
<b>Harris*</b>	Johnny L.	Alabama Department of Transportation 1st Division
Hawkins	Fred	City of Birmingham
<b>Henderson*</b>	Thomas	Jefferson County Municipalities- Center Point
Henley	Harvey	Unincorporated Jefferson County
<b>Holladay*</b>	Scott	Shelby County
<b>Hunke*</b>	David	Shelby County
<b>Jackson*</b>	Walter	Unincorporated Jefferson County
<b>Jones*</b>	David	St. Clair County
Knight	Joe	Unincorporated Jefferson County
Long	Rod	Hoover - Shelby County
Magee	Tom	City of Birmingham
<b>McCondichie*</b>	Roger	Jefferson County Municipalities- Brookside
Melton	Gene	Jefferson County Municipalities- Trussville
Oden	Lawrence	Jefferson County Municipalities- Mountain Brook
Parker	William	City of Birmingham
Parsons	Steve	Jefferson County Municipalities- Sylvan Springs
Pate	Allen	Hoover -Jefferson County
<b>Pate*</b>	Tracy	Unincorporated Jefferson County
Phillips	Othell	Jefferson County Municipalities- Gardendale
<b>Rafferty*</b>	Kimberly	City of Birmingham
Richardson	Gary	Jefferson County Municipalities- Midfield
<b>Stricklin*</b>	Gary	Blount County
<b>Thomas*</b>	Joe	St. Clair County Public Transportation

Tuck	Loxcil	Jefferson County Municipalities- Tarrant
Waters	Gary	Shelby County
<b>Westhoven*</b>	Tim	Hoover - Jefferson County
Zaragoza	Alberto	Jefferson County Municipalities- Vestavia Hills
Bartlett	Mark	Federal Highway Administration (non-voting)
Jilla	Robert	Alabama Department of Transportation (non-voting)
Wallace	Kurt	State of Alabama- State Representative (non-voting)
Blackwell	Slade	State of Alabama- State Senator (non-voting)



**Resolution No. 2014-049**  
**Birmingham Area Metropolitan Planning Organization**  
**Adopting the 2014 Public Participation Plan (PPP)**

**WHEREAS**, the Birmingham MPO is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by MAP-21 Sections 1201 and 1202, July 2012); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and


**WHEREAS**, Title 23 CFR 450.316(a)(1) et al, provides that MPOs must prepare a public participation plan to describe the process by which all citizens have reasonable opportunities to be involved in transportation planning, defines the segments of population to be included in that process, and further describes the means, methods, and formats used in providing those opportunities; and

**WHEREAS**, in meeting requirements of 450.316(a)(1)(ix), the MPO agrees to periodically review the effectiveness of procedures and strategies intended to provide full and open access to all citizens; and

**WHEREAS**, pursuant to 450.316(a)(3), the MPO has provided a public comment period of forty-five (45) days for review of the draft PPP prior to final MPO approval; and

**WHEREAS**, consistent with the declaration of the above provisions, the Birmingham Metropolitan Planning Organization, in consultation with the Alabama Department of Transportation, has prepared a draft 2014 Public Participation Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Birmingham Metropolitan Planning Organization, having reviewed its public participation procedures to assure that full and open access to the transportation planning process is provided to all citizens, maintains consistency with federal and state requirements, and improves and streamlines the public involvement process, does hereby adopt the **2014 Public Participation Plan**.

  
\_\_\_\_\_  
Mayor Tom Henderson, Chairman

ATTEST:   
\_\_\_\_\_  
Charles Ball, RPCGB, Executive Director

Date: 4/9/14

Date: 4/9/14

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## 1.0 INTRODUCTION

### 1.1 Policy Statement

It is the policy of the Birmingham Metropolitan Planning Organization (MPO) to provide a planning process that is open to public input in the preparation of plans and programs and is consistent with the eight planning factors required under the new transportation legislation, *Moving Ahead for Progress in the 21<sup>st</sup> Century* (MAP-21), also known as Public Law 112-131, signed into law July 6, 2012. The Federal interpretive regulations remain as 23 CFR 450, and Public Participation Plan requirements are in 450.316.

### Scope of the Planning Process (MAP-21 Planning Factors)

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency
2. Increase the safety of the transportation system for motorized and non-motorized users
3. Increase the security of the transportation system for motorized and non-motorized users
4. Increase accessibility and mobility of people and freight
5. Protect and enhance the environment, promote energy conservation, improve quality of life and promote consistency between transportation improvements and State and local planned growth and economic development patterns
6. Enhance the integration and connectivity of the transportation system, across and between modes for people and freight
7. Promote efficient system management and operation
8. Emphasize the preservation of the existing transportation system

### Livability Principles

Increasingly, federal and state agencies are using Performance Measures as a way of ensuring greater accountability for the expenditure of public funds in an ever-growing number of programs and activities across a variety of disciplines. Within the transportation sector and the planning processes associated with transportation infrastructure development, Alabama Department of Transportation (ALDOT) has adopted the Livability Principles and Indicators as a sustainability measurement against future actions.

All planning tasks will be measured against these Livability Principles:

1. Provide more transportation choices
2. Promote equitable, affordable housing
3. Enhance economic competitiveness
4. Support existing communities
5. Coordinate policies and leverage investment.
6. Value communities and neighborhoods.

As a measure of sustainability of these principles, the MPO has developed a candidate list of Livability Indicators:

1. Mode Share – percent of travelers using different travel modes
2. Jobs/Housing Balance – total number of jobs/total housing by area
3. Travel Time Index – congested vs. free-flow travel time
4. Number of crashes/incidents by travel mode (community safety emphasis)
5. Project Funding Diversity – percent of transportation projects utilizing multiple funding sources (federal, state, local)
6. Partnerships and Public Involvement – number of partnerships and documentation of PI Activities

The Indicators will be used in the development and presentation of data for the following plan documents: Long Range Transportation Plan (aka Regional Transportation Plan), Transportation Improvement Program (TIP), Public Participation Plan, Congestion Management Process (TMAs only), and the Air Quality Conformity Report (as applicable).

### **1.2 Federal Requirements**

The following is a brief summary of the relevant federal laws, regulations, and executive orders that direct state departments of transportation (DOTs) regarding public participation matters. This text was prepared by the Bureau of Transportation Planning at ALDOT and modified by the MPO staff to address MPO functions.

Title 23 United States Code (USC) 134 and 135 – 23 USC 134 is codification of the law establishing planning policy, defining MPO organizational structure, and delineating MPO and State responsibilities in the transportation planning process.

Moving Ahead for Progress in the 21st Century Act (MAP-21) – This is the most recent transportation legislation, signed into law by President Obama in July of 2012 although the law was not effective until October 1, 2012. This law amends, modifies, and adds to existing 23 USC 134 and 135. The language specific to the participation process is found in 134(i)(6) Participation by Interested Parties.

23 Code of Federal Regulations (CFR) 450 – 23 CFR 450 is FHWA/FTA interpretation of 23 USC 134 and 135, providing specific requirements and actions for MPOs and the state implementing agency, the DOT. The applicable language for both is found, respectively, in 450.210(1)(i) and others (“..the state shall..”) and 450.316(1)(vii and others) (“..the MPO shall..”).

Civil Rights Act of 1964, 42 USC 2000d, et seq. 42 USC 2000d prohibits exclusion from participation in any federal program on the basis of race, color, or national origin. This is the seminal or shaping expression of the law.

23 USC 324 – This is the law prohibiting discrimination on the basis of sexual orientation, adding to the landmark significance of 2000d. This requirement is found in 23 CFR 450.334(1).

29 USC 794 (Rehabilitation Act of 1973.) - This is the law prohibiting discrimination on the basis of a disability, and in terms of access to the transportation planning process.

Clean Air Act- A series of acts aimed at reducing smog and air pollution, the most recent of which is the Clean Air Act Extension of 1970, with amendments in 1977 and 1990. The 1990 amendment established the State Implementation Plan (SIP), under which the states are obligated to notify the public of plans for pollutant control and allow opportunities for input into the process.

Executive Order 12898 – Executive Orders by the President as the head of the Executive Branch typically carry the weight of law. This is not actually true unless the order has been given discretionary power through an Act of Congress, or a later act gives congressional weight to the order. Significant orders by presidents in the past affect the ability of segments of the population to gain access, and in this case, access to the planning process. Order 12898, often simply called “Environmental Justice,” requires federal agencies to identify “disproportionately high and adverse human and health environmental effects of its programs on minority populations and low-income populations...” and prohibits actions that would adversely affect a disproportionately high number among these populations.

### **1.3 MPO Organizational Structure**

The MPO is composed of four committees. The Policy Committee is the official decision making body. Three committees serve the Policy Committee: the Transportation Technical Committee (TTC), the Transportation Citizens Committee (TCC) and the Advisory Committee. A more detailed description of the MPO structure is found in Appendix A.

