

UNIFIED WORK PROGRAM

FY2021

West Michigan Metropolitan Transportation Planning Program

West Michigan Shoreline Regional Development Commission
(WMSRDC)

May 2020

**WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT COMMISSION
(WMSRDC)**



The WMSRDC is a regional council of governments representing 127 local governments in the West Michigan counties of Lake, Mason, Muskegon, Newaygo, Oceana, and northern Ottawa.

The mission of WMSRDC is to promote and foster regional development in West Michigan... through cooperation amongst local governments.

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I. INTRODUCTION

The Unified Planning Work Program (UWP) for the West Michigan Metropolitan Transportation Planning Program (WestPlan), is an outline of the activities and budgets for the October 1, 2020 through September 30, 2021 fiscal year (FY2021). The WestPlan is the metropolitan planning organization (MPO) for Muskegon County and northern Ottawa County. The UWP identifies the various transportation planning activities that are to be undertaken and the estimated budget and schedule for each work item. The UWP identifies the agency or agencies responsible for each work item and the distribution of funding and expenditures among those various agencies.

Disclaimer Statement

The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policies of the U.S. Department of Transportation.

Separate budget and/or work program documents are prepared annually for local projects involving statewide SPR funds, 49 U.S.C. §5303 funds, 49 U.S.C. §5307 funds, 49 U.S.C. §5313(b) funds, and the Clean Air Action Program (CMAQ) funds. Those documents form the basis of funding approval for those funds.

The UWP has been developed by the WestPlan staff based on continuing studies, the status of activities in the present UWP, and input from the participating agencies and committees. Each year the UWP will be based upon the needs identified in the current WestPlan Long-Range Transportation Plan (LRTP), and will describe activities that will bring about achievement of the goals and objectives identified in the LRTP. All activities and products identified in this document will be managed or completed by WestPlan staff. In certain instances, such as the Traffic Count Program, WestPlan staff will manage the project, but contract the physical work to a private consultant.

The UWP is reviewed and approved by the WestPlan MPO Technical and Policy committees. The UWP is then reviewed by the Michigan Department of Transportation (MDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). The final document is developed in consideration of state and federal comments, as well as public input.

Activities outlined in the current UWP (FY2020) have been completed or are continuing programs that carry over to future years. Any item that has not been completed will be identified under that section.

Previous Work Completed

In FY2020 MPO staff worked on updating and completing the 2045 WestPlan LRTP. MPO committees worked throughout the year on individual sections of the plan, and public input was sought and recorded during the entire process. Projects were selected to put into the travel demand model, and the MPO worked with MDOT and the MPOs from Holland and Grand Rapids to coordinate modeling and air quality models. This coordination process is referred to as the Inter Agency Work Group (IAWG).

Early in the process, MPO staff worked with individual municipalities and road agencies to develop current socio-economic data for use in the models as well. From there, with the current data developed, staff was able to create several analyses to aid with the LRTP. These include: deficiency road segments, environmental justice, environmental mitigation, and future areas of concern. Another key component of the plan is the performance based planning section which is an overview of the state developed targets and how the MPO will help meet the targets on both the highway and transit perspective. The plan was approved by the MPO in April of 2020.

The JobNet transition is complete and the MPO is using the database for all current and future TIP planning. Currently, the FY2020-2023 TIP is approved and amendments continue on a regular basis, as well as administrative modifications. To date, there have been 7 amendments to the FY2020-2023 TIP. MPO staff continues to update projects as needed. MPO staff continues to participate and contribute to JobNet training and policy decisions.

MPO meetings have occurred in most months of the fiscal year, and MPO staff continues to prepare minutes, agenda items and meeting materials for all WestPlan MPO Technical and Policy Committee meetings. MPO staff also continues to work closely with the chairpersons from the MPO Technical and Policy Committees to develop agendas and to help run the meetings. MPO staff continues to work with MDOT and two other MPOs to continue development of a region wide trail way-finding plan for West Michigan.

MPO staff participated in the Michigan Transportation Planning Association (MTPA) meetings and subcommittees.

Coordination began in FY2020 between the two transit providers in the MPO. The Muskegon Area Transit System and the Harbor Transit Multi-Modal Transit System have had ongoing discussions about how to enhance and possibly share services between the two counties. The MPO will be assisting the process and is seeking funding, as a work item in this document, for a comprehensive study to look at organizational and service options for the two agencies. This project is ongoing and will continue in to the next fiscal year.

