



MEMORANDUM

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM: Matt Ransom, Executive Director 
DATE: February 23, 2016
SUBJECT: **Public Participation Plan Update and RTC Tribal Consultation Policy**

AT A GLANCE – DISCUSSION

The purpose of this memorandum is to provide background information on several of RTC’s regional planning documents at the outset of a review and update process. These documents are RTC’s Public Participation Plan, Title VI Plan and Limited English Proficiency Plan. Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Organizations (RTPOs) are also being encouraged by the Federal Highway Administration, the Federal Transit Administration and Washington State Department of Transportation to establish a Tribal Consultation Policy.

BACKGROUND

Over the next few months, RTC will be reviewing and updating several plans that help to document how the regional transportation planning process is carried out. These include the Public Participation Plan, Title VI and Limited English Proficiency Plans. In addition, RTC will be working to establish a Tribal Consultation Policy. At the February RTC Board meeting, RTC staff will provide basic background information on these plans and policies and seek input from the Board at the outset of the update process.

PUBLIC PARTICIPATION PLAN

Public participation is an important part of the regional transportation decision-making process carried out by RTC. RTC’s Public Participation Plan outlines a broad range of opportunities allowing the public and stakeholders to participate in the region’s transportation planning process. In the Plan, RTC commits to publish, or make available for public view, Regional Transportation Plans and Transportation Improvement Programs, and to hold public meetings at convenient and accessible times and locations. RTC also commits to use maps, charts, graphics and website information in order to help explain the metropolitan transportation planning process and to make metropolitan transportation planning information available to the public.

The latest update to RTC’s Public Participation Plan was adopted by RTC Board Resolution 01-14-01 on January 7, 2014. RTC is looking to make minor modifications to the Public Participation Plan in a 2016 update. RTC and C-TRAN have already identified a change that will need to be made to RTC’s Public Participation Plan. The 2016 update to RTC’s PPP will include a description of how C-TRAN relies on RTC’s Public Participation Process to satisfy federal requirements relating to C-TRAN’s Program of Projects (POP). RTC already acknowledges this reliance in media releases prominently displayed on RTC’s website as well as

in advertised public notices for RTC's Transportation Improvement Program but to fully comply with federal requirements, this reliance needs to be described within RTC's Public Participation Plan. The 2016 PPP update will rectify this oversight and will enhance the public's awareness of C-TRAN's reliance on RTC's Public Participation Process to satisfy the Program of Projects requirements. Before adoption of any updates to the Public Participation Plan, there must be a minimum 45-day public comment period.

TITLE VI PLAN

RTC operates its programs without regard to race, color, national origin, religion, sex, sexual orientation, marital status, age or disability in accordance with applicable laws, including Title VI of the Civil Rights Act of 1964 and RCW 49.60. RTC's Title VI Plan is available on RTC's website. The Plan includes a Title VI policy statement and program responsibilities for communications and public involvement, planning and programming, consultant contracting, and education and training. The Title VI Plan was last updated in May 2014 but will be reviewed for currency and possible update in 2016.

LIMITED ENGLISH PROFICIENCY

RTC also has a Limited English Proficiency Plan available on RTC's website. Within the LEP Plan, RTC describes how the agency is committed to engaging and involving all residents of Southwest Washington, including those with LEP. The Plan outlines: how persons who may need language assistance are identified; the ways in which assistance is provided; staff training required; and how LEP persons are notified of available assistance. The current LEP Plan was adopted in May 2014 and again will be reviewed in 2016 for currency and possible update.

TRIBAL CONSULTATION POLICY

In 2016, RTC will be refining its tribal consultation policy by reaching out to Tribes with interest in the region to ask how they wish to be consulted and how they might want to work with RTC on transportation planning issues in the future.

Currently, RTC addresses tribal government consultation in a short section on page 32 of RTC's Public Participation Plan (January 2014). RTC provides RTAC and Board meeting packets to the Cowlitz Tribe and has worked with the Cowlitz over the years particularly on Human Services Transportation Planning issues. The Yakama Nation also has reservation lands within the region covered by RTC but a larger part of its lands are within the region covered by Yakima Valley Council of Governments so tends to work with YVCOG on transportation plans and projects. RTC outreaches to a larger number of tribes in development of the Regional Transportation Plan and with the RTP's SEPA review.

To aid the refinement of RTC's Tribal Consultation Policy, WSDOT has published Tribal Consultation Best Practices Guide for Metropolitan and Regional Transportation Planning Organizations in Washington State (May 2015). The best practices Guide is designed to assist MPOs and RTPOs toward establishing a tribal consultation policy. The Guide draws from best

practices currently utilized across the state. It was developed to help Tribes, MPOs and RTPOs who may not be familiar with one another's purpose or planning processes to work together. The Guide was developed by an interagency subcommittee including representatives from Tribes, MPOs, RTPOs, WSDOT, the Federal Highway Administration and the Federal Transit Administration who recognize the merit of strengthening relationships between tribes, metropolitan and regional planning organizations. The Guide notes that Tribes are interested in coordinating with other jurisdictions throughout the region on transportation because the transportation network does not stop at the reservation boundary. MPO/RTPOs should recognize Tribes as transportation system owners, major employers and many reservations include significant tourist destinations. It is important that any regional planning efforts include Tribes so the plans accurately reflect the transportation needs and priorities within any region's planning area. Tribes want to engage in regional transportation planning efforts in a way that ensures sovereignty of the Tribes will be observed and protected.

NEXT STEPS

RTC is looking to complete review and update of the Plans and consultation policy described in this Memo in advance of the quadrennial MPO Certification review of RTC by the Federal Highway Administration and Federal Transit Administration planned for fall 2016. RTC staff will draft updates to the Plans and will outreach to the Tribes in establishing a Tribal Consultation Policy and will have the Regional Transportation Advisory Committee review updated Plans before RTC Board review and prior to release for a formal public comment period.