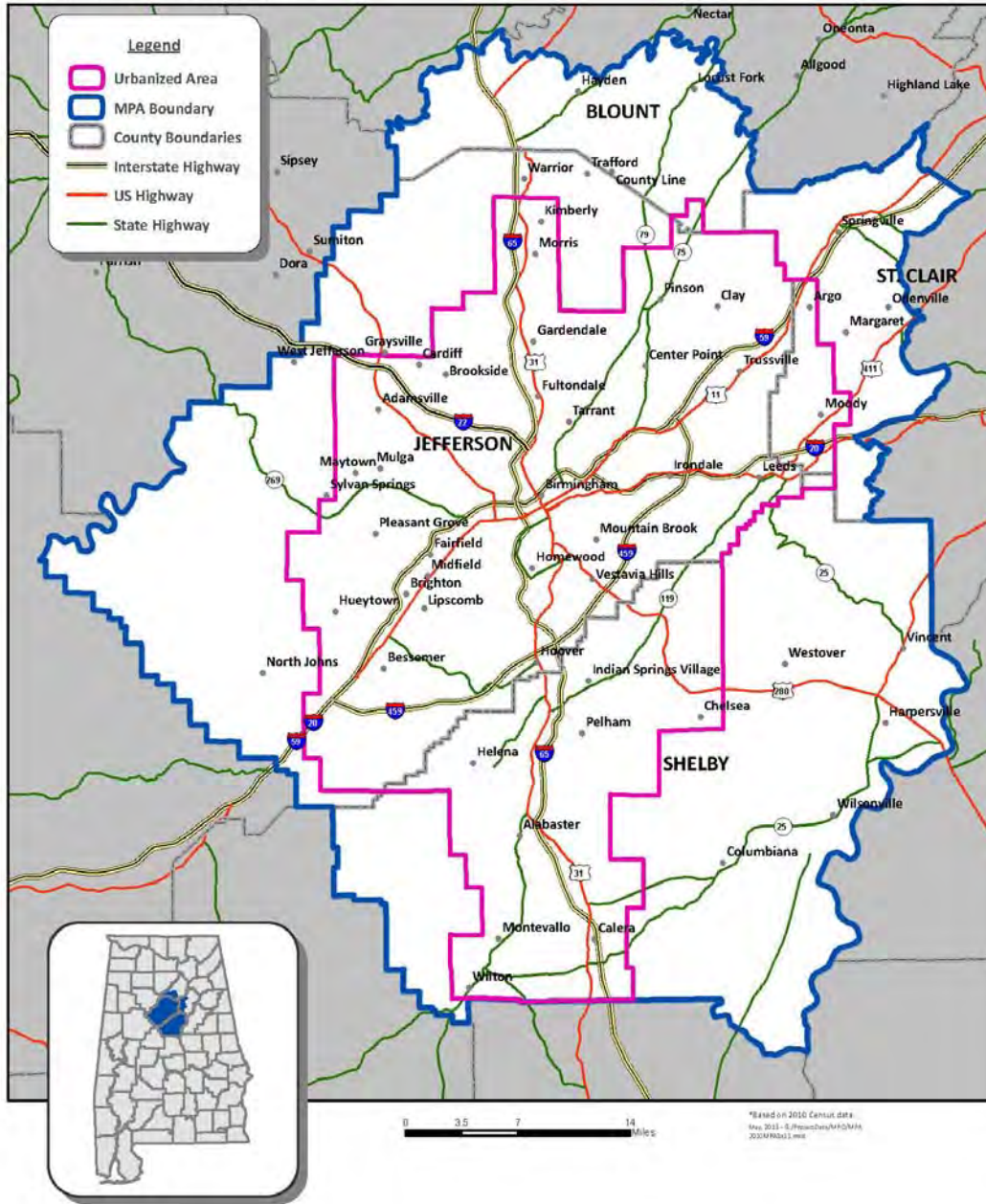
An agreement, executed in February 1982 and amended in December 1991, May 1995 and March 2008 exists for the purpose of administering the urban transportation planning process in the Birmingham Urbanized Area under the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and Environmental Protection Agency (EPA) Programs. The agreement is between the following entities:

- Alabama Department of Environmental Management (ADEM)
- Alabama Department of Transportation (ALDOT)
- Birmingham-Jefferson County Transit Authority (BJCTA)
- Regional Planning Commission of Greater Birmingham (RPCGB)
- Jefferson County Department of Health (JCDH)
- Birmingham Metropolitan Planning Organization (MPO)

#### **1.4 Metropolitan Planning Area (Study Area)**

Metropolitan Planning Organizations are required to define the urbanized area and the area expected to be urbanized by the forecast year of the long-range transportation plan in their study area based upon the most recent decennial U. S. Census (2010). All MPO plans and programs are limited to the study area.

**BIRMINGHAM MPO AREA**  
**METROPOLITAN PLANNING AREA &**  
**URBANIZED AREA BOUNDARY**





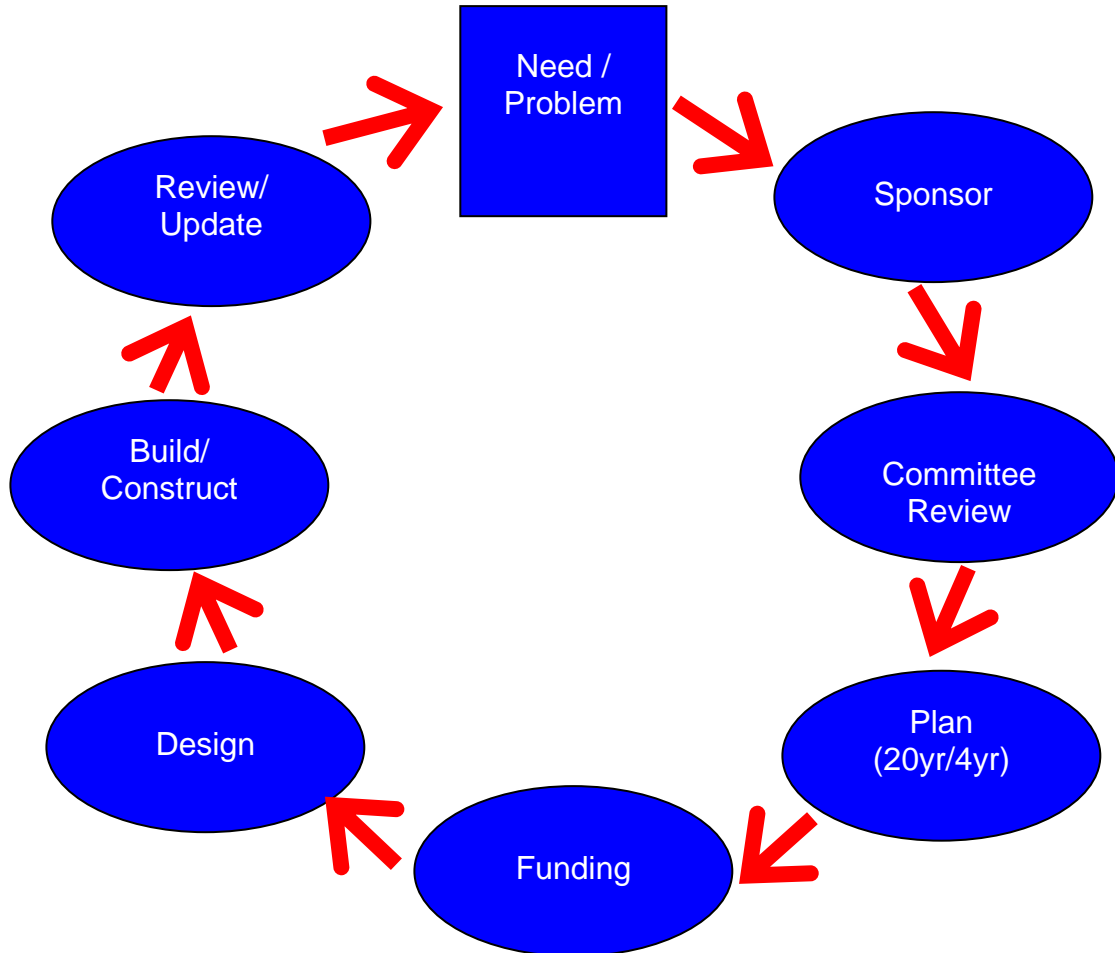


## 2.0 PUBLIC PARTICIPATION PROCESS

### 2.1 General Purpose

Meaningful and effective public participation is essential to the successful implementation of any transportation planning project or program. Active involvement of the citizens and other database contacts leads to the incorporation of local and regional concerns, needs, values and ideas into governmental decision-making, leading to better decisions that have public support. This participation plan intends to outline the guidelines used by the MPO during the course of public participation activities.

## Transportation Planning "How?"



## 2.2 Goals

1. Open Process: To have an open planning process that encourages early and continued public participation
2. Information Access: To provide complete and timely information regarding the plans, programs, procedures, policies and technical data produced or used during the planning process to interested parties and the general public
3. Notice of Activities: To provide timely and adequate public notice of meetings, reviews and major document availability
4. Public Input and Organization Response: To demonstrate consideration and recognition of public input and to provide appropriate responses to public input
5. Inclusive Process: The Birmingham MPO places emphasis on the commitment mandated in Executive Order 12898 to protect low income and minority communities/citizens from disproportionate adverse impacts based on planning and implementation of projects and programs identified in the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP). The MPO provides for considerable participation activity towards this environmental justice goal through the opportunity, both formal and informal, for these identified citizens to share their ideas and concerns throughout the planning and decision making process. Further information is available in the *ENVIRONMENTAL JUSTICE REPORT: Documentation of the Transportation Planning Process and Approach to Environmental Justice* published September 2010.

As required by Title VI of the Civil Rights Act of 1964, Executive Order 13166, and FTA Circular FTA C 4702.1B, October 2012, the MPO has completed a Four Factor Analysis of the Birmingham Metropolitan Planning Area to determine requirements for compliance with the **Limited English Proficiency Persons (LEP)** provisions. Based on the analysis, the MPO has identified a population within the MPA that may require MPO assistance in participating in the planning process. A **Language Assistance Plan (LAP)** has been developed, and is included within this document as Appendix D.

## 2.3 Strategies

Each of the following strategies is coded to a Goal under section 2.2. For example, item A states *Goals Addressed: 1*. Please refer to the Goals Addressed for each of the following items.

- A. The MPO will maintain a citizens advisory committee and use this as a link to citizens in the Metropolitan Planning Area. The committee serves as one of the standing committees of the transportation planning process. Goals Addressed: 1

B. All meetings of the MPO will be open to the public in accordance with the Alabama Open Meetings Act (2005-40) and will provide non-committee members an opportunity to participate in the planning process. The meetings will be held at convenient and accessible locations and times. Generally, the Policy Committee meets on the second Wednesday of each month at 1:30 p.m., the Advisory Committee meets on the fourth Thursday of each month at 1:30 p.m., the Transportation Technical Committee meets on the fourth Wednesday of each month at 10:00 a.m. and the Transportation Citizens Committee meets on the third Wednesday of each month at 12:00 p.m. Exceptions to this schedule occur in November and December due to holidays. Occasionally, meetings are cancelled if it is determined that there is not any action items to bring before the committees. The meetings are held at the Regional Planning Commission of Greater Birmingham, 2 North 20<sup>th</sup> Street, Birmingham, AL 35203.