MPO staff continued to work with two additional MPOs and the West Michigan Clean Air Coalition. The work continued a partnership of businesses, academic institutions, government agencies, industry, and non-profit organizations in Kent, Ottawa, Muskegon, and Kalamazoo counties, working together to achieve cleaner air in the region through the education and promotion of voluntary emission reduction activities.

II. METROPOLITAN AREA TRANSPORTATION ISSUES

MDOT and statewide MPOs have worked together with the federal transportation agencies to provide a continuing, comprehensive, and cooperative planning process. A successful planning program requires continuous review from federal, state, and local agencies and is an ongoing process. The statewide efforts involved in this review are discussed here, as are the efforts of the MPO to implement portions of the planning process.

The process of redefining the roles, responsibilities, and expectations of all parties is continually addressed through the Michigan Transportation Planning Association (MTPA). This association, which includes all of the Michigan MPOs, MDOT, FHWA, FTA, Office of Highway Safety Planning (OHSP), and the Michigan Department of Environment Great Lakes and Energy (EGLE), has served as the venue for discussion.

The MPO will continue implementing the elements of the planning process in an orderly way. Specifics of the MPO implementation steps and anticipated areas of focus are discussed here. These areas will be customized, as they develop, in order to work within the MPO program.

Data and Tools: MPO staff continues to work with MDOT, local municipalities, and local transit providers to implement Intelligent Transportation Strategies (ITS) into planning and design of future transportation projects. Transit fleets are being equipped with the latest in technology which helps provide efficient and accurate service to the users of their service. Road agencies are addressing congestion issues with signal upgrade and optimization projects. MDOT has implemented many ITS related projects along the I-96 and US-31 corridors and connecting trunkline routes. Electronic signs along US-31 and I-96 provide information to travelers about current conditions and alternate routes to use in cases of traffic backups. This information is crucial in northern Ottawa County where the US-31 drawbridge is opened periodically throughout the summer to allow boat traffic to move up and down the Grand River.

Needs Identification: MPO staff will utilize analysis tools and data to identify needs and aid local decision making. This will improve the needs-based process of planning, and help to determine problem areas in the system. However, it is also realized that not all decisions can be made solely on the results of a computer model or a set of management tools. Additional options will remain available for local communities to determine local priorities.

Project Selection Criteria: Each member agency uses a variety of data and different criteria to decipher the highest priority projects for each individual road agency. As projects are submitted by local agencies for consideration in the planning process, MPO committees work together to analyze the projects and collectively select projects to improve and enhance the transportation network in the region. As per the FHWA's FY2021 Planning Performance Emphasis Areas (PEAs), MPO staff will continue to develop a process which is objective at the staff level, but which can be prioritized at the committee level based on local priorities and agency input. MPO staff will continue to work with road agencies in FY2021 to discuss and develop a comprehensive set of criteria that will help in the project selection process.

Financial Plan: Future revenue estimates are developed with guidance from state and federal agencies. While past projections were focused primarily on federal funds, future efforts will

consider the incorporation of state and local sources as well. The financial plan will continue to be developed within the identified constraint. Constraint numbers are based on federal and state revenue estimates.

Public Involvement: MPO staff will work to implement the Public Participation Plan for transportation decision making. MPO staff is continuing its efforts to increase opportunities for the public and transportation interest groups to have access to the transportation planning process. Through these efforts, opportunities for public involvement and all meetings are posted to the WMSRDC website and on social media. The public may comment regarding all aspects of transportation planning.

Environmental Justice: MPO staff will overhaul the environmental justice procedures which it currently uses. This item is consistent with FHWA's FY2021 Planning Performance Emphasis Areas (PEAs). Staff is currently investigating training sessions available during the 2021 fiscal year. The regional commission's Geographic Information System (GIS) Specialist will become more involved at an earlier stage of project selection in order to better analyze projects for environmental justice findings.

Long-Range Planning: MPO staff completed the process of updating the MPO Long Range Plan for the Muskegon/Northern Ottawa area in FY2020. The plan is used as a guideline for transportation decisions in the MPO area. MPO staff will continue to monitor and update the plan as needed.

Transportation Improvement Program Development: The Transportation Improvement Program (TIP) is the project-specific programming document from which transportation projects are selected for funding. Currently, the MPO is working under the FY2020-2023 TIP. The TIP will continue to include planning process changes in the future, which will include Transportation Performance Based Planning requirements. The TIP is a "living" document, which is continually updated. The current document has been amended several times, with many administrative adjustments as well, which is common.

