



whatcom council of governments

Title VI Plan

Adopted January 18, 2023

Title VI Plan of the Whatcom Council of Governments January 2023 – January 2026

The Hon. Scott Korthuis, Chairman
Mayor, City of Lynden

Robert H. Wilson, AICP, Executive Director
Title VI Coordinator

314 East Champion Street
Bellingham, WA 98225
(360) 685-8389
TitleVI@wcog.org

Title VI Notice to the Public

WCOG hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, Executive Order 13166 on Limited English Proficiency, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which WCOG receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with WCOG. Any such complaint must be in writing and filed with the WCOG Title VI Coordinator within one-hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the WCOG at no cost and are available on WCOG's website.

Aviso al Público Sobre Título VI de la Ley de Derechos Civiles de 1964

Por medio de la presente, el WCOG notifica de manera pública que la política del organismo es garantizar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, el Decreto Ejecutivo 12898 sobre Justicia Ambiental, el Decreto Ejecutivo 13166 sobre el Dominio Limitado del Idioma Inglés, así como los estatutos y reglamentos relacionados en todos los programas y actividades. De acuerdo con lo estipulado en el Título VI, ningún individuo de los Estados Unidos de América deberá, con fundamento en su raza, color o nacionalidad, ser excluido de participar en, que se le nieguen los beneficios de, o ser víctima de discriminación en virtud de cualquier programa o actividad por el cual el WCOG reciba fondos federales.

Toda persona que se considere agraviada por una práctica discriminatoria e ilícita en virtud del Título VI tiene derecho a presentar una denuncia formal ante el WCOG. Cualquier denuncia de este tipo debe presentarse por escrito ante el coordinador del Título VI del WCOG dentro de un plazo de 180 días naturales a partir de la fecha de la presunta discriminación. El WCOG pone a disposición del público los formularios de denuncia del Título VI de manera gratuita en su página web.

The Notice to the Public in both English and Spanish is posted in the following places:

- All WCOG public meeting agendas
- www.wcog.org
- Whatcom Council of Governments, 314 East Champion Street, Bellingham, Washington

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Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. The Whatcom Council of Governments (WCOG) is committed to ensuring that no person is excluded from participation in the Transportation Planning Program and other programs implemented by WCOG, or is denied the benefits of its services on the basis of race, color or national origin.

Any references in this plan to the “reporting period” are for the three years leading up to the Title VI Plan update, December 2019 – January 2023. This three-year reporting period is an FTA requirement to ensure Title VI requirements are being met. The FHWA requires that Title VI reports be submitted annually. All reports, and this plan, are submitted to WSDOT, from which WCOG receives federal funds as a sub-recipient. WSDOT, as the direct recipient of federal funds from FHWA and FTA, has Title VI oversight responsibilities over WCOG as a sub-recipient.

Because WCOG receives federal funds for its Transportation Planning Program, all plans, programs and activities within the Transportation Program are subject to Title VI and its nondiscrimination requirements. Since WCOG indirectly receives funds from both FHWA and FTA, additional requirements apply to the Transportation Program than if funding was received from only one source or the other.



RESOLUTION NO. 2023-01

ADOPTING THE WHATCOM COUNCIL OF GOVERNMENTS' TITLE VI PLAN

WHEREAS, the Whatcom Council of Governments is the federally-recognized Metropolitan Planning Organization and the state-designated Regional Transportation Planning Organization for the Whatcom County, Washington, Transportation Planning Area, and

WHEREAS, the Whatcom Council of Governments is committed to ensuring that no person shall, on the grounds of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and

WHEREAS, the Whatcom Council of Governments further assures that every effort will be made to ensure non-discrimination in all of its programs and activities, whether or not those programs and activities are federally funded, and

WHEREAS, the Whatcom Council of Governments is committed to providing reasonable assistance to those with limited proficiency in English to facilitate their participation in the transportation planning process.

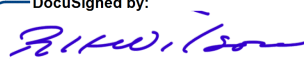
NOW, THEREFORE, IT IS RESOLVED that the Whatcom Council of Governments adopts its Title VI Plan, which shall remain in effect through January 2026, or until such time that an update is required by statute.

Adopted this Eighteenth day of January 2023, in the City of Bellingham, Washington, a quorum being present.

DocuSigned by:

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Greg Hansen, Secretary-Treasurer

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Robert H. Wilson, Executive Director

Title VI Policy Statement

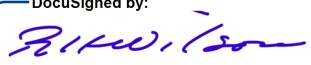
It is the policy of the Whatcom Council of Governments (WCOG) that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of WCOG as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of WCOG, including its contractors and anyone who acts on behalf of WCOG. This policy also applies to the operations of any department or agency to which WCOG extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: denial to an individual any service, financial aid, or other benefit; distinctions in the quality, quantity, or manner in which a benefit is provided; segregation or separate treatment; restriction in the enjoyment of any advantages, privileges, or other benefits provided; discrimination in any activities related to highway and infrastructure or facility built or repaired; and discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; and 28 CFR 50.3.

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January 18, 2023

Robert H. Wilson, AICP
Executive Director

Statutory Authority

Title VI of the 1964 Civil Rights Act provides 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 receiving federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Additional Citations

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; and 28 CFR 50.3.

Title VI Notice to the Public

The Whatcom Council of Governments (WCOG) hereby gives public notice that it is the agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or other activity for which WCOG receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with WCOG. Any such complaint must be in writing and filed with the WCOG Title VI Coordinator within 180 calendar days following the date of the alleged discriminatory occurrence. Title VI complaint forms may be obtained at the WCOG office and on the WCOG website at no cost to the complainant.

A Title VI complaint may be filed with any of the following offices:

Whatcom Council of Governments
Attn: Title VI Coordinator
314 East Champion Street, Bellingham, WA 98225
TitleVI@wcog.org
(360) 685-8389

Washington State Department of Transportation
Office of Equity and Civil Rights
PO Box 473, Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
(800) 259-9143

Federal Highway Administration
Office of Civil Rights
8th Floor E81-105, 1200 New Jersey Avenue, SE
Washington, DC 20590
CivilRights.FHWA@dot.gov

Federal Transit Administration
Office of Civil Rights, Attn: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE, Washington, DC 20590
FTACivilRightsCommunications@dot.gov

United States Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW Washington DC, 20530-0001
(855) 856-1247

Abbreviated Title VI Notice to the Public

The Whatcom Council of Governments fully complies with Title VI of the federal Civil Rights Act of 1964 and related statutes, and does not discriminate on the basis of race, color or national origin. To obtain a Title VI Complaint Form, visit WCOG's website using the following links:

En español: [Título VI Formulario de Denuncia por Discriminación](#)

In English: [Title VI Discrimination Complaint Form](#)

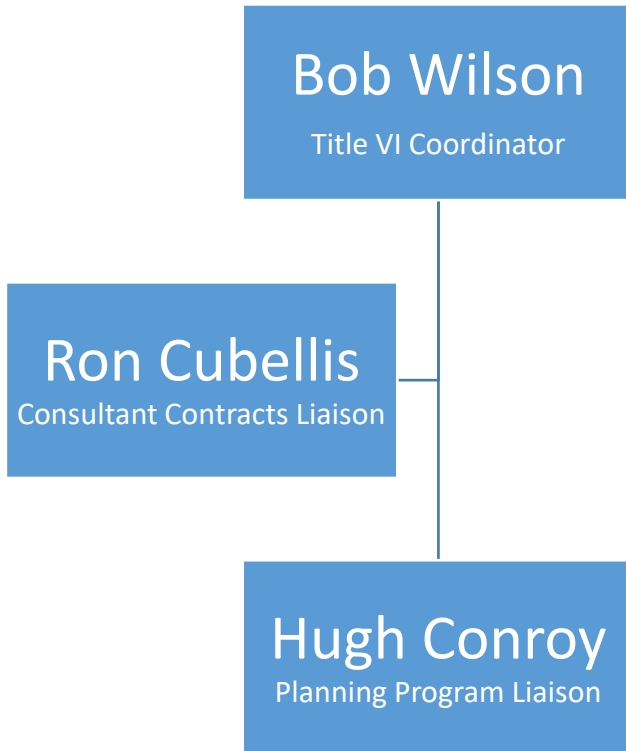
Posting Locations of WCOG's Title VI Notice to the Public

The following is a list of locations where WCOG's Title VI Notice to the Public or Abbreviated Title VI Notice to the Public is posted in English and Spanish:

- All WCOG public meeting agendas
- WCOG's website
- Lobby of WCOG offices located at 314 East Champion Street, Bellingham, WA

Title VI Coordination and Responsibilities

Title VI Organizational Chart



Title VI Coordinator

Robert H. Wilson, the Executive Director of WCOG, is the agency’s Title VI Coordinator. The Title VI Coordinator is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all WCOG employees, contractors and agents pursuant to 49 CFR Part 21.

Responsibilities of the Title VI Coordinator

WCOG’s Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Program, Title VI Plan and Title VI Assurances. The Title VI Coordinator is also responsible for the day-to-day administration of the Title VI Program with assistance from the Title VI Specialist, if necessary. WCOG’s Title VI Coordinator responsibilities are as follows:

1. Process the disposition of Title VI complaints received by WCOG. Attempt to resolve complaints at the local or regional level informally.
2. Collect statistical data (race, color and national origin) of participants in, and beneficiaries of, federally funded programs using a variety of sources, which include,

but are not limited to, Office of Financial Management, U.S. Census data and Office of Superintendent of Public Instruction.