Goals Addressed: 1, 4, 5

C. The MPO provides a notice for all meetings of the standing committees of the transportation planning process. The notice includes the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals, who need special accommodations, notify the RPCGB at least three business days prior to the date of the meeting, so necessary arrangements can be made. The notice is posted on the internet.

Goals Addressed: 1, 2, 3, 5

D. The MPO will do the following as a means of seeking out and considering the needs of the traditionally underserved (low-income individuals, minorities, persons with disabilities, the elderly, and persons with limited English proficiency):

- provide a notice of meetings of the standing committees of the transportation planning process to groups that address the needs of the traditionally underserved
- provide a notice of public meetings related to the Air Quality Conformity Determination Report, LRTP and the TIP to groups that address the needs of the traditionally underserved
- upon request, provide transportation planning process meeting notices to any individual or group
- allow anyone to participate in all transportation planning process meetings
- follow all requirements of the Americans with Disabilities Act (ADA) while conducting the transportation planning process
- if feasible and appropriate, modify the transportation planning process and any plan, program, or document developed as part of the process to meet the needs of the traditionally underserved
- if warranted, provide an interpreter for those with limited English proficiency

- if requested, make presentations to groups representing traditionally underserved populations
- provide transportation planning process information at community events
- hold public review periods for the draft Air Quality Conformity Determination Report, LRTP and the TIP that allows anyone to review the document at the RPCGB office and on the internet and allow comments to be submitted in person, via e-mail, internet, postal mail and fax
- make the MPO staff available to discuss any transportation planning document or the planning process with any group or individual

Goals Addressed: 1, 2, 3, 4, 5

- E. The MPO will hold an annual training session. The training session will review the transportation planning process and the functions of the MPO. The training session will be open to the general public.

Goals Addressed: 1, 2, 5

- F. The MPO will consider all legitimate inquiries and comments regarding transportation planning activities. When warranted, a written response will be provided. A summary of all public inquiries and comments received regarding the Air Quality Conformity Determination Report, LRTP and TIP during the public involvement meeting and the 21-day comment period will be included in the Public Involvement Meeting report with the corresponding responses provided by the MPO.

Goals Addressed: 1, 4, 5

- G. The MPO will make available to the general public and other agencies all documents and appropriate technical data produced for the transportation planning process. The documents and technical data, as appropriate and feasible, will be available in paper copy, digital copy, and on the internet.

Goals Addressed: 1, 2, 4, 5

- H. The MPO will provide public notification of the Air Quality Conformity Determination Report, LRTP and TIP development. The draft documents will be available for public review and comment for 21 days after the public involvement meeting.

Goals Addressed: 1, 2, 3, 4, 5

- I. The MPO will hold a public meeting for the Draft Air Quality Conformity Determination Report, Draft LRTP and Draft TIP prior to the final adoption of the document. Notification will be provided at least two weeks prior to the meeting. The meetings will be held at convenient and accessible locations and times.

Goals Addressed: 1, 2, 3, 4, 5

- J. If an Air Quality Conformity Determination Report, LRTP or TIP varies significantly from the version that was initially made available for public comment and raises new

material issues which interested parties could not reasonably have foreseen from the public involvement efforts and when significant written and oral comments are received on the draft Air Quality Conformity Determination Report, LRTP and TIP (including the financial plans) as a result of the participation process or the interagency consultation process required under the EPA transportation conformity regulations, a summary, analysis and report on the disposition of comments will be made as part of the final LRTP and TIP.

Goals Addressed: 1, 2, 3, 4, 5

- K. To strengthen the participation in the planning process and to aid the public in understanding proposed plans, the MPO will use techniques in a clear and easily accessible format to promote improved understanding of existing or proposed transportation plans and program.

Goals Addressed: 1, 2, 3, 4, 5

- L. The MPO, when appropriate and feasible, will coordinate public involvement activities with statewide transportation planning public involvement and consultations processes conducted by the ALDOT. Goals Addressed: 1, 2, 3

- M. The MPO will encourage the publication of news articles.

Goals Addressed: 1, 2, 3, 5

- N. The staff of the MPO will be available for speaking engagements concerning the transportation planning process.

Goals Addressed: 1, 2, 3, 4, 5

- O. The MPO will publish the Public Participation Plan and any amendments to the Plan. The public will be given a 45-day period to provide written comments prior to final document approval.

Goals Addressed: 1, 2, 3, 4, 5

- P. The MPO will review the Public Participation Plan at least every five years.

Goals Addressed: 1, 2,4



## 3.0 EFFECTIVENESS OF THE PUBLIC PARTICIPATION PROCESS

### 3.1 Performance Objectives

The MPO chose to set realistic objectives to monitor the Public Participation Plan. The MPO understands that they have limited control over the number of people who participate in the planning process. The MPO cannot control these numbers. The MPO staff and committees can only control their own actions. Therefore, the MPO's performance objectives are to maximize the participation opportunities, to make the process as accessible and friendly as possible and to minimize complaints regarding the process. The performance measures in the next section were chosen with these ideas and objectives in mind.

### 3.2 Performance Measures

Each item below identifies a measured strategy from the listing under 2.3 Strategies

1. What was the attendance percentage of the Transportation Citizens Committee?  
Strategy Measured: A
2. How many guests who were not transportation agency employees attended standing committee meetings?  
Strategy Measured: B
3. What was the ratio of standing committee meetings to meeting notices provided?  
Strategy Measured: C
4. Was the mailing list updated annually? Strategy Measured: C, D
5. How many persons with declared disabilities attended standing committee meetings and the annual training session? Strategy Measured: D
6. Was anyone denied the ability to participate in a MPO meeting or event? Were any complaints received regarding the denial of participation? Strategy Measured: D
7. Were there any complaints regarding ADA violations? Strategy Measured: D
8. How many requests to make MPO presentations were received? How many of the requests were from traditionally underserved people or groups? Strategy Measured: D,N
9. Were the draft Air Quality Conformity Determination Report, LRTP and TIP
10. Were comments accepted in person, by mail, by fax, and by electronic means?  
Strategy Measured: D, G, H



11. How many people attended the annual training session? Standing committee members? Transportation agency employees? General public? Strategy Measured: E
12. How many complaints regarding the transportation planning process were received? Strategy Measured: F
13. How many requests for information were received? Strategy Measured: G
14. Were documents made available on the website? Strategy Measured: G
15. Was public notice regarding TIP and LRTP development provided? Were there any complaints or requests for change related to the public notice efforts? Strategy Measured: H
16. Were Air Quality Conformity Determination Report, TIP and LRTP draft documents available? Were there any complaints or requests for change related to the availability of these documents? Strategy Measured: G,H
17. Was a public meeting held for the Air Quality Conformity Determination Report, TIP and LRTP prior to adoption? Were there any complaints or requests for change related to the public meetings? Strategy Measured: I
18. Was notification of the public meetings for the Air Quality Conformity Determination Report, TIP and LRTP provided at least two weeks prior to the meetings? Were there any complaints or requests for change related to the public meetings notification? Strategy Measured: I
19. Was the Air Quality Conformity Determination Report, TIP and LRTP public meeting held at a convenient time and accessible location? Were there any complaints or requests for change related to the time or location of the public meeting? Strategy Measured: I
20. If the TIP and LRTP varied significantly from the version that was initially available for public comment, was an additional public meeting held? Were there any complaints or requests for change related to the public meeting? Strategy Measured: J
21. Were visualization techniques used to describe the Air Quality Conformity Determination Report, TIP and LRTP? Were there any complaints or requests for change related to the visualization techniques? Strategy Measured: K
22. How many newspaper articles were published about transportation planning in the local newspapers? Strategy Measured: M

23. How many speeches or presentations did the staff provide? Strategy Measured: N
24. Was the public involvement meeting document for the Air Quality Conformity Determination Report, LRTP and TIP produced? Strategy Measured: O
25. Was the Public Participation Plan produced/updated? Strategy Measured: O
26. Did the MPO provide 45 days for public comment prior to adopting the Public Participation Plan or any amendments? Strategy Measured: O
27. How frequently was the Public Participation Plan reviewed? Strategy Measured: P

### **3.3 Continuing Assessment**

The MPO staff reviews the results of the performance measures annually. In addition, if complaints regarding the process are submitted, the MPO takes the necessary action to correct the problem before the end of the year. The MPO is scheduled to update the Public Participation Plan (PPP) at least every five years. This provides another opportunity to review past participation efforts and to make adjustments if needed.



## 4.0 MPO PRODUCTS AND PUBLIC PARTICIPATION TECHNIQUES

### 4.1 MPO Products

#### Unified Planning Work Program (UPWP)

The MPO is responsible for the development of a Unified Planning Work Program. The UPWP is the primary structural document for establishing MPO work tasks and assigning costs for performing those tasks based on allocated federal Planning Funds (PL). The UPWP is developed annually with all of the transportation planning agencies in the MPO area.

The UPWP is made available on the RPCGB website prior to being introduced for discussion at committee meetings. All committee meetings of the MPO are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting, so necessary arrangements can be made. The notice is posted on the internet.

The public is allowed to participate in discussions held at the committee meetings.

#### Air Quality Conformity Determination Report

This is a report accompanying a long range transportation plan that signifies that emissions from travel on the area's transportation system shown in the plan are consistent with the area's goals for air quality. These air quality goals are prescribed by the federal Environmental Protection Agency and the federal Clean Air Act.

The draft Air Quality Conformity Determination Report is made available on the RPCGB website prior to being introduced for discussion at committee meetings. All committee meetings of the MPO are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting, so necessary arrangements can be made. The notice is posted on the internet.

The public is allowed to participate in discussions held at the committee meetings. The public has an additional opportunity to comment during the public involvement meeting

and the 21-day comment period. For more details please see Section 5.0 Public Involvement Meetings.