Development of Milestones: Continued progress will be made by the MPO to set and achieve reasonable milestones in the implementation of the planning process. The milestones will be primarily developed, monitored, and utilized by staff of the MPO to manage implementation of the process. MPO staff is investigating project management software to better coordinate project completion timelines.

Performance Based Planning: A key feature of the Fixing America's Surface Transportation Act (FAST Act) of December, 2015 is the establishment of a performance and outcome based program, originally introduced through the Moving Ahead for Progress in the 21st Century (MAP-21) Act. The objective of a performance based program is for states and MPOs to invest resources in projects that collectively will make progress toward the achievement of nationally set goals. 23 CFR 490 outlines the national performance goals for the federal-aid highway program required to be established in seven areas: safety, infrastructure condition, congestion reduction, system reliability, freight movement, environmental sustainability, and reduced project delivery delay.

Within one year of the U.S. Department of Transportation final rules on performance measures, States are required to set performance targets in support of these measures. Within 180 days of the state setting targets, MPOs are then required to choose to support the statewide targets, or optionally set their own targets. To ensure consistency, each MPO must, to the maximum extent practicable, coordinate with the relevant state and public transportation providers when setting performance targets. Any new TIP document or amendment must comply with performance reporting requirements.

The regulations required FHWA to establish final rules on performance measures to address the seven areas in the legislation, resulting in the following areas being identified as measures for the system:

- Pavement condition on the Interstate system and on the remainder of the National Highway System (NHS)
- Performance (system reliability) of the Interstate system and the remainder of the NHS
- Bridge condition on the NHS
- Fatalities and serious injuries, both number and rate per vehicle mile traveled, on all public roads, as well as bicycle and pedestrian fatalities and serious injuries
- Traffic congestion
- On-road mobile source emissions
- Freight movement on the Interstate System

In addition, FTA was charged with developing a rule establishing a strategic and systematic process of operating, maintaining, and improving public capital assets effectively through their life cycle. The Transit Asset Management Final Rule 49 CFR part 625 became effective October 1, 2016 and established four performance measures.

As per the FHWA's FY2021 PEAs, MPO staff will continue to work closely with federal and state partners, as well as the MPO Technical and Policy Committees to review and update targets and measures for the TIP and LRTP documents. With federal guidance, and discussions with other state and local agencies, MPO staff will continue to work toward developing achievable performance measures that will help with planning for current and future transportation needs in the MPO, as well as satisfy federal requirements. As methods and guidelines are developed, staff will monitor and track changes and successes. MPO staff will continue to work with other MPOs throughout the state to address requirements and develop strategies to incorporate the performance based planning in to the MPO process.

III. PROGRAM MANAGEMENT, ADMINISTRATION, AND ASSISTANCE TO MDOT

Objective

To provide effective management, coordination, and monitoring of the MPO, including the provision of program and financial status accounts which satisfy the requirements of the West Michigan Shoreline Regional Development Commission (WMSRDC) and MDOT, and to assure a continuing and comprehensive transportation planning process carried out cooperatively by state and the local communities. (Ongoing activity)

Activities

1. Program and staff supervision and coordination to include work scheduling; review of administrative documents and procedures; periodic progress review; and staff selection, monitoring, and training.
2. Staff support for Technical and Policy Committees to include preparation of meeting agendas and other arrangements, meeting presentations on applicable transportation planning matters, and the preparation and distribution of meeting minutes.
3. Prepare monthly work program status reports for the funded portions of the work program.
4. Prepare invoices for payment to WMSRDC, at least quarterly, from the funding source per the contract agreements.

NOTE: The Agency shall monitor expenditures. Where costs are anticipated to exceed the budget of work items, the Agency shall submit a request for a budget amendment. The proposed amendment shall show the current budget, proposed budget, and change amount for each budgeted work item.

5. Prepare an annual Final Acceptance Report (FAR) on the status of the work items in the work program.
6. Assist the auditors in carrying out general and specific audits of programs.
7. Public involvement and participation in local committees and task forces, as necessary, to promote the continuing, comprehensive, and cooperative multi-modal transportation planning process and to provide necessary technical assistance.
8. Participation in monthly meetings of the statewide MTPA, and subcommittees, as the representative of the MPO.
9. Prepare the UWP for project activities for FY2022.
10. Process any amendments which may be necessary for the FY2021 UWP.
11. Attend training sessions for new skills to assist MDOT in implementing the requirements of

Title 23 CFR §450.