3. Review Environmental Impact Statements prepared by WCOG for Title VI and Environmental Justice compliance.
4. Conduct Title VI reviews of all consultant contractors and recipients of federal funds directly distributed by WCOG.
5. Assist the Washington State Department of Transportation in the distribution of information on training programs for WCOG employees regarding Title VI and related statutes. Organize and facilitate the provision of Title VI training sessions for consultants, contractors and subcontractors as necessary. WSDOT's Office of Equity and Civil Rights Internal and External Civil Rights Branch and the Contract Compliance Office may be asked to provide applicable training. A summary of trainings attended and or facilitated by WCOG will be reported in the annual report.
6. Prepare the Annual Title VI Goals and Accomplishments Report. Conduct annual Title VI reviews of Special Emphasis Program Areas to determine the effectiveness of program activities at all levels as part of the annual report. The annual report will be submitted to WSDOT in November of each year and will include Title VI goals for the upcoming reporting period.
7. Review and update the Title VI Plan as needed or required. Present updated plan to WCOG Transportation Policy Board for review and approval, and submit amended plan to WSDOT upon approval.
8. Disseminate Title VI Program information to WCOG employees, contractors, and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the WCOG's Title VI Policy Statement in newspaper(s) having a general circulation, and informational brochures. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in Spanish.
9. Identify, investigate, and eliminate discrimination when found to exist in connection with any WCOG program.
10. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 calendar days.
11. Title VI compliance reviews of consultants with WCOG will be conducted prior to final payment and project closeout. The reviews will determine the contractor's compliance with Title VI contractual provisions. Reviews are to be conducted on those sub-recipients that have already received WCOG federal funds.

Allegations of Discrimination

Records of Complaints

WCOG did not receive any Title VI complaints alleging discrimination on the basis of race, color and/or national origin during the three-year reporting period, from December 2019 – January 2023. WCOG has never been involved with any Title VI investigation or Title VI lawsuit.

Complaint Forms

Title VI compliant forms are available at WCOG's office and on its website, wcog.org. The complaint form includes the complaint procedures described below. The complaint form can be accessed in English [here](#), y en español [aquí](#), and both forms follow beginning on Page 16.

Complaint Procedures

Federal law prohibits discrimination on the basis of race, color or national origin in any Whatcom Council of Governments' program, service or activity. This prohibition applies to WCOG contractors, consultants and anyone else who acts on behalf of WCOG.

Complaints related to federal-aid programs may be filed with WCOG and will be forwarded to the Washington State Department of Transportation – Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, contact Robert H. Wilson at (360) 685-8389 or bob@wcog.org.

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Whatcom Council of Governments program, service or activity because of their race, color or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact Robert H. Wilson at (360) 685-8389 or bob@wcog.org if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, contact Robert H. Wilson at (360) 685-8389 or bob@wcog.org.

Complaints should be in writing, signed, and may be filed by mail, in person or email. If a complainant phones WCOG with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature to the mailing address and/or email address provided to WCOG.

A complaint should contain the following information:

- The complainant's contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available);
- The basis of the complaint (e.g., race, color, national origin);
- The names of specific person(s) and/or agencies/organizations alleged to have discriminated;
- A description of the alleged discriminatory actions, meaning sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing;
- All Title VI complaints are logged. The Complaint Log must contain the following information for each complaint filed:
 - The name and address of the person filing the complaint;
 - The date of the complaint;
 - The basis of the complaint;
 - The disposition of the complaint; and
 - The status of the complaint.

The Complaint Log and associated complaint documentation will be retained by WCOG for a minimum of four years after the end of the calendar year in which the case is closed.

If your complaint is forwarded to another agency by WCOG, you will be provided the name and contact information of the employee handling your complaint at the other agency.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Federal agencies will render final decisions in all cases, including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once a federal agency issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with WCOG, WSDOT, the Federal Highway Administration, the Federal Transit Administration and US. Department of Justice.

WCOG will not investigate a discrimination complaint against itself. Any complaint alleging discrimination by WCOG, which is received by WCOG, will be forwarded to the WSDOT Office of Equity and Civil Rights within 10 calendar days of receipt of allegation. WCOG will forward the complaint to:

Washington State Department of Transportation
Office of Equity and Civil Rights
PO Box 47314, Olympia, WA 98504
Email: TitleVI@wsdot.wa.gov

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. A Title VI complaint may be filed with any of the following offices:

Whatcom Council of Governments
Attn: Title VI Coordinator
314 East Champion Street, Bellingham, WA 98225
TitleVI@wcog.org
(360) 685-8389

Washington State Department of Transportation
Office of Equity and Civil Rights
PO Box 473, Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
(800) 259-9143

Federal Highway Administration, Office of Civil Rights
8th Floor E81-105, 1200 New Jersey Avenue, SE
Washington, DC 20590
CivilRights.FHWA@dot.gov

Federal Transit Administration, Office of Civil Rights
Attn: Complaint Team, East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE, Washington, DC 20590
FTACivilRightsCommunications@dot.gov

United States Department of Justice, Civil Rights Division
950 Pennsylvania Avenue, NW Washington DC, 20530-0001
(855) 856-1247

Discrimination Complaint Forms in English and Spanish



OFFICE USE ONLY Date received: ____/____/20____ Logged by: _____

TITLE VI DISCRIMINATION COMPLAINT FORM

Victim(s) of alleged discrimination:		
NAME		
STREET ADDRESS		
CITY	STATE	ZIP CODE
DAYTIME TELEPHONE	E-MAIL ADDRESS	
Person alleging discrimination, if different from above:		
NAME		
STREET ADDRESS		
CITY	STATE	ZIP CODE
DAYTIME TELEPHONE	E-MAIL ADDRESS	
RELATIONSHIP TO THE PERSON(S) NAMED AS VICTIM		
WCOG staff member(s), board member(s), consultant(s) or program(s) that allegedly discriminated:		
NAME	PROGRAM	
NAME	PROGRAM	
NAME	PROGRAM	
DATE ALLEGED DISCRIMINATION BEGAN	DATE OF LAST INCIDENT	

Basis of Alleged Discrimination

A complaint must be filed within 180 calendar days of the date the complainant learned of the alleged discrimination. If your complaint is in regard to either alleged discrimination in the delivery of services or in the treatment of you (or the person(s) named as victim) by associates or programs of the Whatcom Council of Governments, please indicate below what you believe to be the basis of the alleged discrimination.

Example: If you believe that you were discriminated against because you are Native American, circle the word "Race" and write "Native American" in the space provided.

Race: _____

Color: _____

National Origin: _____

(over)

Explanation

In the space below please explain as clearly and in as much detail as possible the nature of the discrimination you are alleging (attach additional sheets if necessary). Provide the names of all witnesses, if any, to the alleged discrimination. Attach copies of all written materials pertaining to your complaint.

By signing below, I certify that the statements contained on this form are true to the best of my knowledge.

Signature

Date

Send this form and all attachments to:

Attn: Title VI Coordinator
Whatcom Council of Governments
314 East Champion Street
Bellingham, WA 98225

Documents may be sent via the U.S. Postal Service, faxed to (360) 738-6232, or scanned and e-mailed to TitleVI@wcog.org.

PARA USO DE LA OFICINA

Date received: ____/____/20____

Logged by: _____



whatcom council of governments

TÍTULO VI FORMULARIO DE DENUNCIA POR DISCRIMINACIÓN

Víctima(s) del presunto acto de discriminación:		
NOMBRE		
DOMICILIO		
CIUDAD	ESTADO	CÓDIGO POSTAL
TELÉFONO DIURNO	CORREO ELECTRÓNICO	
Persona que alega discriminación, si es diferente a la anterior:		
NOMBRE		
DOMICILIO		
CIUDAD	ESTADO	CÓDIGO POSTAL
TELÉFONO DIURNO	CORREO ELECTRÓNICO	
RELACIÓN CON LA(S) PERSONA(S) NOMBRADA(S) COMO VÍCTIMA(S)		
Miembro(s) del personal, miembro(s) del consejo, asesor(es) o programa(s) del WCOG que presuntamente discriminaron:		
NOMBRE	PROGRAMA	
NOMBRE	PROGRAMA	
NOMBRE	PROGRAMA	
FECHA EN QUE EMPEZÓ LA ALEGADA DISCRIMINACIÓN	FECHA DEL ÚLTIMO INCIDENTE	

Motivo por la presunta discriminación

Se debe presentar una denuncia dentro de los 180 días naturales a partir de la fecha en la que el demandante se ha enterado de la presunta discriminación. Si su denuncia se refiere a una presunta discriminación durante la prestación de servicios o trato hacia usted (o hacia la(s) persona(s) nombrada(s) como víctima(s)) por parte de asociados o programas del Whatcom Council of Governments (Consejo de Gobiernos de Whatcom), indique a continuación lo que cree ser el motivo de la presunta discriminación.

Ejemplo: Si usted cree que ha sido discriminado por ser nativo americano, encierre en un círculo la palabra “Raza” y escriba “nativo americano” en el espacio provisto.

Raza: _____

Color: _____

País de Origen: _____

(Véase al dorso)

Explicación

En el espacio a continuación, explique con la mayor claridad y detalle posible la naturaleza de la discriminación que usted alega (adjunte hojas adicionales si es necesario). Provea los nombres de todos los testigos, si los hay, de la presunta discriminación. Adjunte copias de todos los materiales escritos relacionados con su denuncia.

Al firmar abajo, certifico que las declaraciones contenidas en este formulario son verdaderas según mi leal saber y entender.

Firma

Fecha

Remita este formulario y todos los documentos anexos a:

Attn: Title VI Coordinator
Whatcom Council of Governments
314 East Champion Street
Bellingham, WA 98225

Los documentos pueden ser enviados a través del Servicio Postal de EE.UU. (USPS), por fax al (360) 738-6232 o por correo electrónico a TitleVI@wcog.org.

Special Emphasis Areas

Public Participation

In October 2021, WCOG's Council Board adopted the [Public Participation Plan for the Whatcom Council of Governments](#), which is attached as Addendum 3 on Page 31.

Consultant Contracts

WCOG periodically is responsible for the selection, negotiation and administration of consultant contracts. Selection is generally made by a Consultant Selection Committee, which is established for each major project. The committee is typically composed of WCOG staff members, technical staff from local areas, and staff from affected agencies.