#### Long-Range Transportation Plan (LRTP)

The LRTP, sometimes referred to as the Regional Transportation Plan (RTP), is the policy plan that guides transportation planning and has a minimum planning horizon of 20 years. At least every four years in air quality nonattainment areas, like the greater Birmingham area, goals and policies are revisited with a great deal of public and agency consultative discussion as scenarios are developed and tested.

The LRTP is developed over the course of two years. Regional stakeholders are identified and engaged at the beginning of the development of the LRTP. Those stakeholders include:

1. Policy-making elected/appointed officials from local, regional and state jurisdictions. This also includes:
  - Interaction with federal officials who establish and review rules and regulations in the planning process.
  - Public planning partner staffs who prepare their jurisdictional plans and can provide background information and who advise officials are also targeted here.
2. State and local private sector leadership and interested people within special interest groups that consistently engage in regional plan issues.
3. Individuals or groups that participate in RPCGB activities based on short-term, issue-driven concerns.

Additionally, the RPCGB committees, the MPO committees and the Heart of Alabama Rural Planning Organization (HARPO) receive regular briefings on the LRTP during the project lifecycle.

The draft LRTP is made available on the RPCGB website prior to being introduced for discussion at committee meetings. All committee meetings of the MPO are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting so necessary arrangements can be made. The notice is posted on the internet.

The public is allowed to participate in discussions held at the committee meetings. The public has an additional opportunity to comment during the public involvement meeting and the 21-day comment period. For more details, please see Section 5.0 Public Involvement Meetings.

### Transportation Improvement Program (TIP)

The TIP is the funded prioritized spending program developed out of the LRTP. The TIP extends over four years. The TIP is often considered the short-range plan of the MPO. The TIP breaks down the LRTP projects into phases and assigns a start date to each phase. The purpose of the TIP is to schedule the various phases of transportation projects for implementation. A new TIP is prepared, at a minimum, every four years and is recognized as the area's portion of the Statewide Transportation Improvement Program (STIP).

The draft TIP is made available on the RPCGB website prior to being introduced for discussion at committee meetings. The MPO committee meetings are open to the public. All committee meetings of the MPO are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting so necessary arrangements can be made. The notice will also be posted on the internet.

Any person who attends the MPO committee meetings is given an opportunity to participate. The public has an additional opportunity to comment during the public involvement meeting and the 21-day comment period. For more details, please see Section 5.0 Public Involvement Meetings.

As a Federal Transit Administration (FTA) 5307 recipient, Birmingham Jefferson County Transit Authority projects are programmed into the MPO Transportation Improvement Program (TIP). The FTA allows a grantee, such as BJCTA, to rely on locally adopted public participation requirements for the new or amended/updated TIP in lieu of the process required in the development of the Program of Projects (POP) if the grantee has coordinated with the MPO and ensured that the public is aware that the TIP development process is being used to satisfy the POP public participation requirements. To comply with this requirement, the Birmingham MPO's public participation process has been adopted by the BJCTA Board of Directors, and in doing so, satisfies the grantee's public participation process for the POP. When the MPO publishes a public notice of the TIP development, review, and adoption process, the notice will explicitly declare (a) that it is a public notice for public involvement, (b) establish a time for public review and comment, and (c) state that the public involvement process satisfies the FTA's POP requirements. The declaration of public involvement activities is as follows: "This public notice of public involvement activities and time established for public review and comments on the TIP development process will satisfy the FTA's Program of Projects requirements."

### Public Participation Plan (PPP)

The Birmingham MPO Public Participation Plan includes a proactive public involvement process that supports and encourages early and continuous opportunities for the public to express its views on transportation issues and to become active participants in the regional transportation planning decision-making process. As a “living document,” this Plan is continually reviewed for possible revisions.

Draft PPPs are developed with the assistance and participation of the Transportation Citizens Committee (TCC). The draft PPP is available at meetings and on the RPCGB website. The MPO committee meetings are open to the public. All committee meetings of the MPO are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings or as designated in committee bylaws. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting, so necessary arrangements can be made. The notice will also be posted on the internet.

Any person who attends the MPO committee meetings is given an opportunity to participate. The public has an additional opportunity to comment during the public involvement meeting and the 45-day comment period. For more details, please see Section 5.0 Public Involvement Meetings.

### Congestion Management Process

A Congestion Management Process (CMP) is required in metropolitan areas with a population greater than 200,000, or Transportation Management Areas (TMAs), as well as in urbanized areas that have requested designation as a TMA. The CMP is intended to address congestion through a process that provides for effective management and operations (M&O), based on cooperatively developed travel demand reduction and operational management strategies. The CMP establishes a rigorous method of identifying and evaluating transportation improvement strategies, including both operations and capital projects.

The CMP is made available on the RPCGB website and has a functioning Congestions Management Committee which is a subcommittee of the Transportation Technical Committee. All committee meetings are preceded by notices that include the agenda, date, time, and location of the meeting. The notice is provided at least one week prior to the meetings. The notice is provided to local media representatives and groups that address the needs of low-income individuals, minorities, persons with disabilities and the elderly. The notice requests that interested individuals who need special accommodations notify the RPCGB at least three business days prior to the date of the meeting, so necessary arrangements can be made. The notice is posted on the internet.

The public is allowed to participate in discussions held at the committee meetings.

#### Bicycle / Pedestrian Plan

The bicycle and pedestrian plan for the Birmingham metropolitan planning area, identified as the Birmingham Regional Active Transportation Plan (ATP), provides a policy framework to accommodate bicyclists and pedestrians in the funding, planning, design, construction, operation, and maintenance of the Birmingham metropolitan planning area's transportation network. Specifically, the Birmingham Regional ATP establishes a vision for the future of bicycling and pedestrian travel in the metropolitan planning area, and highlights opportunities to advance non-motorized travel by providing guidance for consistent, appropriate, and cost-effective application of Birmingham MPO policies. Additionally, the ATP provides guidance for implementation of plan recommendations, projects and programs. This includes the development of a database of planned, signed and designated bicycle routes and facilities, and provision of staff assistance to local governments and non-governmental organizations that seek to advance the implementation of non-motorized transportation facilities, infrastructure, and services.

#### **4.2 Amendment Process – Long Range, TIP, and Other Operations Plans**

Amendments to formal planning documents containing project listings and funding will be carried out pursuant to sections of Title 23 Code of Federal Regulations (CFR) 450, applicable to road and highway projects under various Federal Highway Administration (FHWA) funding programs and those transportation projects and funding actions under Federal Transit Administration (FTA) programs.

While governing regulations are specific to the Long Range Transportation Plan (Metropolitan Transportation Plan, Regional Transportation Plan), the short range component of the Long Range, the Transportation Improvement Program (TIP), and the Statewide Transportation Improvement Program (STIP), the process is extended in Alabama to those plans with projects and funding presented in tabular or listed format, to include the Congestion Management Process (CMP), the Bicycle and Pedestrian Plan, and the amended project listings of the Long Range and TIP documents under the Air Quality Conformity Process.

An amendment to the Long Range Plan, TIP, and STIP documents may take one of two forms:

1. **Administrative Modification Process** – An **Administrative Modification** is a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minimal changes to project/project phase costs, negligible changes to funding sources of previously included projects, and inconsequential changes to project/project phase initiation dates.



An administrative modification does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas). Amendments of this nature are generally conducted through coordination of ALDOT Bureau of Transportation Planning and Modal Programs staff and MPO staff to minimize plan modification and documentation activities and costs.

2. **Formal Amendment Process** – A **Formal Amendment** is a substantive change to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP). A Formal Amendment is required when one or more of the following criteria are met:

- The change adds a new individual project
- The change adversely impacts fiscal constraint
- The change results in major scope changes such that the nature and/or intent of the project and its outcomes differ significantly from the original project and might be considered as a new project
- The change deletes an individually listed project from the TIP
- The change results in a cost increase of 20% or \$1,000,000, whichever is less

The formal amendment process requires that the project and/or program be added to MPO's regularly scheduled monthly committee meetings' agendas. Additionally, in order for the amendment to become effective, the MPO Policy Board must vote to approve the amendment.

A change that does not meet any of the criteria for a Formal Amendment as listed above may be processed as an administrative modification. Modifications and/or Formal Amendments to the Congestion Management Process (TMAs only) and Bicycle Pedestrian Plans (now a formal plan in Alabama) are subject to the same processes as identified above. ALDOT will generally work with MPOs to make adjustments to these documents on a more informal basis in order to accommodate public involvement meetings and advisory committee scheduling.

#### **4.3 Participation Techniques**

The MPO uses a variety of participation techniques particularly in regard to preparation and adoption of the LRTP, the TIP and the Air Quality Conformity Determination Report. However, public involvement is an on-going activity of the MPO with these techniques used on a continuous basis and is an integral part of special projects. MPOs hold **Public Meetings** or have **Public Forums** during regular MPO meetings in review of draft and final planning documents and may attend, sponsor meetings, or hold ad hoc meetings as outreach for specific proposed projects or programs. State DOTs will hold **Project Hearings** for public information and feedback. MPO may attend or otherwise provide support for the local government projects under review.

This section contains descriptions of public involvement tools currently used by the MPO. In order to present a more comprehensive picture of available techniques, additional tools used by other agencies are also described.

#### MPO Website

The Birmingham MPO is housed under the RPCGB website at [www.rpcgb.org](http://www.rpcgb.org) and it has proved to be an invaluable tool in the MPO's overall Public Participation Plan. The site is used as an informational/educational tool, as well as, to advertise opportunities for public involvement. The site includes basic information about the MPO process, calendar of meetings/events and contact information. Over the years, the site has been expanded to include information about specific projects undertaken by the MPO. The primary MPO documents are available for downloading from the site. Links to initiatives of the MPO are easily identified. Online meeting presentations are provided for those who cannot attend public involvement meetings.

#### Social Media

The MPO uses social media as a means of outreach. Facebook and Twitter are used to advertise meetings, events and engage the public in feedback, especially during comment periods. MindMixer is an online program allowing the public to post questions and comment on questions posted by others. Posting of up-to-date information increases timeliness of the overall outreach network.

#### MPO Database

MPO staff maintains a database of contacts representing business, civic, federal, state and local agencies and interested public. The database is used for maintaining up-to-date committee membership lists, special interest/advocacy groups and neighborhood association contacts and is the foundation of the public involvement meeting mailing list.

#### Legal Advertisements

When the MPO holds public meetings regarding draft transportation plan documents, legal ads are placed in a major newspaper and minority-based publication where available.

#### Newsletter

The RPCGB staff produces a monthly electronic newsletter (*Connections*) that is distributed to interested citizens as well as representatives of advocacy groups, elected officials, municipalities, the media, private entities and other agencies. Citizens are added to the distribution list by their own request. Each issue of the newsletter includes staff contact information, upcoming meeting schedules, the MPO website address, how to connect to social media, project highlights, and current planning project status reports. When appropriate, information regarding significant transportation issues, MPO awards, and other one-time activities are included. An important goal of the

newsletter is to inform the public of upcoming decisions to be made by the MPO to allow time to prepare meaningful comments prior to a decision being finalized.

#### Project Specific Newsletters

For individual projects and initiatives that are typically performed using consulting services, newsletters are often used to address specific project issues. These newsletters are mailed to targeted residents, businesses and property owners in the area that are expected to be impacted by a particular project or program. Information regarding upcoming project meetings, alternatives being proposed in the area, and other related project news are reported in these newsletters.

#### Direct Mailings

Direct mailings are used to announce upcoming meetings or activities or to provide information to a targeted area or group of people. Direct mailings include postcards, letters or flyers. An area may be targeted for a direct mailing because of a potential impact(s) from a project. Groups are targeted that may have an interest in a specific issue.

#### Press Releases

Formal press releases are sent to local media (newspaper, television and radio) to announce upcoming meetings and activities and to provide information on specific issues being considered by the MPO or their committees.

#### Project and Initiative Specific Websites

For individual projects that are typically performed using consulting services, project specific websites are often used. These sites are used when project information is too extensive to be included on the MPO website. Project websites can contain study area maps, meeting announcements, descriptions of potential alternatives, comment forms, user surveys and project team contact information. Links to project websites are provided on the MPO website.

#### Project Workshops / Open Houses

These public meetings are generally open and informal, with project team members interacting with the public on a one-on-one basis and/or short presentations given. Project specific meetings provide information to the public and are used to solicit public comment(s).

#### Community Outreach

During projects such as planning studies, targeted meetings are held with specific small groups that have an interest in the project.

### Speakers Bureau

The face-to-face communications available through public speaking assures the greatest opportunity to inform the public and encourage their involvement in the transportation planning process.

### Fact Sheets

Fact sheets are used to provide summary information regarding MPO policy, programs and projects. Fact sheets can be distributed at public meetings, on the MPO website, and in public places, such as libraries and community centers. Individuals and special interest groups may request fact sheets directly from the MPO office. Informational items may provide background information on an upcoming planning project or activity, or be used as general educational material.

### Notices and Flyers

Notices and flyers are used to announce meetings and events, and are distributed for display in public places. Special interest groups, homeowner associations and individuals may request flyers for distribution and display. The announcement may contain a brief description of the purpose of the meeting, the time(s) and location(s), contact information and website address where additional information can be obtained. Flyers may be used to reach a large audience that cannot be reached using direct mailings, newsletters, e-mails, etc. All meeting notices shall include a point of contact for any person requiring special arrangements related to the ADA. Notification of need shall occur no less than seven days prior to the date of the scheduled meeting so that necessary special arrangements can be made in order to facilitate participation.

### Comment Forms/Feedback/Surveys

Electronic communications are used for the public to submit ideas, help improve great ideas and ultimately determine the best ideas. Hard copy feedback/comment/survey forms are also made available. Surveys are used when very specific input from the public is desired. A survey can be used in place of comment cards to ask very specific questions. Surveys are also used to gather technical data during corridor and planning studies. Another use of surveys can be gathering information to develop community characteristic inventories, which assist the MPO in making transportation decisions that complement the values and desires of the citizens within the MPA.

### Visualization

To strengthen participation in the planning process and to aid the public in understanding proposed plans, the MPO will use techniques in a clear and easily accessible format, such as interactive maps, pictures and/or displays, to promote improved understanding of existing or proposed transportation plans and programs.



## **5.0 PUBLIC INVOLVEMENT MEETINGS**

A public involvement meeting shall be held for the draft Air Quality Conformity Determination Report, adoptions and subsequent revisions or amendments to the LRTP and the TIP. The Public Involvement Meetings are sponsored by the MPO and are conducted in a format structured to provide (1) presentation and discussion in a group setting, and (2) individual discussion with MPO representatives. The facilitator has the right to set a time limit for comments to ensure fair representation. The Transportation Citizens Committee (TCC) shall provide guidance to the MPO in the structure for the conduct of the public participation meeting. Information addressing how to become a member of the TCC shall be made available at the public meetings.

### **5.1 Meeting Guidelines**

All meeting notices will include a point of contact for any person requiring special arrangements related to the ADA. Notification of need shall occur no less than seven days prior to the date of the scheduled meeting so that necessary special arrangements can be made in order to facilitate participation.

#### **Two Weeks Prior to Meeting Date**

1. Flyers are available to members of the TCC to be distributed through their networks either through printed or electronic copy .
2. Publication shall be in a major newspaper within the MPA and by additional means and methods. Selection of the publications for paid advertising will be based on meeting subject, area impacted and Environmental Justice guidelines.
3. A media release announcing the meeting is sent to all publications.
4. Flyers are displayed in the determined meeting place location and distributed to relevant public libraries within the MPA. These flyers are to be posted in conspicuous places for easy observation by members of the community.
5. The meeting is announced on the MPO website
6. A letter requesting attendance is distributed to each member of the MPO Policy Committee, TTC and TCC.
7. Postcards are mailed to all parties in the MPO database.

#### **One Day before the Meeting**

1. The information to be distributed at the public involvement meeting shall be available to the public at least 24 hours prior to the meeting.
2. The broadcast media, television and radio stations are all notified of the meeting and requested to cover the meeting proceedings held the next day.

### **5.2 Documentation of Public Involvement Meeting**

The process used to address individual comments will include:

1. Documenting the written comments provided by those attending the public involvement meeting. Comments by the public concerning the material provided at

the public involvement meeting shall be submitted on a form or received via postal or electronic delivery within 21 calendar days of the public involvement meeting. If unable to attend the meeting, comments can be submitted online. These comments shall be summarized by the RPCGB and included in the written report. If the assistance of other parties is required in order to respond to a public comment, the parties shall be notified in writing by the RPCGB.

2. The written report for the public involvement meeting includes a record of outreach, a record of attendance, a summary of material distributed and displayed at the public involvement meeting, a summary of comments, and the number of persons submitting comments or questions. A draft written report for the public involvement meeting shall then be provided to the TCC following the close of the comment period followed by a presentation to the Transportation Technical Committee and the Advisory Committee.
3. A final written report for the public involvement meeting and the recommendations of the Advisory Committee will be submitted to the Policy Committee. Adoption of the final plan shall be by official action recorded in the minutes of the meeting.
4. The final written report shall also be available to the public by the RPCGB. All reports will be posted on the MPO website.

## **6.0 REVISIONS TO PUBLIC PARTICIPATION PLAN**

A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the Federal Highway Administration (FHWA) and the Federal Transit Administration for informational purposes and shall be posted on the MPO website to the maximum extent practicable.





**Appendix A**  
**MPO Organizational Structure**



## **Policy Committee**

The Policy Committee serves as the forum for cooperative transportation decision-making and establishes transportation related policies in support of the area's overall goals and objectives. The Policy Committee reviews and approves all MPO programs and studies. The committee is entrusted with ensuring that the MPO transportation projects are current and prioritizes transportation projects recommended in the planning process. The committee consists of the following voting members.

- A. District 1 is composed of the City of Birmingham, with nine (9) voting members of which at least four (4) representatives shall be elected officials, with representatives to be selected by the Mayor.
- B. District 2 is composed of Unincorporated Jefferson County with five (5) voting members of which at least two (2) shall be elected officials and one shall be the Director of Roads and Transportation, with representatives to be selected by the Jefferson County Commissioner of Roads and Transportation.
- C. District 3 is composed of all other municipalities within Jefferson County with thirteen (13) voting members of which at least nine (9) shall be elected officials, with representatives to be selected by the Jefferson County Mayor's Association
- D. District 4 is composed of the City of Hoover within Jefferson County, with two (2) voting members to be selected by the Mayor.
- E. District 5 is composed of incorporated and unincorporated areas in Shelby County with eight (8) voting members. Six (6) representatives to be selected by the Shelby County Commission, one of which must be the county engineer, and one (1) each from the two most populous municipalities selected by their respective Mayors.
- F. District 6 is composed of two (2) representatives from St. Clair County to be selected by the St. Clair County Commission.
- G. District 7 is composed of one (1) representative from Blount County to be selected by the Blount County Commission.
- H. One representative from the 1<sup>st</sup> Division State of Alabama, Department of Transportation to be selected by the Division Engineer.
- I. One representative from the 3<sup>rd</sup> Division State of Alabama, Department of Transportation to be selected by the Division Engineer.
- J. One representative from the Birmingham Jefferson County Transit Authority to be selected by the Board Chairman.
- K. One representative from Blount County Public Transportation, to be selected by the Blount County Commission.
- L. One representative from St. Clair County Public Transportation, to be selected by the St. Clair County Commission.

Representatives from the Permanent Joint Legislative Committee, the Alabama Department of Transportation Bureau of Transportation Planning and Modal Programs, and the Federal Highway Administration will be deemed permanent and ongoing

nonvoting members. The committee may add nonvoting members as it deems appropriate.

The committee meetings are scheduled for the second Wednesday of each month, 1:30 – 2:30 pm. Meetings are cancelled if it is determined that there are not any action items to bring before this committee. For current information visit [www.rpcgb.org/transportation/mpo/](http://www.rpcgb.org/transportation/mpo/).