Authorities/Guidance: WSDOT Consultant Services Procedural Manual (M 27-50); 48 CFR 31; 23 CFR 172; RCW 39.29; RCW 39.80

The responsibilities of the Title VI Coordinator and Consultant Contracts Liaison are to:

- Monitor Disadvantage Business Enterprise (DBE) program requirements and seek to actively achieve WSDOT DBE program goals.
- Ensure that all federally funded consultant contracts have the appropriate Title VI provisions included.
- Distribute the Title VI Contractor Compliance Checklist to each consultant that contracts directly with WCOG, utilizing Federal Highway Administration and/or Federal Transit Administration funds in the contract; review checklist for compliance prior to final payment and project closeout.
- Review directives and procedures to ensure Title VI compliance.
- Maintain necessary data and documentation required for completion of the Annual Title VI Update and Accomplishment Report.

WCOG will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all administrative program requirements, both within WCOG and with WCOG's sub-recipients. If irregularities occur in the administration of the Transportation Program's operation, corrective action will be taken to resolve Title VI issues. When conducting Title VI compliance reviews on sub-recipients, WCOG will reduce to writing a remedial action when agreed upon by WCOG and WSDOT to be necessary, all within a period not to exceed 90 calendar days.

WCOG will seek the cooperation of sub-recipients in correcting deficiencies found during the review. WCOG will also provide the technical assistance and guidance needed to aid the sub-recipients to comply voluntarily. Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter, to voluntarily correct deficiencies.

If a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, WCOG will submit to WSDOT and Federal Highway Administration/Federal Transit Administration two copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within 180 calendar days of the initial review to ensure that the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, WCOG may, with WSDOT, FHWA's/FTA's concurrence, initiate sanctions per 49 CFR 21.

Environmental Justice

WCOG seeks to identify and address disproportionately high and adverse effects of programs, policies and activities on minority populations and low-income populations across Whatcom County.

In July of each calendar year WCOG will conduct Environmental Justice and Title VI assessments of all funds selected for award through the Surface Transportation Block Grant Program for the preceding State Fiscal Year through WCOG's competitive selection processes for transportation projects in Whatcom County. The assessment shall include maps of minority populations and low-income populations as well as an analysis of the impacts of transportation funding decisions to assess whether the impacts of these decisions on these protected populations are not disproportionately high.

Authorities/Guidance: Executive Order 12898 on Environmental Justice; USDOT Order 5610.2(a); FHWA Order 6640.23A; FTA Circulars C 4703.1 and C 4702.1B.

The responsibilities of the Title VI Coordinator and Planning Program Liaison are to:

- Ensure that minority populations and low-income populations are included and have access to public meetings, open houses and projects whenever possible. Events will be held at facilities that will allow for and accommodate the needs of those physically challenged and will be accessible by public transportation whenever possible.
- Ensure that participation of a cross section of various social, economic, racial and ethnic interest groups are represented in the planning process by disseminating Transportation Program information to minority media and related organizations.
- Ensure equal opportunity for participation on transit-related advisory committees regardless of racial, ethnic or economic status.
- Update the demographic profile for Whatcom County every three years.
- Ensure that Environmental Justice principles and practices are incorporated into transportation plans, programs, policies and activities of WCOG.

Language Assistance Program

WCOG is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area.

The United States is home to millions of national origin minority individuals who have limited English proficiency (LEP). That is, their primary language is not English and they cannot speak, read, write and/or understand the English language at a level that permits them to interact effectively with recipients of federal financial assistance.

Because of language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusion from programs or activities, experience delays or denials of services. These individuals may be entitled to language assistance with respect to a particular type of service. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide.

Authorities/Guidance: Executive Order 13166 on limited English proficiency; Department of Justice Guidance in Federal Register Vol. 67, No. 117 (2002) and Vol. 70, No. 239 (2005); FTA Circular C 4702.1B

The U.S. Department of Transportation recommends using a **four-factor LEP analysis** to determine the need for language assistance measures. The four factors are:

1. The number and proportion of people with LEP served or encountered in the eligible service population.
2. The frequency with which people with LEP come in contact with WCOG programs, activities or services.
3. The importance to people with LEP regarding WCOG's programs, activities and services.
4. The resources available to WCOG and the overall cost to provide assistance to people with LEP.

Factor No. 1: Number and proportion of people with LEP served or encountered in Whatcom County

WCOG member jurisdictions cover Whatcom County, which are largely English speaking. The vast majority of the population with which WCOG interacts is English speaking.

WCOG uses five-year estimates provided by the American Community Survey (ACS) to ascertain the number of persons with limited English proficiency. The latest estimate available at the time WCOG's demographic profile was completed in December 2022 were from the 2021 ACS. The 2021 estimate indicated that 24,965 persons five years of age and older had limited English proficiency in Whatcom County among a total population (five years and older) of 213,185. This equates to an LEP population of 11.7 percent.

There are 7,120 speakers of Spanish or Spanish Creole at home who speak English less than very well, representing 3.3 percent of the population in Whatcom County aged five and older. No languages other than Spanish or Spanish Creole currently meet the Safe Harbor threshold of five percent of the population or 1,000 total LEP speakers. This Safe Harbor provision describes circumstances which provide a “safe harbor” for federal recipients in terms of requirements for the written translation of vital documents for LEP populations. According to the Safe Harbor Provision, if recipients provide written translation of vital documents for language groups that meet or exceed the threshold, recipients will be considered to have “strong evidence of compliance” with LEP obligations.

Factor No. 2: Frequency with which LEP persons come into contact with WCOG programs, activities and services

Contact with LEP individuals at WCOG is extremely rare. Because of the nature of WCOG’s work as a planning organization, WCOG is most likely to encounter LEP individuals through participation in public meetings and customer service interactions, and even those specific interactions are rare.

WCOG public meetings occur about every month at WCOG’s office in downtown Bellingham, at which public hearings are often held. With very few exceptions, there are usually no members of the public in attendance or participating online. Open houses and other opportunities for public input occur as needed to implement the annual work program, although they are infrequent.

Customer service interactions – mostly with Whatcom Smart Trips program participants – occur frequently. Also common are interactions with board members and other elected officials as well as with staff of WCOG’s member jurisdictions. Most communication with the general public occurs via email, in person or by phone. During the three-year reporting period, no WCOG staff member could recall any interaction with a Spanish/Spanish Creole speaker or a speaker of another language who appeared to speak English less than very well.

Factor No. 3: The importance of WCOG programs, activities and services to people with LEP

WCOG conducts a metropolitan and regional transportation planning process in Whatcom County which is “continuous, cooperative and comprehensive.” Persons living in Whatcom County are likely to be affected or potentially affected by regional transportation projects for which WCOG has a lead role in planning and programming.

Three significant planning processes occurred during the reporting period of this Title VI plan: (1) an update to WCOG’s Human Services Transportation Plan; (2) an update to the Public Participation Plan, and; (3) the adoption of *Way to Go, Whatcom*, the metropolitan and regional long-range transportation plan. Being regional in nature, each planning effort was impactful to persons throughout Whatcom County, including those with limited English proficiency.

Factor No. 4: Resources available to WCOG and overall cost to provide assistance to people with LEP

WCOG uses Language Assistance Measures to provide meaningful, early and continuous opportunities for all interested Whatcom County residents to participate in the ongoing dialogue that informs key decisions, regardless of language barriers.

As of 2023, Executive Director and Title VI Coordinator Bob Wilson has attained a degree of fluency in Spanish that enables him to provide basic assistance to Spanish speakers with limited proficiency in English. His study of Latin American Spanish will continue in 2023, and his proficiency is expected to increase. Also, Principal Planner Melissa Fanucci has a minimal level of proficiency in Spanish. Mr. Wilson is on call for assistance when an immediate need for Spanish-English interpretation arises (such as when a Spanish speaker comes into the office). WCOG will also encourage and fund, either partially or in whole, Latin American Spanish language instruction for interested staff members.

WCOG's website (www.wcog.org) has the following statement on its home page: "*Para asistencia en español, por favor enviar un correo electrónico a espanol@wcog.org."* (Translation: For assistance in Spanish, please send an e-mail to espanol@wcog.org.) The website also has the Google Translate tool, which supports more than 130 languages. Anyone looking at WCOG's website from a computer that is not set to English will be prompted that the translation tool is available.

Visualization tools can facilitate communication with people having limited English proficiency or a low degree of literacy. WCOG uses maps, charts, graphs, illustrations, presentations and videos at meetings and in print materials to explain concepts. WCOG's conference room is equipped with a large computer monitor, a projection screen and a sound system for displaying visual and audio information.

WCOG includes the following text to all of its legally-required public notices: "*Para asistencia en español, por favor enviar un correo electrónico a espanol@wcog.org."* WCOG will also identify those not-for-profit organizations and community groups which are likely to involve or interact with the Spanish/Spanish Creole LEP group and inform them about opportunities to comment on proposed plans and to make the LEP group aware of services.

Agendas for all WCOG meetings include the following statement: "*Para obtener ayuda en la obtención de materiales de la reunión en español, por favor enviar un correo electrónico a espanol@wcog.org al menos dos (2) semanas antes de la reunión."* (Translation: For assistance in obtaining meeting materials in Spanish, please send an e-mail to espanol@wcog.org at least two weeks prior to the meeting.)

WCOG has engaged a professional instructor of Spanish – Sarah Rowan of Salud Translations in Bellingham, Washington – to provide written and oral translation services on an as-needed basis. Additionally, although Whatcom County's Punjabi and Russian LEP communities do not currently meet the threshold for mandated language assistance, WCOG has identified translators of those languages to provide that service in the event they are requested.

WCOG will continuously monitor and update its mailing lists and databases to maintain and initiate contact with interested parties, including those identified as having limited English proficiency, other underserved groups, community groups, relevant Title VI populations, businesses, membership groups and local governments. To be added to WCOG's contact list, call (360) 676-6974.

WCOG maintains an accessible website and a TDD/TTY line. All WCOG meetings are conducted in facilities that are accessible to people with sight, hearing or mobility disabilities and/or who rely on public transportation.