The Policy Committee is advised by three committees:

#### **Transportation Citizens Committee**

Membership shall be geographically representative of the metropolitan planning area based upon the amount of population. Representation shall be apportioned by district according to the population of the decennial census. The following are the designated districts according to the 2010 Census:

- A. City of Birmingham 12 members
- B. South/southeast Jeff. Co. 8 members
- C. West/southwest Jeff. Co. 7 members
- D. East/northeast Jeff. Co. 5 members
- E. North/northwest Jeff. Co. 4 members
- F. Shelby County 11 members
- G. South Blount County 1 member
- H. West St. Clair County 2 members

This Committee makes recommendations to the Advisory Committee regarding the documents and materials necessary for recommendations to the Policy Committee. They make recommendations to the Policy Committee regarding the elements of the urban transportation planning process necessary to meet the requirements for certification. They assist the RPCGB, where possible, in the development of specific program solutions to area wide needs as identified through community research and public meetings. They coordinate transportation planning activities related to public transit with the transit providers and transit committees.

The committee meeting is held the third Wednesday of the month at 12:00 p.m., when necessary to act on items requiring adoption by the Policy Committee. For current information visit [www.rpcgb.org/transportation/mpo/](http://www.rpcgb.org/transportation/mpo/).

#### **Transportation Technical Committee**

The Committee is composed of the following:

By Organization

- A. Birmingham-Jefferson County Transit Authority Representative
- B. City of Birmingham  
Chief Planner Representative  
Birmingham Traffic Engineer Representative
- C. Jefferson County

- Department of Roads and Transportation County Representative
- D. Alabama Department of Transportation
  - Metropolitan Transportation Planning Administration Representative
  - Preconstruction Engineer Representative, 3<sup>rd</sup> Division
  - Environmental Coordinator (Design Bureau) Representative, Montgomery
  - Maintenance Representative, 3<sup>rd</sup> Division
  - Preconstruction Engineer Representative, 1<sup>st</sup> Division
- E. Shelby County
  - Shelby County Highway Department Representative
  - Shelby County Development Services Representative
- F. Jefferson County Department of Health Representative
- G. Railroad Representative
- H. Trucking Representative
- I. Bicycle/Pedestrian Representative
- J. City of Homewood Representative
- K. City of Hoover Representative
- L. City of Vestavia Hills Representative
- M. City of Alabaster Representative
- N. University of Alabama at Birmingham
  - Campus Planning Representative
  - Parking and Transportation Services Representative
- O. CLASTRAN Representative
- P. Traffic Safety Representative
- Q. REV Birmingham Representative
- R. Blount County Engineer Representative
- S. St. Clair County Engineer Representative

#### At-Large Membership

- A. Technical and Professional personnel who are not members by organization are eligible for At-Large membership.
- B. There is a maximum of 20 At-Large members.

#### Non-Voting Members

- A. Federal Highway Administration Representative
- B. Federal Transit Administration Representative
- C. Alabama Department of Environmental Management Air Division Chief Representative
- D. Birmingham Business Alliance Representative

This committee makes recommendations to the Advisory Committee regarding the documents and materials necessary for the Policy Committee endorsements and recommendations to the Policy Committee regarding the elements of the metropolitan

planning process necessary to meet the requirements for certification. It assists the RPCGB, where possible, in the development of specific program solutions to area wide needs as identified through community research and public meetings.

The committee meeting is held the fourth Wednesday of each month, 10:00 – 11:00 a.m. when necessary to act on items requiring adoption by the Policy Committee. For current information visit [www.rpcgb.org/transportation/mpo/](http://www.rpcgb.org/transportation/mpo/)

### **Advisory Committee**

All members of the Advisory Committee must be voting members of the Policy Committee. The following are voting members of the Advisory Committee:

- A. Three (3) representatives from District number 1, City of Birmingham, to be selected by the Mayor.
- B. Three (3) representatives from District number 2, unincorporated Jefferson County, to be selected by the Jefferson County Commissioner of Roads and Transportation, one of which must be the Director of Roads and Transportation.
- C. Three (3) representatives from District number 3, Jefferson County Municipalities, to be selected by the Jefferson County Mayor's Association.
- D. One (1) representative from District number 4, City of Hoover to be selected by the Mayor.
- E. Three (3) representatives from District number 5, Shelby County municipalities and unincorporated area, to be selected by the Shelby County Commission, one of which must be the county engineer.
- F. One (1) representative from District number 6, St. Clair County, to be selected by the St. Clair County Commission.
- G. One (1) representative from District number 7, Blount County, to be selected by the Blount County Commission.
- H. One (1) representative from the 1<sup>st</sup> Division, State of Alabama Department of Transportation to be selected by the Division Engineer.
- I. One (1) representative from the 3<sup>rd</sup> Division, State of Alabama Department of Transportation to be selected by the Division Engineer.
- J. One representative from the Birmingham-Jefferson County Transit Authority, to be selected by the Board Chairman.
- K. One representative from St. Clair County Public Transportation, to be selected by the St. Clair County Commission.
- L. One representative from Blount County Public Transportation, to be selected by the Blount County Commission.

The purpose of the Advisory Committee is to provide recommendations to the Policy Committee related to the Policy Committee responsibilities. These responsibilities are those identified in the Agreement Concerning a Transportation Planning Process for the Birmingham Urbanized Area, of which the MPO and the Alabama Department of Transportation are signatories. The Advisory Committee shall conduct activities that

result in an action by the Policy Committee concerning any of these legal responsibilities. It may also, at times, confer with the RPCGB Board of Directors.

The Advisory Committee meeting is held the fourth Thursday of each month, 1:30 – 2:30 p.m., when necessary to act on items requiring adoption by the Policy Committee. For current information visit [www.rpcgb.org/transportation/mpo/](http://www.rpcgb.org/transportation/mpo/)





**Appendix B**  
**Transportation Terms and Acronyms**



**ADA - Americans with Disabilities Act of 1990:** Federal law that requires public facilities (including transportation services) to be accessible to persons with disabilities. An individual having a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities.

**ADT - Average Daily Traffic:** The number of vehicles passing a fixed point in a day, averaged over a number of days. The number of count days included in the average varies with the intended use of data.

**ALDOT –Alabama Department of Transportation:** the funding and implementing agency of transportation projects within the state. The Bureau of Transportation Planning and Modal Programs within the Department has MPO program funding oversight, often applied in combination with local funding, for transportation projects across the state.

**BJCTA –Birmingham Jefferson County Transit Authority:** The public transit agency serving the City of Birmingham and Jefferson County

**BRT – Bus Rapid Transit:** A high speed bus system operated within an exclusive right-of-way. BRT incorporates exclusive transit ways, modern stations, on-board fare collection, high-tech vehicles and frequent service. BRT systems can be built incrementally and designed for vehicles - rather than people to transfer from local bus routes to high speed lines.

**CAA - Clean Air Act, 42 USC 7401:** 1990 amendments to the federal Clean Air Act which classify non-attainment areas and provide for rules dealing with air pollution in such areas; specifically brought transportation decisions into the context of air quality control.

**CMAQ - Congestion Mitigation and Air Quality Improvement Program:** A categorical funding program created under ISTEA, continued under SAFETEA-LU and renewed under MAP-21 which directs funding to projects that contribute to meeting national air quality standards for ozone and carbon monoxide in non-attainment areas.

**CMP - Congestion Management Process (previously known as Congestion Management System):** Addresses congestion management through the metropolitan planning process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities and shall include methods to monitor and evaluate the performance of the multi-modal transportation system, identify causes of congestion, identify and evaluate alternative actions, provide information supporting the implementation of actions, and evaluate the efficiency and effectiveness of implementation actions.

**CN – Construction (phase of a project):** The phase of a project after the preliminary environmental and engineering work is completed, where the project is being built and the improvements are prepared for implementation.

**DOT - Department of Transportation:** Agency responsible for transportation at the local, state, or federal level.

**EA – Environmental Assessment (phase of project)** Determine the significance of the environmental effects and to look at alternative means to achieve the agency’s objectives.

**EIA – Environmental Impact Assessment:** The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made. The purpose of the assessment is to ensure that decision-makers consider environmental impacts before deciding whether to proceed with new projects.

**EIS - Environmental Impact Statement:** A National Environmental Policy Act (NEPA) document that explains the purpose and need for a project, presents project alternatives, analyzes the likely impact of each, explains the choice of a preferred alternative, and finally details measures to be taken in order to mitigate the impacts of the preferred alternative.

**EJ - Environmental Justice:** Derived from Title VI of the Civil Rights Act of 1964, and established by Executive Order, EJ requires federally funded plans and programs to assess their impact, either positive or negative, on traditionally underserved (e.g., low-income, minority, etc.) communities or segments of the population. The goal of EJ is to ensure public involvement of low income and minority groups in decision making to prevent disproportionately high and adverse impacts on low income and minority groups, and to ensure that these groups receive equal benefits from transportation improvements.

**EPA – U.S. Environmental Protection Agency:** An agency of the federal government of the United States charged with protecting human health and with safeguarding the natural environment: air, water, and land.

**FHWA - Federal Highway Administration:** Division of the U.S. Department of Transportation responsible for administering federal highway transportation programs under title 23 U.S.C.

**Financial Constraint:** A requirement that all projects must have complete funding, that the cost of each project is available or is reasonably expected to be available and that is clearly demonstrated in the appropriate long range financially constrained side or in the fully funded TIP.

**FTA - Federal Transit Administration:** Federal entity responsible for transit planning and programs under title 49 U.S.C.

**FY - Fiscal Year:** A federal fiscal or budget year; runs from October 1 through September 30 for the MPO and the federal government.

**GIS – Geographic Information System:** A system for capturing, storing, analyzing and managing data which is spatially referenced to the earth. GIS is a tool that allows users to create interactive queries (user created searches), analyze the spatial information, edit data, maps, and present the results of all these operations.

**HOV - High Occupancy Vehicle:** In Alabama, vehicles carrying two (2) or more people receive this designation and may travel on freeways, expressways and other large volume roads in lanes designated for high occupancy vehicles. Motorcycles are also authorized to use these lanes.

**IM – Interstate Maintenance:** A funding category created by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the IM authorizes funding for activities that include the reconstruction of bridges, interchanges, and over crossings along existing Interstate routes, including the acquisition of right-of-way where necessary, but shall not include the construction of new travel lanes other than high occupancy vehicle lanes or auxiliary lanes.

**ISTEA - Intermodal Surface Transportation Efficiency Act of 1991:** Replaced first by TEA-21 then SAFETEA-LU and currently MAP-21

**ITS - Intelligent Transportation System:** Use of computer and communications technology to facilitate the flow of information between travelers and system operators to improve mobility and transportation productivity, enhance safety, maximize the use of existing transportation facilities, conserve energy resources and reduce adverse environmental effects; includes concepts such as “freeway management systems,” “automated fare collection” and “transit information kiosks.”

**Intergovernmental Agreement:** Legal instrument describing tasks to be accomplished and/or funds to be paid between government agencies.

**LRT – Light Rail Transit:** a particular class of urban and suburban passenger railway that utilizes equipment and infrastructure that is typically less massive than that used for rapid transit systems, with modern light rail vehicles usually running along the system.

**L RTP/RTP– Long-Range Transportation Plan/Regional Transportation Plan:** A document resulting from regional or statewide collaboration and consensus on a region or state's transportation system, and serving as the defining vision for the region's or state's transportation systems and services. In metropolitan areas, the plan indicates all of the transportation improvements scheduled for funding over the next 20 years. It is fiscally constrained, i.e., a given program or project can reasonably expect to receive funding within the time allotted for its implementation.

**MAP-21 – Moving Ahead for Progress in the 21<sup>st</sup> Century:** Is the most recent transportation legislation, signed into law by President Obama in July of 2012.

**MPA – Metropolitan Planning Area:** Metropolitan Planning Organizations are required to define the urbanized area and the area expected to be urbanized by the forecast year of the long-range transportation plan in their study area based upon the most recent decennial U.S. Census

**MPO - Metropolitan Planning Organization:** The forum for cooperative transportation decision-making; required for urbanized areas with populations over 50,000.

**NAAQS - National Ambient Air Quality Standards:** Standards established by the United States Environmental Protection Agency under authority of the Clean Air Act (42 U.S.C. 7401 et seq.) that apply for outdoor air throughout the country.

**NEPA – National Environmental Policy Act of 1969:** Passed in 1970, NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

**NHS - National Highway System:** Specific major roads to be designated September 30, 1995; the NHS will consist of 155,000 (plus or minus 15%) miles of road and represents one category of roads eligible for federal funds under ISTEA.

**NOx – Nitrous Oxide:** The third largest greenhouse gas, nitrous oxide attacks ozone in the stratosphere, aggravating the excess amount of UV light striking the earth's surface. Also, combines with VOCs to create ground-level ozone.

**Obligated Funds:** Funds that have been legally authorized and committed by a federal agency to pay for the federal share of the project cost.

**Officials:** People who have governmental decision-making, planning or administrative responsibilities that relate to MPO activities.

**Ozone:** Ground level or "bad" ozone is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOC) in the presence of sunlight. Emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents are some of the major sources of NOx and VOC.

**PE – Preliminary Engineering (phase of project):** A process to begin developing the design of the facilities and system, to analyze the function and operation of the system, evaluation of cost efficiencies and preparation for the final design of the project.

**PM<sub>2.5</sub>:** - particulate matter smaller than 2.5 microns in diameter

**ROW - Right-of-Way:** Real property that is used for transportation purposes; defines the extent of the corridor that can be used for the road and associated drainage.

**RTDM - Regional Travel Demand Model:** A tool for forecasting impacts of urban developments on travel patterns, as well as testing various transportation alternative solutions to traffic patterns. The travel patterns are determined from U. S. Census results and in simple terms tell where residents live and where they go to work or school on a regional wide basis.

**SAFETEA-LU - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users:** Legislation enacted August 10, 2005, as Public Law 109-59. SAFETEA-LU authorizes the federal surface transportation programs for highways, highway safety, and transit superseded by MAP-21, July 2012.

**SIP – State Implementation Plan (for air quality):** The regulations and other materials for meeting clean air standards and associated Clean Air Act requirements. The SIP is prepared by the Alabama Department of Environmental Management (ADEM). Pollutant budgets for the SIP are used by MPOs to estimate various pollution levels.

**SR – State Route:** A roadway owned, financed and maintained by a state.

**STA – State gas tax fund:** Also called motor fuel excise tax, this is a tax charged by the gallon and collected as consumers pay at the pump. The tax goes primarily towards basic operating costs, highway maintenance contracts, resurfacing, bridges, major reconstruction, new construction, consultant contracts, right-of-way purchases, and to match federal funds.

**STIP - State Transportation Improvement Program:** The ALDOT Five Year Work Program as prescribed by federal law.

**STP – Surface Transportation Program (L-STP or U-STP):** A program funded by the National Highway Trust Fund. **L-STP** provides funding to areas of 5,000 to 50,000 in population for improvements on routes functionally classified as urban collectors or higher. **U-STP** provides funding to census designated urbanized areas over 50,000 in population (e.g. MPO areas based on US Census) for improvements on functionally classified routes.

**TAP – Transportation Alternatives Program:** A new program established under MAP-21 to provide for a variety of alternative transportation projects, including many activities that were previously eligible under separately funded programs.

**TDM – Transportation Demand Management:** A method of planning for and implementing transportation improvement in a manner that reduces traffic congestion and pollution by influencing changes in travel behavior.

**TEA-21 - Transportation Equity Act for the 21st Century:** Federal legislation that authorized funds for all modes of transportation and guidelines on the use of those funds. Successor to ISTEA, the landmark legislation clarified the role of the MPOs in the local priority setting process. TEA-21 emphasized increased public involvement, simplicity, flexibility, fairness, and higher funding levels for transportation.

**TIP - Transportation Improvement Program:** A funded priority list of transportation projects developed by a metropolitan planning organization that is to be carried out within the four (4) year period following its adoption; must include documentation of federal and state funding sources for each project and be consistent with adopted MPO long range transportation plans and local government comprehensive plans.

**TMA - Transportation Management Area:** An area designated by the U.S. Department of Transportation given to all urbanized areas with a population over 200,000 (or other area when requested by the governor and MPO); these areas must comply with special transportation planning requirements regarding congestion management systems, project selection and certification requirements.

**TSM - Transportation Systems Management:** Strategies to improve the efficiency of the transportation system through operational improvements, such as the use of bus reserved lanes, signalization, access management, turn restrictions, etc., on roads classified as urban collectors or higher.

**TTC – Transportation Technical Committee:** A standing committee of most metropolitan planning organizations (MPOs); function is to provide advice on plans or actions of the MPO from planners, engineers and other staff members (not general citizens).

**UPWP - Unified Planning Work Program:** Developed by Metropolitan Planning Organizations (MPOs); identifies and determines the estimated funding for carrying out the activities using allocated funds. All transportation and planning activities anticipated within the next one to two years, including a schedule for the completion of the identified tasks and activities.

**VMT - Vehicle Miles Traveled:** This is an output of the travel demand model and is a measure of traffic flow over a highway segment.



**VOC – Volatile Organic Compounds:** Organic chemical compounds that have high enough vapor pressures under normal conditions to significantly vaporize and enter the atmosphere. Included among these compounds are dry-cleaning solvents and some constituents of petroleum fuels.

## **Appendix C**

### **Livability Indicators**



**1. Provide more transportation choices.**

Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.

Performance Indicator: **Mode Share**

**Average Daily Work Trips by Travel Mode**

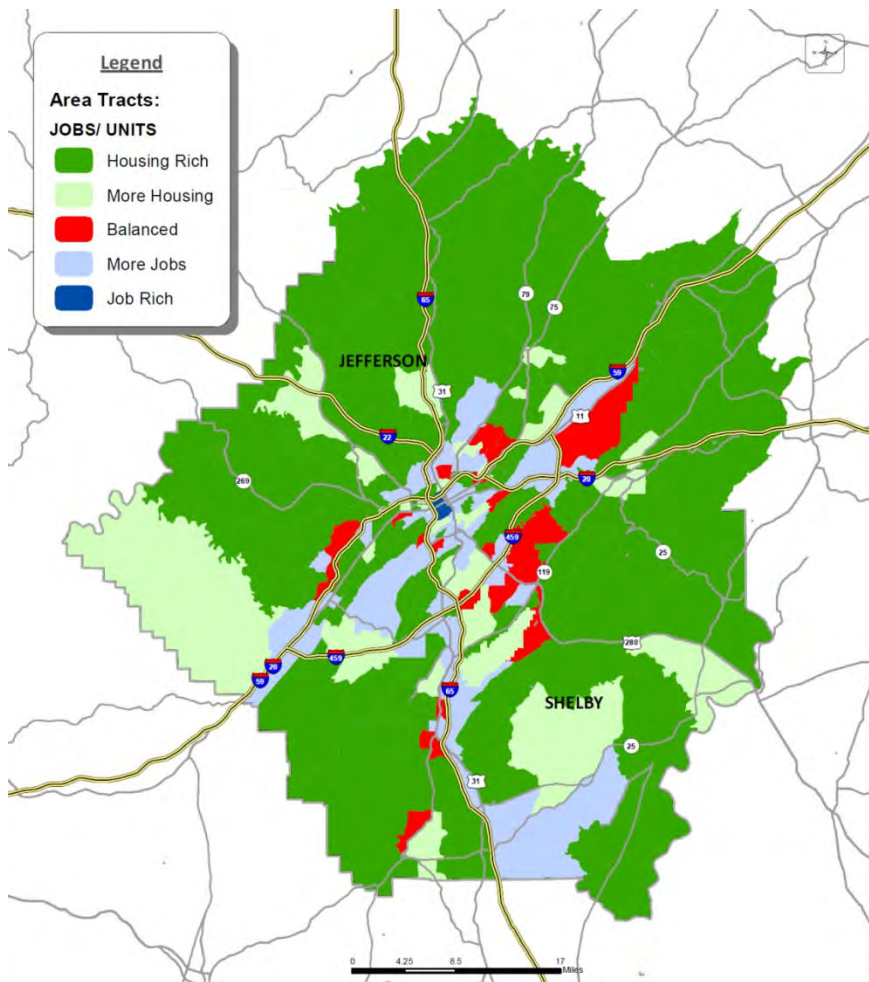
	Drive Alone	Carpool/Vanpool	Transit	Active Transportation		Other	Total
				Bicycle	Walk		
<b>Total Trips</b>	368,524	44,865	3,062	5,112		13,397	437,530
<b>% of Total</b>	84.2	10.3	0.7	1.2		3.6	100

Census: 2009-2011 3-years average for Jefferson, Shelby, St. Clair, and Blount Counties

**2. Promote equitable, affordable housing.**

Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility and lower the combined cost of housing and transportation.