In addition to the aforementioned measures, WCOG also uses additional outreach techniques that may include LEP populations during major planning processes:

- On occasion, WCOG convenes project-specific public information sessions to solicit input from members of the community.
- At all WCOG public outreach events, comment forms in Spanish will be available.
- Additionally, based on the nature of the project or the specific location of the public information session, where it can reasonably be expected that members of the Spanish/Spanish Creole LEP community might be in attendance, WCOG will provide a Spanish interpreter for the meeting.

The responsibilities of the Title VI Coordinator are to:

- Send out mailings and/or post notices to the WCOG website and in specific local print media, regarding LEP affected communities utilizing Spanish when necessary, at least seven calendar days prior to the event.
- Print and disseminate materials for a specific project translated into Spanish when necessary. Provide Spanish translation of executive summaries of planning documents when requested.
- Seek out and work with community-based organizations that will reach LEP communities, to include civic representatives specific to LEP communities, economic development associations, chambers of commerce, etc.
- Maintain records of attendance of minority and low-income populations, as practicable, at public involvement forums and records of direct comments at public meetings and open houses.
- Review the Language Assistance Program annually, including any contacts with LEP persons, to determine the frequency of contacts, the language used, and how the contacts were handled.

Addendum 1 – WCOG Title VI Assurances

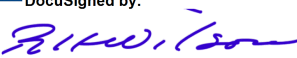
The Whatcom Council of Governments (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, 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 for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program.

1. That the Recipient agrees that each “program” and each “facility,” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:
3. “The Whatcom Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21: Nondiscrimination in Federally Assisted Programs of the Department of Transportation Issued Pursuant to Such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color or national origin in consideration for an award.”
4. That the Recipient shall insert the clauses of Appendix 1 of this Assurance in every contract subject to the Act and the Regulations.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

1. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
2. The Recipient shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
3. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

DocuSigned by:

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January 18, 2023

Robert H. Wilson, AICP
Executive Director

Addendum 1 - Appendix

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

1. Compliance with Regulations

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color or national origin.

4. Information and Reports

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Whatcom Council of Governments or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Whatcom Council of Governments, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance

In the event of the Contractor’s non-compliance with the nondiscrimination provisions of this contract, the Whatcom Council of Governments shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

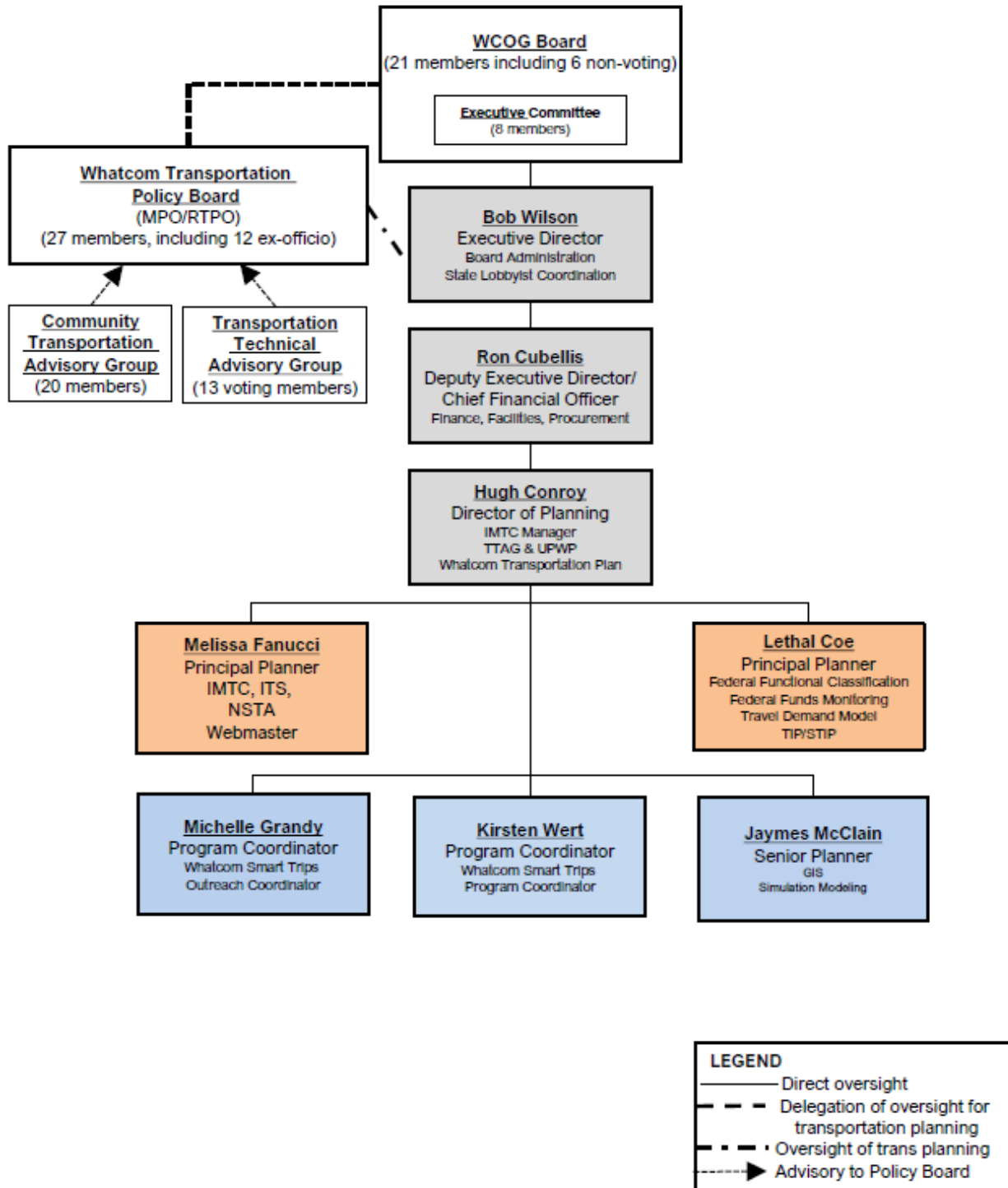
- Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as the Whatcom Council of Governments or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Whatcom Council of Governments enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Addendum 2 – WCOG Organizational Chart



(Staffing effective January 2023)



Public Participation Plan

*Adopted October 13, 2021
Amended January 18, 2023*

Transportation is essential to everyday life in the 21st Century. Whether for going to school or work, visiting family and friends or shopping in a store or online, at least one mode of transportation is involved: walking, biking, rolling, driving a car, riding a bus, or trucks delivering goods to stores and homes. Transportation networks include roads, bike lanes, transit routes, sidewalks, rails, trails, ferries and more. With the exception of the Canadian border, jurisdictional boundaries have little bearing on the public, which views the regional transportation network as a subsection of a continuous, nationwide system. Creating this seamless system for all users requires something more than just transportation planners and elected officials: it needs the public's input. As both a user of the regional transportation system and as a funder (through the various local, state and federal taxes you pay), your concerns, opinions and wishes matter. This *Public Participation Plan for the Whatcom Council of Governments* (“the Public Participation Plan”) has been developed to inform you of your rights and role in the development of regional transportation plans, including how those plans will be funded.

About the Whatcom Council of Governments

Established in 1966 pursuant to Chapter 36.64.080 of the Revised Code of Washington, the Whatcom Council of Governments (WCOG) provides a forum that facilitates cooperation among its members, which include the County's seven cities, Whatcom County Government, the Port of Bellingham, the Lummi Nation and other regional entities. Like most other councils of governments throughout Washington and the United States, WCOG has neither taxing authority nor the ability to regulate land use.

In 1982, Governor John Spellman designated WCOG to serve as the region's Metropolitan Planning Organization (MPO), the federally recognized transportation policy board for the Bellingham Urbanized Area. With the passage of the Washington State Growth Management Act in 1990, WCOG was also designated as the Regional Transportation Planning Organization (RTPO) for all of Whatcom County. The MPO and RTPO are governed by a joint Transportation Policy Board which ensures that the region meets its obligations under the Growth Management Act as well as the transportation planning requirements of the U.S. Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

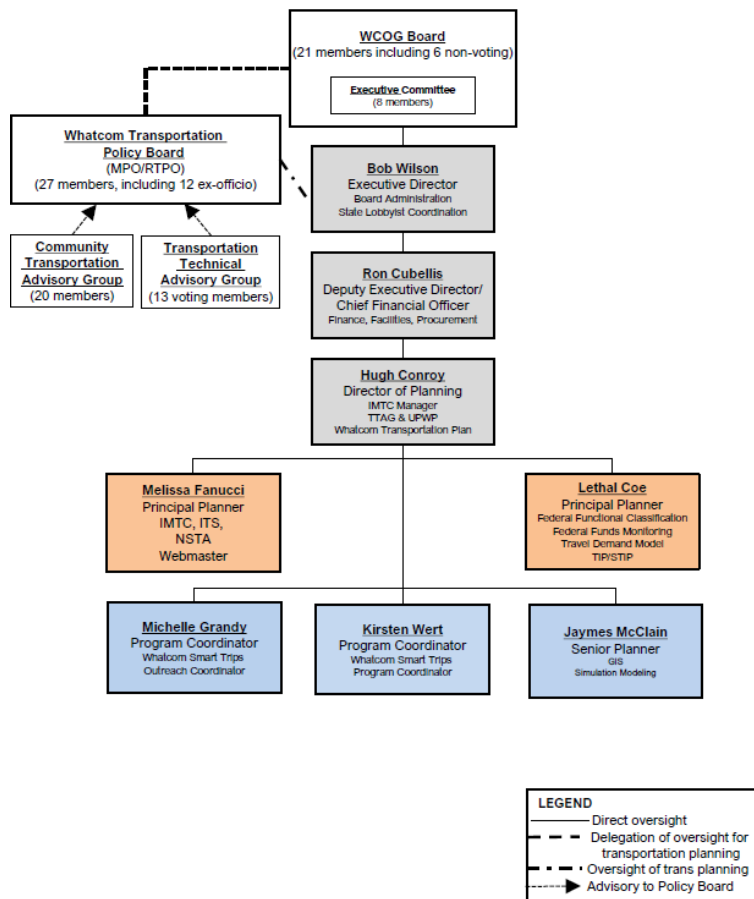
Other important WCOG activities include the [International Mobility and Trade Corridor Program](#) (IMTC), which facilitates improved transportation and commerce in the Cascade Gateway region of Washington State and British Columbia; facilitating the [North Sound Transportation Alliance](#) (NSTA), a coalition of concerned citizens, elected officials and professional staff of transportation agencies from Washington's five northwestern-most counties; and staffing and operating the [Whatcom Smart Trips](#) program.

Federal regulations require WCOG to develop a long-range metropolitan transportation plan and a funding schedule for regional projects – known as the Transportation Improvement Program (TIP) – consistent with the long-range plan. Funding to develop the plan and TIP is provided to WCOG from its member jurisdictions and agencies, the State of Washington, and the FHWA and FTA. Additionally, WCOG regularly applies for and receives competitive grant funding from federal and state agencies as well as funding from the Canadian federal government and the Province of British Columbia for IMTC projects.

WCOG Governance Structure

The [Council Board](#) is WCOG’s governing body and serves as its board of directors. It is composed of 15 voting members drawn from Whatcom County Government (three members, including the County Executive), the City of Bellingham (three members, including the Mayor), the County’s six other cities, the Port of Bellingham, the Lummi Nation and the Lake Whatcom Water and Sewer District. There are also associate (non-voting) members who participate in Council Board meetings and share the perspectives of the organizations and communities that they represent.

Whatcom Council of Governments 2023 Organizational Structure



01/01/2023

The region’s transportation planning process is directed by a standing committee of the Council Board known as the [Whatcom Transportation Policy Board](#) (“the Policy Board”). In addition to most of the Council Board’s voting members, the Nooksack Tribe, the Washington State Department of Transportation (WSDOT) and the Whatcom Transportation Authority (WTA) are also voting members of the Policy Board. To minimize unnecessary duplication of work and oversight, the separate MPO and RTPO planning processes have been merged into a unified process overseen by the Policy Board. In addition to governing the metropolitan and regional transportation planning processes, the Policy Board is charged with allocating the combination of federal, state and local funds to the numerous projects contained in the TIP. The Policy Board

may also request WCOG staff to perform analyses or other research to assist them in understanding the complex issues they are called on to address.

The [Transportation Technical Advisory Group](#) (TTAG) meets monthly to analyze and discuss regional transportation planning issues – including requests for project funding – and makes recommendations to the Policy Board. TTAG is composed of professional transportation planning staff from WCOG’s member jurisdictions.

The [Citizens’ Transportation Advisory Group](#) (CTAG) is jointly administered by WCOG and WTA to facilitate ongoing citizen participation in support of the regional transportation planning process as well as transit services provided by WTA. Although all members of the public are welcome and encouraged to comment individually on the planning process at any time, including at Policy Board meetings, through surveys, etc., CTAG serves as a standing resource for public engagement. CTAG’s core responsibilities are to:

- Review and comment on plans and programs subject to the oversight or approval of the Policy Board
- Provide input on planned services and programs provided by WTA, and
- Offer ideas, identify needs, and otherwise contribute to the planning process.

Membership on CTAG shall be available to any person over the age of 16 residing and/or working in Whatcom County. WCOG and WTA value diversity in the regional transportation planning process. To encourage participation that furthers equity and inclusion; facilitates input from the entire WCOG region and WTA service area, and; includes the perspectives of multiple transportation-system user groups, WCOG and WTA specifically try to ensure that CTAG includes:

- Native Americans (Lummi Nation and Nooksack Tribe)
- Black people, people of color, and other racial and ethnic minorities
- People with disabilities
- Senior citizens
- People with incomes below Whatcom County’s median
- Members of the LGBTQ+ community
- People who ride the bus, bike or walk, including those who do so as their primary means of travel
- People who do not own a car, and
- Residents from Whatcom County’s small cities and rural communities.

Persons interested in CTAG membership must submit a signed membership agreement to the Executive Director of WCOG that:

- Establishes the applicant’s eligibility for membership based on their current home or work address
- Provides the applicant’s assurance that they will 1) actively participate in CTAG in furtherance of the goal of improving the regional transportation planning process, and 2) do so in a way that respects and supports all CTAG members’ ability to participate and be heard
- Confirms the applicant’s understanding that meetings may be recorded for the purpose of note taking and improved documentation of member feedback for consideration by decision makers.

The Executive Director, in consultation with WTA, shall have the authority to 1) determine if an applicant meets the requirements for membership, and 2) terminate the membership of anyone

who is disruptive or otherwise fails to respectfully treat their fellow CTAG members, WCOG or WTA staff, or other attendees.

Vision and Goals

The purpose of the metropolitan and regional transportation planning process is to provide a platform for a collective definition of regional goals and cooperative decision-making on transportation investments. Local governments, state and federal agencies, public and private transportation providers, the business community, advocacy organizations and individual members of the public come together to identify the goals to be achieved through the region's transportation network within the 20-year life of the region's long-range transportation plan. Typical goals include enhanced mobility, greenhouse gas reduction, environmental stewardship, economic development, equity and more. The goals of the plan are achieved through a set of coordinated programs, policies and investments in the regional network.

[Whatcom Mobility 2040](#) draws on the transportation goals adopted in the comprehensive plans of WCOG's member jurisdictions – Whatcom County, the seven cities, the Lummi Nation and the Nooksack Tribe – in establishing the goals for the Whatcom region. The transportation elements of all the jurisdictions' comprehensive plans were carefully reviewed, and the goals emphasized in each of them were compiled in a matrix to identify those shared by a majority of the jurisdictions.

Goals (numbers in parentheses indicate how many jurisdictions included that goal in their local comprehensive plans)

- Safety (10)
- Climate & environmental quality (8)
- Preservation (6)
- Mobility (all modes & emphases on trip capacity) (8)
- A multimodal transportation system (8)
- Access (6)
- Freight transportation (6)

These seven regional goals, which overlap and relate to the planning factors prescribed in federal and state law, are the bases for prioritizing project funding requests and developing performance measures and targets.

Safety

All ten of the Whatcom region's jurisdictions included safety as one of their transportation goals. The safety of all users of the region's transportation system – pedestrians, bicyclists, automobile drivers and passengers, and truckers – must be maximized to the greatest degree practicable in the establishment of regional transportation policies and investment decisions.

Climate (greenhouse gas reduction) & environmental quality

Whatcom region local governments, tribal governments, and Washington State government have initiated actions to reduce carbon emissions and prepare for the effects of climate disruption. Reducing greenhouse gas emissions and more broadly advancing environmental mitigation and restoration (e.g., energy conservation, habitat preservation, and air and water quality) are outcomes of paramount importance in the region.

Preservation

The high priority of the preservation goal indicates the Whatcom region's intent to ensure that its existing transportation systems are kept in a state of good repair before pursuing system

expansions. This goal includes the principle of sustainability: the importance of choosing investments in facilities and programs that our region has the fiscal capacity to pay for, operate, and maintain into the future.

Mobility

Mobility refers to the summation of qualitative measures of travel and goods movement including travel time, travel-time predictability and reliability, and comfort. The goal of mobility and our region's strategies to optimize it pertain to all modes (i.e., walking, transit, biking, driving, freight & service trucks, etc.). Mobility depends on adequate transportation system capacity. To advance this mobility goal (and its other goals), the Whatcom region measures capacity primarily as the number of trips that the transportation network can accommodate. Secondly, traditional, mode specific measures of road-capacity for vehicles are appropriate for certain analyses.

A multi-modal transportation system

To efficiently and equitably serve the movement of people and goods that our region needs in the years ahead, our transportation network must provide for multiple modes of transportation (e.g., walking, buses, trucks, cars, bikes, paratransit, rail, etc.) and good connections between them. While "mobility" addresses the quality of transportation provided by all modes, this goal affirms a commitment to the continued development and integration of the options themselves.

Access

The region's transportation system is intended to serve all people and acknowledge and reduce barriers related to age (seniors and youth), income, and disability.

Freight transportation

Given Whatcom County's adjacency to the Canadian border, along with the presence of one of the nation's premier trade corridors within its boundaries (Interstate 5) and BNSF freight rail, goods movement has a significant impact on the region's transportation system.

Planning Partners

WCOG actively coordinates its planning efforts and public participation activities with its member jurisdictions and agencies as well as other organizations responsible for planning and resource development activities within or adjacent to the region, notably the Province of British Columbia, the Canadian federal government, Skagit County and various federal and state agencies, including the National Park Service, the U.S Forest Service and the Washington State departments of Commerce and Ecology. Coordination is primarily achieved through regular meetings of the Policy Board, TTAG and CTAG. Coordination also occurs through the operation of three of WCOG's principal programs: IMTC, NSTA and Whatcom Smart Trips. Additionally, less formal, but important outreach occurs through the participation of WCOG staff at meetings, forums and workshops held throughout the region.

Purpose and Scope of the Public Participation Plan

Robust public engagement is essential for ensuring that the transportation planning process reflects the goals of the people who use and pay for the system. To facilitate meaningful engagement, public participation activities should be coordinated and coincide with milestones in the plan-development process and must be designed to elicit relevant information and opinions needed to make a lasting contribution to the quality of life in Whatcom County. To facilitate this, WCOG:

1. Provides access to plans, programs and supporting materials and data at various stages during their development, and
2. Offers opportunities for members of the public to comment as plans and programs proceed toward completion.

WCOG is responsible for actively engaging all affected parties in an open, cooperative and collaborative process that provides stakeholders significant opportunities to influence transportation policy-making. The gathered feedback allows the Policy Board to give due consideration to the social, economic and environmental consequences of their actions, and assures the public that transportation programs support adopted local plans as well as community values.