Performance Indicator: **Jobs/Housing Balance**



**3. Enhance economic competitiveness.**

Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.

**Performance Indicator: Travel Time Index**

<b>Congested Lane Miles, Daily</b>	<b>AM</b>	<b>% for AM</b>	<b>PM</b>	<b>% for PM</b>
Interstates	150.6	18	129.5	16
Arterials	82.5	11	94.7	13

Source: based on Travel Time Index, Regional Planning Commission of Greater Birmingham's congestion management process 2012 report for Jefferson and Shelby Counties

**4. Support existing communities.**

Target federal funding toward existing communities—through strategies like transit-oriented, mixed-use development and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.

**Performance Indicator: Crash/Incident Rates by Travel Mode**

Total Crash Rate (per 100,000) (All Modes)	Total Fatal Crash Rate (per 100,000)* (All Modes)	Peds/bike related crash fatality rate (per 100,000)
<b>2,882</b>	<b>16</b>	<b>6</b>

\*total number of fatalities is 161

**5. Coordinate and leverage federal policies and investment.**

Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.

**Performance Indicator: Project Funding Diversity**

Total Projects in TIP (Inclusive of All Phases)	<b>137</b>
Project with More than 2 Funding Sources	<b>60</b>
Percent of Total	<b>43.8%</b>

**6. Value communities and neighborhoods.**

Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.

**Performance Indicator: Partnerships and Public Involvement**

Number of Partnerships and Documented PI Activities

<b>Public Involvement Activity Type</b>	<b>Public Involvement Activity</b>	<b>Total Activity</b>
<b>MPO Committee and Policy Board Meetings</b>	Transportation Citizens Committee Transportation Technical Committee Transportation Advisory Committee Transportation Policy Committee	<b>20 Meetings</b>
<b>Capacity Buildings</b> Technical Training Workshops	<ul style="list-style-type: none"> <li>• Complete Streets</li> <li>• Bike Safety Workshop</li> </ul>	<b>2 Workshops</b>
Public Education	<ul style="list-style-type: none"> <li>• MPO 101 Training</li> <li>• RPCGB Annual Meeting</li> <li>• Brown Bag Series</li> <li>• Popup Avondale</li> <li>• Popup Bessemer</li> </ul>	<b>7 Activities</b>
<b>Project Related Public Meetings</b>	<ul style="list-style-type: none"> <li>• Homewood Stakeholder meeting/public meetings</li> <li>• Vestavia US 11 stakeholder meeting/public meetings</li> <li>• US 11 Southwest Corridor meetings</li> <li>• US 11 Southeast Corridor meetings</li> <li>• Titusville Neighborhood meetings</li> <li>• Gardendale meetings</li> <li>• Center Point meetings</li> <li>• Thomas Neighborhood</li> <li>• Montevallo ATP</li> <li>• Helena APPLE Meetings</li> </ul>	<b>28 Meetings</b>
<b>Webpages and Web Presence</b>	<ul style="list-style-type: none"> <li>• Think Forwards 2040</li> <li>• MindMixer Online Discussion Forum</li> <li>• US 31 Vestavia Hills Video</li> <li>• West Homewood FBC Video</li> <li>• Helena APPLE Webpage/Survey</li> <li>• Popup Webpage</li> <li>• Brown Bag Presentations (4 posted to web)</li> <li>• MPO 101 Presentations (5 presentations)</li> </ul>	<b>15</b>
<b>General Community Outreach</b>	Alabama Partners for Clean Air (APCA) community events	<b>12</b>
<b>Total Activities</b>		<b>84</b>



**Appendix D**  
**Limited English Proficiency (LEP) Plan**





# LIMITED ENGLISH PROFICIENCY (LEP) PLAN

## ***I. INTRODUCTION***

This Limited English Proficiency Plan has been prepared to address the Birmingham Metropolitan Planning Organization's (MPO) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. A Limited English Proficiency (LEP) person is one who does not speak English as their primary language and has a limited ability to read, speak, write or understand English.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," directs each Federal agency to examine the services it provides, develops and implements a system by which LEP persons can meaningfully access those services. This order applies to all state and local agencies which receive federal funds, including all programs administered by the MPO.

## ***II. PLAN SUMMARY***

In order to ensure meaningful access to programs and activities, the MPO used the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO.
2. The frequency with which LEP persons come into contact with the programs.
3. The nature and importance of the program, activity or service provided by the MPO to the LEP population
4. The resources available to the MPO for outreach, as well as the costs associated with that outreach.

A summary of the results of the four factor analysis is in the following section.

**III. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS**

**Factor 1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO

The Birmingham MPO, consisting of Jefferson and Shelby counties as well as portions of western St. Clair and southern Blount counties, utilized published data from the U.S. Census 2006-2010 American Community Survey (ACS) to provide estimates of the residential population with limited English proficiency (LEP). Based on the ACS data, there are an estimated 849,151 persons age five and older within the service area. Of this group, 799,553 (94%) speak only English. The four most common other languages spoken at home are Spanish (4%), Chinese (0.3%), French (0.2%), and Hindi (0.2%). The following table provides the estimates for each of these language groups and the estimates of those who speak English less than very well. Based on the estimates of all non-English speaking residents, a total of 5.8% of residents speak a language other than English while 2.8% are estimated as having limited English proficiency.

Language Spoken at Home	Estimated Total	Estimated Number Who Speak English Less Than Very Well	Estimated Percent Who Speak English Less Than Very Well
Spanish	30,811	17,783	2.1%
Chinese	2,642	1,278	0.2%
French	1,960	300	0.0%
Hindi	1,729	129	0.0%

*Source: US Census, ACS 06-10*

*\* Aggregate census tracts*

**Factor 2:** The frequency with which LEP persons come into contact with the programs

The MPO staff reviewed the frequency with which the MPO staff have or could have contact with LEP persons. The staff are most likely to encounter LEP individuals through office visits, phone conversations, public involvement meetings and committee meetings. To date, the MPO has had no requests for interpreters and no requests for translated program documents.

Future interaction is unpredictable.

**Factor 3:** The nature and importance of the program, activity or service provided by the MPO to the LEP population

The MPO is responsible for the coordination of a planning process and determines in cooperation with ALDOT what transportation projects are funded with available resources. There is no large geographic concentration of any type of LEP individuals in the planning area for the MPO. The overwhelming majority of the population, 94%, speak only English.

**Factor 4:** The resources available to the MPO for outreach, as well as the costs associated with that outreach.

The MPO reviewed its available resources that could be used for providing LEP assistance and which of its documents would be most valuable to be translated if the need should arise. In addition, the MPO staff took an inventory of available organizations that could be partnered with for outreach and translation efforts. The MPO does have staff who speak Turkish, Farsi, Portuguese, Spanish, German and Chinese. Hola Latino can be tapped for assistance when necessary and the budget allows.

#### ***IV. LANGUAGE ASSISTANCE MEASURES***

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to participation within the transportation planning process. Language assistance can include interpretations, which means oral or spoken transfer of a message from one language into another language. The MPO will determine when interpretation and/or translation are needed and will pay for services as the budget allows.

The following steps will be used by the MPO staff to identify an LEP person who needs language assistance:

- Examine records to see if requests for language assistance have been received in the past either at meetings, over the phone, to determine whether language assistance might be needed at future events.
- Have U.S. Census Language Identification Flashcards available at meetings to assist in self-identifying as persons not proficient in English who may not be able to be accommodated with translation assistance at the event, but it will assist in identifying language assistance needs for future meetings.
- All MPO staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.

Although there is a very low percentage in the MPO planning area of LEP individuals, that is, persons who speak English “not well” or “not at all,” the MPO will strive to offer the following measures:

- RPCGB staff can be utilized for interpretative services under German, Spanish, Turkish, Farsi, Portuguese and Chinese.
- A list of volunteers and paid interpreters will be produced and provided as budget allows.
- Use of free translation websites will be used when possible or work with local translators as budget allows.
- Use of local outreach organizations
- Use of University of Alabama at Birmingham (UAB) resources

#### **V. NOTICES TO LIMITED ENGLISH PROFICIENCY PERSONS**

- Post notice of LEP plan and availability of interpretation or translation services on in the most common language website as the budget allows.
- Post a sign in the reception area in the most common language

#### **VI. MONITORING**

**Monitoring and Updating the LEP Plan-** The MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed when it is clear that higher concentrations of LEP individuals are present in the MPO planning area. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of the LEP persons have been addressed
- Determination of the current LEP population in the planning area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether the MPO financial resources are sufficient to fund language assistance resources needed
- Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals

#### **VII. STAFF TRAINING**

The following training will be provide to MPO staff:

- Information on the LEP responsibilities
- Description of language assistance services offered to the public
- Use of the Language Identification Flashcards
- Documentation of language assistance requests
- How to handle a potential Title VI/LEP complaint

**VIII. *DISSEMINATION OF MPO LEP PLAN***

The MPO will post signs in the reception area of office notifying LEP persons of the LEP Plan and how to access language services.