WCOG is committed to providing a forum for such cooperative decision-making and emphasizes transparent and inclusionary outreach activities. The purpose of the Public Participation Plan is to facilitate a consistently applied approach to citizen engagement that includes various tools and established public review periods for plans and programs. Public Participation Plan guidance is used to encourage citizens, affected organizations and other interested parties to participate in the development of transportation plans and programs, and to provide input during all phases of the transportation decision-making process (planning, design, financing, etc.).

Regulatory Framework and Guiding Principles

WCOG complies with all federal and state requirements for public participation as well as its own policies, all of which assisted in the formulation of the guiding principles underlying the development and implementation of this Public Participation Plan.

- Adequate notice and comment periods
 - Conduct public participation opportunities at key decision points
 - Provide timely and adequate notice of public participation activities
 - Allow for sufficient time for public review and comment
- Open and inclusionary access
 - Offer full public access to information about transportation issues and processes
 - Employ visualization techniques, such as maps, pictures and graphics to convey information
 - Make public information available in electronically accessible formats and resources
 - Hold public meetings at convenient and accessible locations and times
- Explicit consideration
 - Demonstrate explicit consideration and response to public input received
 - Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households

- Proactive public participation process
 - Coordinate with statewide transportation planning public involvement and consultation processes
 - Periodically review the effectiveness of public participation procedures and strategies.

The resulting strategies, tools and public comment periods were designed to meet the applicable federal and state requirements for metropolitan and regional transportation planning, which are described in Appendix B.

Environmental Justice and Limited English Proficiency Considerations

The U.S. Department of Transportation mandates that non-discrimination principles be incorporated into the transportation planning and decision-making process. WCOG is responsible for ensuring that a transportation project which receives federal funding does not have a disproportionately adverse effect on minority or low-income populations.

As a recipient of federal transportation funds, WCOG makes reasonable efforts to provide meaningful access to transportation planning information for individuals with limited English proficiency (LEP), those for whom English is not their primary language and who have a limited ability to read, speak, write or otherwise communicate in English.

In December 2019, WCOG adopted its *Language Assistance Plan for People with Limited English Proficiency* as part of its *Combined Title VI and Limited English Proficiency Plan* (Appendix C). Based on an examination of Whatcom County demographic data conducted as part of the recommended “Four-Factor Analysis,” there are more than 4,000 Spanish-or Spanish Creole speakers who speak and comprehend English “less than very well.” WCOG’s LEP Plan established several “language assistance measures,” including publishing meeting notices in Spanish and providing translation or interpretation services upon request.

Public Participation Objectives, Strategies and Tools

The fundamental objective of the Public Participation Plan is to ensure that the concerns and issues of everyone with a stake in transportation are identified and addressed in the regional planning and decision-making process. The strategies underlying all public participation activities are as follows:

- **Capture a wide audience** through various public participation strategies and tools
- **Provide information** to the public about transportation planning and improvement projects
- **Increase awareness** and become the go-to source for regional transportation information
- **Build community support** through early and ongoing public participation.

In order to facilitate public participation in the Whatcom region, WCOG uses a variety of engagement strategies and tools, which are described in the following sections.

Council Board, Whatcom Transportation Policy Board and Executive Committee Meetings

Meetings of WCOG’s Council Board, Policy Board and Executive Committee are open to the public and fully comply with Washington State’s Open Public Meetings Act. To facilitate participation by individual citizens and representatives from community organizations in Whatcom County, WCOG ensures that:

- There is a public comment period on the agenda for every Council Board, Policy Board and Executive Committee meeting
- All meetings are conducted using a “hybrid” meeting format, whereby members of the public as well as board and committee members may participate in person or online
- Notices of the time and place of meetings, as well as instructions for virtual participation, are provided on WCOG’s [website](#)
- Meetings are held in WCOG’s fully-accessible Gordon W. Rogers Conference Room, or in other accessible locations, and
- Meeting minutes are made available upon their approval by the convening body.

It is important to note that public comments received through other public participation activities are distributed to board members at or before meetings to ensure that they will be considered prior to action.

Occasionally, WCOG convenes public information meetings, including workshops and open houses, in addition to regular board and committee meetings. These meetings are held to introduce the public to a specific project or program, as well as to directly interact with citizens. These meetings provide WCOG with opportunities to gather both quantitative and qualitative input and connect with citizens and organizations interested in becoming involved in the transportation planning process. WCOG strives to hold public meetings, workshops and open houses at convenient times and in accessible locations:

- Meeting locations are convenient and accessible to the public, including persons with disabilities
- When requested in advance, WCOG will provide an American Sign Language interpreter for hearing-impaired attendees and assign a staff member to escort sight-impaired attendees for the purpose of reading and describing meeting materials and displays.
- The proximity to transit facilities, day of the week, and time of day are considered as meetings are scheduled to accommodate those who need or want to access the public meetings by public transportation, and
- Several methods for gathering public input are provided during each public meeting, including but not limited to audio or video recorders; various visualization techniques, such as infographics, PowerPoint presentations, or maps; comment boxes; or interpreters for those with limited English proficiency and/or sight impairment.

Additional feedback may be obtained through member interviews, targeted stakeholder meetings and resource agency consultation.

wcog.org

As part of its ongoing effort to keep the citizens of the region informed, WCOG built and maintains its website, wcog.org. The site provides extensive information on WCOG, including:

- A calendar of board, committee and advisory group meetings
- Agenda packets for upcoming meetings
- A listing of current board and committee members
- Updates on current planning activities, including opportunities to participate in surveys
- Descriptions of approved plans and active programs, along with staff contact information
- An archive of previous plans and studies, meeting packets, and approved meeting minutes
- The Google Translate tool for people who do not read English or those with limited proficiency

- A map delineating those areas within Whatcom County with higher-than-average minority populations and/or low-income levels, and for which Environmental Justice action may be required
- A dedicated CTAG page that also serves as a portal for engagement in the transportation decision-making process.

The site complies with [Section 508 of the Rehabilitation Act of 1973](#) and is regularly updated with content on public participation opportunities, current plans and programs, and information on particular projects from across the region. Also, site-specific Internet traffic data are gathered through web analytics, including the number of visitors, downloads for specific documents, pages visited, and other metrics, and these usage data are reviewed and evaluated to improve the site.

WCOG Interactive Map

The Interactive Map tool is available on WCOG’s website. Using WCOG’s geographic information system, members of the public can view, sort, analyze and interpret data that inform local and regional transportation planning decisions.

Hard-copy Documents

In addition to making documents accessible to the public on its website, WCOG maintains paper copies of many of them in its office at 314 East Champion Street in downtown Bellingham. These include the Interlocal Agreement, bylaws, the TIP, the Unified Planning Work Program, contracts, and original signed copies of meeting minutes. Members of the public may make arrangements to view documents by emailing WCOG’s Public Information Officer at publicdisclosure@wcoog.org.

Visualization Techniques

WCOG frequently uses maps, charts, illustrations and photographs in its documents and presentations to provide visual aids to illustrate key topics and regional objectives or trends. Interactive web content, animations and videos are also deployed.

Translation of Public Notices, Meeting Materials, and Summary Documents

To accommodate those members of the public who possess limited English proficiency, meeting notices, agenda packets, summary documents for select plans and programs, etc., can be translated into Spanish upon request. Additionally, WCOG makes a reasonable effort to accommodate the needs of speakers of other languages when assistance is requested.

Surveys

WCOG utilizes both online and on-site surveys to elicit feedback from citizens. Online platforms make it particularly easy to analyze results and aid in the visualization of collected responses and overall trends. On-site surveys are normally conducted using paper forms but may also be facilitated through the use of mobile devices. A good example is a [Household Travel Survey](#) (HST) which WCOG conducts periodically to collect data to refine the transportation planning process. A successful HST relies on voluntary participation from community members throughout the region.

Public Notice and Call for Public Commentary

Prior to the adoption or amendment of major planning documents, such as the long-range transportation plan, the regional TIP, the Public Participation Plan and others, a call for public comments is issued. This call invites and encourages the public to review and comment on the draft document. All comments received from the public, including community organizations – whether positive or negative – are handled in the following manner:

- All comments must be submitted in writing and received within the published public comment period
- Comments concerning specific projects or proposals are forwarded to the sponsoring agency or jurisdiction
- A copy of the comments are provided to the Council Board, the Policy Board or TTAG, as appropriate, for their evaluation and consideration prior to official action of the board with jurisdiction
- A written response is provided to the individual or organization concerning recommendations or decisions arising from the board meeting or the sponsoring entity, as appropriate, and
- Copies of all comments received will be included in the final document.

A notice of the public review period is published in *The Bellingham Herald* and on wcog.org. Additional public notice may also be provided through press releases, email notifications and other means, as appropriate. As noted earlier, public comments are also accepted during WCOG board meetings.

Press Releases and Media Outreach

In order to reach a larger audience, WCOG prepares press releases with information on the regional transportation planning process, products and public participation opportunities for distribution through local print, radio, television and online media outlets.

Distribution Lists

WCOG maintains several distribution lists consisting of individuals and non-governmental organizations interested in receiving information and being involved in one or more programs related to the regional transportation planning process.

Outreach to Tribal Members

The Lummi Nation is a voting member of WCOG's Council Board, and both they and the Nooksack Tribe are voting members of the Whatcom Transportation Policy Board. WCOG encourages and welcomes the full involvement of the tribes and the participation of tribal members in all its activities, including the development of the long-range transportation plan and the regional TIP.

Regional Meetings, Community Events and Popular Venues

WCOG staff actively seek out opportunities to elicit public comment and inform the community about ongoing planning activities and programs. This may be accomplished by attending and making presentations at meetings of community organizations, engaging with members of the community at regional venues, such as the Bellingham Farmers' Market or the Northwest Washington Fair, or enlisting the aid of membership organizations like the Bellingham Regional Chamber of Commerce or Bellingham Whatcom County Tourism to reach their members. Furthermore, WCOG strives to connect with traditionally underrepresented populations within the region, including minority, low-income, and limited English proficiency populations by working through key stakeholders and community groups that engage and serve these populations to receive feedback on upcoming transportation planning and investment decisions.

Public Participation Activities by Plan or Program

This chapter focuses on the previously described strategies and tools, and details public comment periods as they apply to each of WCOG’s planning documents and programs. The matrix below summarizes the potential public participation activities for each of the listed plans and reports.

Overview of Strategies, Tools, and Public Comment Periods	Policy Board Meetings	Public Meetings	Member Interviews, Stakeholder Meetings, Agency Consultation	Website	Surveys	Public Notice	Call for Public Comments (Length)	Press Releases and Media Outreach	Mailing Lists	Regional Meetings, Community Events, Venues
Long-range Transportation Plan Development	☑	3 rounds	☑	☑	☑	☑	4 weeks	☑	☑	☑
Long-range Transportation Plan Amendment	☑	☑		☑		☑	2 weeks			
Transportation Improvement Program	☑			☑		☑	2 weeks			
Public Participation Plan	☑	☑		☑		☑	45 days	☑	☑	☑
Human Services Transportation Plan	☑	☑	☑	☑	☑	☑	2 weeks	☑	☑	
Unified Planning Work Program	☑			☑						
Annual Performance and Expenditure Report	☑			☑						
Title VI and Limited English Proficiency Plan	☑	☑	☑	☑		☑	2 weeks	☑	☑	☑
Title VI Annual Accomplishment Report	☑			☑						
Surface Transportation Block Grant Project Selection	☑			☑						

Note: Public participation activities for non-recurring and special studies will be determined as part of the initial scoping.

Long-Range Transportation Plan

Adopted in June 2017, the Whatcom region's long-range transportation plan (LRTP), known as *Whatcom Mobility 2040*, describes the current state of the regional transportation network, identifies region-wide issues and existing needs, provides projections of future travel demand, establishes goals and lays out a program of actions and investments to achieve them. The LRTP's principal function is to provide the policy framework for prioritizing and selecting transportation projects and programs for funding and implementation. It is a *multimodal* plan intended to improve access and mobility throughout the region for *all* modes of transportation: transit, walking, biking, rolling (such as wheelchairs and scooters), trucks and private automobiles. It also provides the link between the local jurisdictions' transportation plans, the region's [Human Services Transportation Plan](#) and the [Washington State Transportation Plan](#).

There are specific federal and state requirements related to metropolitan and regional transportation plans. Preparation of a metropolitan transportation plan is a federal requirement for the Bellingham Urbanized Area. The Washington State Growth Management Act establishes the requirements for a regional transportation plan, which addresses all of Whatcom County, not just the Bellingham Urbanized Area.

Because the Whatcom region must meet both federal and state transportation planning requirements, which overlap in many respects, *Whatcom Mobility 2040* addresses both in a combined LRTP that:

- Examines the transportation needs of the entire Whatcom region through the year 2040
- Focuses on identifying priorities, policies and a strategic framework to define and select investments and programs with the greatest regional benefit
- Builds on strategies identified by state and local agencies to address short-, mid-, and long-term needs
- Is *fiscally constrained*, meaning that its assumptions and recommendations are based on reasonable federal, state and local funding projections
- Considers potential impacts to vulnerable populations and the natural and built environment, and
- Is a *multi-modal* plan that focuses on the mobility needs of *all* the region's travelers, not just those who drive.

Whatcom Mobility 2040 provides clear policy and project recommendations and guides all other transportation planning and programming activities performed by WCOG. In accordance with federal requirements, the LRTP will be updated and presented to the Policy Board for its adoption in June 2022.

Transportation Improvement Program

Federal and state regulations also require WCOG to develop a TIP for the Whatcom region. Federal requirements call for a four-year, financially constrained list of projects, whereas Washington State regulations stipulate a six-year list of projects. Rather than producing two separate documents, the combined Whatcom region TIP is a six-year programming document, which demonstrates financial constraint for federal funds throughout the first four years of the integrated financial plan.

The TIP also serves as a schedule of accountability to FHWA and FTA, which annually review and certify the TIP to ensure the continuation of federal financial assistance for transportation improvements in the Whatcom region. WCOG's regional TIP works in concert with the State Transportation Improvement Program (STIP) to implement projects. Placement in the STIP is required for most transportation projects that receive federal funding. TIP projects are separated into three distinct groups:

- Projects with secured funding anticipated and are located within the Metropolitan Planning Area
- Projects with secured funding but are located outside the Metropolitan Planning Area, and
- Unfunded projects (without dedicated funding source) for the entire WCOG region.

Projects in the TIP must be consistent with policy and project recommendations contained in the adopted LRTP. The TIP functions as a project programming document and financial plan that identifies all federally funded and prioritized projects, as well as other transportation improvements of regional significance, regardless of their funding source. It is updated annually and amended throughout the year as new projects are added, completed projects are removed, or existing projects move into a new phase or experience a change in funding.

General steps in the development of the TIP include:

- Local city and county governments and WTA prepare and submit their local six- year programs to WSDOT and WCOG; these programs also contain regionally significant projects that do not use federal funding
- WCOG reviews all projects to ensure the following:
 - All projects scheduled for federal funding are included in the TIP
 - Projects are fiscally constrained by year and funding source
 - All regionally significant projects are included, regardless of funding source
 - The TIP projects are consistent with the current LRTP
- The public and interested parties are afforded early and reasonable opportunity for involvement, and
- All projects in the TIP are consistent with Title VI of the Civil Rights Act.

Once approved, the regional TIP is included in the STIP, which is coordinated and maintained by WSDOT. Following USDOT approval of the STIPs, local jurisdictions may begin obligating federal funds for their projects.

Public Participation Plan

WCOG updated this Public Participation Plan *as a stand-alone policy* in October 2021. This plan incorporates information gathered as part of the development of *Whatcom Mobility 2040*, the LRTP that was adopted by the Policy Board in June 2017. The draft Public Participation Plan underwent a 45-day public comment period from July 26 through September 8, 2021. All comments received on the draft, whether positive or negative, were provided to the Council Board, and when appropriate a response was provided to the individual or organization that submitted it, including any recommendations or decisions made by the Council Board resulting from the comment. All comments received on the draft, and any responses provided to those who submitted comments, are included in Appendix A of this Public Participation Plan.

With the adoption of WCOG's Title VI Plan in January 2023, the Public Participation Plan becomes part of the Title VI Plan and shall remain in effect until the Title VI Plan is updated in January 2026.

Human Services Transportation Plan

In 2006, WSDOT directed WCOG and the state's other RTPOs to convene stakeholder groups composed of local human services agencies, schools, transportation providers and others to develop consolidated human services transportation plans to address the mobility needs of people who do not drive due to age, income or disability reasons. The current Whatcom Human Services Transportation Plan was adopted in October 2022; it will be updated in 2026.

The Whatcom region's human services transportation planning process has since been reviewed and refined by CTAG and TTAG; the planning process engages stakeholders to identify gaps in service and updates a ranked list of project proposals within Whatcom County. Project proposals included on the list are thus eligible for consideration for state and federal public transportation grant funding administered through WSDOT's Consolidated Grant Program.

Unified Planning Work Program

The Unified Planning Work Program (UPWP) describes the planning activities and products that WCOG is working on during the current state fiscal year, and it also summarizes the work and accomplishments of the previous year. Updated annually, the UPWP defines each planning task, associated budget, the responsible lead agency, and the anticipated completion date for all related activities.

Annual Performance and Expenditure Report

The Annual Performance and Expenditure Report describes the progress made towards fulfilling the activities outlined in the previous year’s UPWP. The report also details associated expenses and discusses any departure from the originally proposed task budgets.

Combined Title VI and Limited English Proficiency Plan and Annual Report

Adopted in December 2019, WCOG’s *Combined Title VI and Limited English Proficiency Plan* outlines WCOG’s specific roles and responsibilities necessary to ensure consistent implementation of its non-discrimination policy in all its programs and activities, whether those programs and activities receive federal funding or not. It also includes a *Language Assistance Plan for People with Limited English Proficiency* to ensure compliance with the applicable provisions of the Civil Rights Act of 1964, as amended.

The Annual Title VI Report provides an overview of all relevant accomplishments for the various programs and activities WCOG administers.

Surface Transportation Block Grant Project Selection

Although WCOG staff facilitates the regional project selection processes, it is the member jurisdictions themselves, via TTAG, that determine which projects will be considered for selection by the Policy Board. This process applies to the award of funding through the federal Surface Transportation Block Grant and Transportation Alternatives programs.

For the Washington State Public Transportation Consolidated Grant program, regional priorities for the Human Services Transportation Plan projects are also determined through a regional project selection process; subsequently, the projects are submitted to WSDOT to inform the statewide competitive process.

Ongoing Evaluation and Improvement of Public Participation Efforts

Regular monitoring and qualitative as well as quantitative assessment of public involvement strategies and tools help identify effective public participation activities and allow them to be modified when necessary, leading to more and better public engagement.

Assessment of Activities

As shown in the previous chapter, WCOG uses a variety of public participation strategies and tools. A priority is placed on adapting these activities to new technologies and the region’s changing organizational and demographic landscapes. Therefore, WCOG continuously seeks out improvements to its public participation and transportation planning process. The following table provides an overview of potential metrics used in the ongoing evaluation of public participation and engagement activities.

Public Participation Strategy or Tool	Evaluation Metric	Information Used for Improvement
Board Meetings	<ul style="list-style-type: none">• Number of attendees• Number of comments• Number of key topics of comments• Title VI information of attendees	<ul style="list-style-type: none">• Effectiveness of meeting notification• Level of interest in certain topics

Public Participation Strategy or Tool	Evaluation Metric	Information Used for Improvement
Public Meetings	<ul style="list-style-type: none"> • Number of attendees • Number of comments • Number of key topics of comments • Day/time meetings are held • Title VI information of attendees • How attendees indicate that they heard about a meeting or event • Evaluation information provided by attendees 	<ul style="list-style-type: none"> • Effectiveness of meeting notification • Effectiveness of notification distribution method • Effectiveness of meeting location and time • Level of interest in certain topics • Provide essential information for plans and programs • Identification of potential gaps in reaching certain populations
Stakeholder Meetings and Outside Agency Consultation	<ul style="list-style-type: none"> • Number of interviews/meetings/ consultations held • Type of stakeholder/organization • Number of attendees • Contact information for agencies and their members • Number of contacts to other organizations and level of interest 	<ul style="list-style-type: none"> • Effectiveness of engagement • Level of interest in certain topics • Provide essential information for plans and programs • Maintain local contacts and institutional knowledge
Website	<ul style="list-style-type: none"> • Number of site visits <ul style="list-style-type: none"> ▪ Monthly ▪ During public comment periods • Number of visits to specific pages • Number of document downloads 	<ul style="list-style-type: none"> • Effectiveness of presentation of web content • Level of interest in certain topics
Surveys	<ul style="list-style-type: none"> • Number of respondents • Percent of surveys completed and/or number of questions completed 	<ul style="list-style-type: none"> • Level of interest in certain topics • Provide essential information for plans and programs • Indicate public awareness, interest in the planning process, and validity of survey responses
Call for Public Comments	<ul style="list-style-type: none"> • Timing of notification efforts • Geographic distribution of notifications • Number of comments received • Number of key topics of comments • Substance of comments received 	<ul style="list-style-type: none"> • Effectiveness of call for public comment notice • Effectiveness of notification distribution method • Level of interest in certain topics • Provide essential information for plans and programs

Review of the Public Participation Plan

WCOG's commitment to meaningful public participation is the basis for involving the public in the metropolitan and regional transportation planning process. To that end, this Public Participation Plan will be evaluated annually to ensure that it remains relevant and effective. Part of these annual reviews will involve surveying emerging technologies that could be brought to bear to enhance public engagement. In any case, the Public Participation Plan can be amended by the Council Board whenever it is deemed necessary.

Appendix A: Comments Received During Public Review Period

The draft Public Participation Plan was made available for public review and comment from July 26 through September 8, 2021, notice of which was published in *The Bellingham Herald* on July 25, 2021. No comments were received.

A public hearing was scheduled for October 13, 2021, during the regularly-scheduled meeting of WCOG's Council Board, to receive comment on the draft Public Participation Plan. A Notice of Public Hearing was published in *The Bellingham Herald* on September 26, 2021, which provided instructions on how to submit comments in writing to be read at the meeting, and to register to speak if participating online. Additionally, the notice indicated that the Gordon W. Rogers Conference Room at WCOG's office would be open for members of the public wishing to comment on the Public Participation Plan. No members of the public submitted comments or addressed the Board, either in person or online.

The following inter-agency comments were received from Autumn Young, Civil Rights Program Manager at the U.S. Federal Highway Administration, Washington Division:

"The PPP looks really good."

"The document spoke about disability accessibility as being a one-dimensional access to the space where programs or services are provided and I want to guide them toward realizing that accessibility barriers can exist within the media they create/utilize to outreach to the public. That said, I inserted two comments/questions regarding outreach to limited English proficient populations as well as ensuring public hearings and media are created to be accessible to individuals with disabilities. This falls under Section 508 compliance though many use WCAG 2.0 as the standard."

Ms. Young also posed the following questions:

Question No. 1: What measures are taken to ensure materials being provided during all phases are accessible for people with disabilities? For example: ASL interpreters being available for public meetings; website, images, written documents being available in multiple formats; and being accessible to screen readers for low vision and/or blind populations. (Section 508 compliance, many use WCAG 2.0 as the standard)?

WCOG Response: On Page 8, the following bullet point was added to the "Council Board, Whatcom Transportation Policy Board and Executive Committee Meetings" section: "When requested in advance, WCOG will provide an American Sign Language interpreter for hearing-impaired attendees and assign a staff member to escort sight-impaired attendees for the purpose of reading and describing meeting materials and displays." On Page 9, the following statement was added: "The site complies with [Section 508 of the Rehabilitation Act of 1973](#)."

Question No. 2: Do you consider Spanish media outlets to reach your LEP demographic? Do you outreach to organizations and nonprofits that specifically represent people with disabilities to ensure your available materials are accessible to them?

WCOG Response: Currently, there are no Spanish-language radio stations serving Whatcom County. When appropriate, WCOG will place announcements in Spanish in *El Periódico*. The Northwest Regional Council will be consulted to assist with outreach to the disabled community when necessary.

These comments were addressed in the Final Draft of the Public Participation Plan that was adopted by the Council Board on October 13, 2021.

Appendix B: Regulatory Framework

Fixing America's Surface Transportation (FAST) Act of 2015

The [Fixing America's Surface Transportation Act](#) – commonly referred to as the FAST Act – was signed into law on December 4, 2015. It was intended to be a five-year surface transportation authorization bill to replace the previous transportation bill, *Moving Ahead for Progress in the 21st Century* (MAP-21); however, the FAST Act was extended to September 30, 2021, through a continuing resolution. The FAST Act provides funding for surface transportation improvements and guides the growth and development of vital transportation infrastructure. FAST largely maintains the program structure and funding shares established by MAP-21, which provided for the creation of a streamlined, performance-based and multimodal program for the U.S. surface transportation system.

23 USC 134 Metropolitan Transportation Planning

[Section 134 of Chapter 1 of Title 23 of the United States Code](#) (USC) requires metropolitan transportation planning that encourages and promotes the safe and efficient management, operation, and development of surface transportation systems to serve the mobility needs of people and freight and to foster economic growth and development within and between States and urbanized areas. The sections that directly apply to public participation are contained in paragraphs on consultation [23 USC 134 (g)], the development of the transportation plan [(i)], and the transportation improvement program [(j)].

23 CFR 450.316

[Section 450.316 of Volume 1 of Title 23 of the Code of Federal Regulations](#) (CFR) provides specific guidance on the development and content of federally required public participation plans.

23 CFR 450.322 and 450.324

In paragraphs (g), (i), and (j) of [Section 450.322](#), and paragraph (b) of [Section 405.324](#) of Volume 1 of 23 CFR there is specific guidance on consultation and public participation as it relates to the development and content of metropolitan transportation plans and transportation improvement program, respectively.

Title VI of the Civil Rights Act of 1964, 23 USC 140, 23 CFR 200, and 49 CFR 21

WCOG assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by [Title VI of the Civil Rights Act of 1964](#), and the [Civil Rights Restoration Act of 1987](#) (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any agency-sponsored program or activity. WCOG further provides assurance that there will be no discrimination in any of its programs or activities, whether those programs and activities are federally funded or not.

Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency

Issued in 2000, [Executive Order 13166](#) improves the access to services for those with limited English proficiency. The basis for this nondiscrimination order prohibition Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on national origin. Providing meaningful access to information, programs, services and activities for certain LEP individuals is required of recipients receiving federal funds.

Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

In accordance with [Executive Order 12898](#), issued in 1994, a recipient of federal funds from the U.S. Department of Transportation must incorporate Environmental Justice into its programs, policies and activities. Environmental Justice principles protect minority and low-income populations from disproportionately adverse effects of programs, policies and activities funded by the USDOT. These principles help assure that potential negative impacts to minority and low-income populations are identified and addressed before decisions are made that will utilize federal transportation funds.

Growth Management Act, RCW 36.70A and 47.80

Washington's [Growth Management Act](#) (GMA), signed into law in 1990, established state goals, deadlines for compliance, and direction on how to prepare local comprehensive plans and development regulations, as well as requirements for early and continuous public participation. The [Regional Transportation Planning Organization](#) Chapter of GMA authorized the creation of regional transportation planning organizations, including WCOG, which are required to prepare regional transportation plans consistent with countywide planning policies and local comprehensive plans.

Open Public Meetings Act, RCW 42.30

Passed in 1971, the Washington State [Open Public Meetings Act](#) (OPMA) ensures that meetings of governing boards are open and accessible to the public so that citizens may view the decision-making process. All members of governing bodies must complete training on the OPMA within 90 days of taking office, and then take a refresher course at least every four years thereafter while in office.

Public Records Act, RCW 42.56

The Washington State [Public Records Act](#) requires that all records maintained by state and local agencies are made available to members of the public, allowing for only very narrow statutory exemptions.

Appendix C: Consultation Sources

- Whatcom County
- Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack and Sumas
- Port of Bellingham
- Lummi Nation
- Nooksack Tribe of Indians
- Whatcom Transportation Authority
- Citizens' Transportation Advisory Group
- Transportation Technical Advisory Group
- Washington State Department of Transportation
- Federal Highway Administration
- Federal Transit Administration
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- Washington State Department of Ecology
- Washington State Department of Commerce
- Public Utility District No. 1
- Lake Whatcom Water & Sewer District
- Birch Bay Water & Sewer District
- Regional Organizations:
 - Bellingham Regional Chamber of Commerce
 - Whatcom Business Alliance
 - Whatcom Community Foundation
 - The Opportunity Council
 - Northwest Regional Council
 - Bellingham Whatcom County Tourism
 - Western Washington University
 - Bellingham Technical College
 - Whatcom Community College
 - Northwest Indian College
 - Public school districts and private schools
 - Easterseals Washington

Appendix D: Media Contacts

Newspapers

- The Bellingham Herald
- The Lynden Tribune
- The Ferndale Record
- The Northern Light
- El Periódico (Spanish)
- The Cascadia Daily

Radio

- KZAX-FM 94.9
- KGMI-AM 790
- KGMI-FM 96.5
- KISM-FM 92.9
- KPUG-AM 1170
- KBAI-FM 98.9
- KBAI-AM 930
- KMRE-FM 102.3
- KPPI-AM 1550 (Punjabi)
- KUGS-FM 89.3
- KWPZ-FM 106.5

Television

- Bellingham Community Television

Websites

- Whatcom Talk (whatcomtalk.com)

NOTE: This list may be updated without Council Board action.