12. Work with MDOT, FHWA, MTPA, FTA, and other agencies on the continuing development of a new planning and programming process. Customize and implement portions of the new planning process as appropriate for the area.
13. Review and update Title VI and ADA procedures as discussed at the Pre-UWP meeting as being one of the FHWA's FY2021 PEAs.

Products

1. FY2022 UWP (*WestPlan MPO*)
2. Final Acceptance Report
3. MPO Policy Committee agenda & meeting minutes as well as associated documents
4. The following will be submitted to MDOT by WMSRDC for reimbursement of costs incurred in conjunction with the MPO:
 - a. Disbursement Voucher
 - b. Itemization of Program Expenses (in terms of work items and cost groups, including charges to direct salaries, other direct costs, fringe benefits, and indirect costs).
 - c. Tabulations of Progress (by work item, indicating the percent completed and the amount billed in both the current period and to date).
 - d. Progress Report (brief, but sufficiently detailed, narrative summaries of the nature of activities, results, and products).
5. Amendments to the current UWP (FY2021)

Program Management Budget

FHWA	FTA	Local	MPO Budget
\$30,280	\$2,784	\$7,332	\$40,396

IV. METROPOLITAN PLANNING DATA ASSISTANCE

A. Air Quality Planning

Objective

The Clean Air Act Amendments of 1990 (CAAA) established the mandate for better coordination between air quality and transportation planning. The CAAA requires that all transportation plans and transportation investments in non-attainment and maintenance areas be subject to an air quality conformity determination. The purpose of such determination is to demonstrate that the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) conform to the intent and purpose of the State Implementation Plan (SIP). The intent of the SIP is to achieve and maintain clean air and meet National Ambient Air Quality Standards (NAAQS). Therefore, for WestPlan, which includes a non-attainment area, the LRTP and the TIP must demonstrate that the implementation of projects in the WestPlan MPO does not result in greater mobile source emissions than the emissions budget.

On October 1, 2015 the United States Environmental Protection Agency (EPA) set the primary and secondary national ambient air quality standard (NAAQS) for ground-level ozone at 70 parts per billion (or 0.070 parts per million). A portion of WestPlan, (part of Muskegon County) is designated nonattainment therefore requiring WestPlan to conform existing and future LRTPs and TIPs and amendments. For clarification, a portion of Muskegon County is designated nonattainment while Ottawa County is designated attainment.

WestPlan is also in two 1997 ozone maintenance areas. One covers the county of Muskegon and conducts conformity the same as for the nonattainment area. The second, Ottawa County is part of the Grand Rapids Limited Orphan Maintenance Area (Ottawa and Kent counties) and as such does not have to conform to emission budgets. WestPlan will continue to work with MDOT and neighboring MPOs to conduct conformity for both areas through the MITC-IAWGs. (Ongoing activity)

Activities

1. WestPlan will work with and assist MDOT, or conduct on our own, Michigan Transportation Conformity-Interagency Workgroups (MITC-IAWG) and develop regional transportation conformity analysis to ensure projects are consistent with the SIP.

Products

1. Develop project lists to be submitted to MITC-IAWG.
2. Participate in, and if appropriate conduct, MITC-IAWG.
3. Provide assistance, or if appropriate conduct and develop, regional transportation conformity analysis and document.
4. Facilitate conformity analysis through committee process.

5. Participate in efforts to ensure regionally significant projects are reviewed.
6. Conduct public participation for conformity analysis determination.

B. Highway Performance Monitoring System (HPMS)

Objective

Assist MDOT and FHWA by updating sample segment data in accordance with HPMS, the Traffic Monitoring Guide (TMG), and American Association of State Highway Officials (AASHTO) guidelines, as provided by MDOT.

The FAST Act is transitioning transportation agencies to be more performance oriented which means additional requirements to collect data and to standardize data to support national performance measures. An element of the legislation is the Model Inventory Roadway Elements (MIRE) Fundamental Data Elements (FDE), which is a required inventory of extensive roadway features and traffic data elements important to safety management, analysis, and decision making.

Provide support to MDOT in the cross agency coordination effort to plan for, gather, and report roadway characteristics on the non MDOT road network (federal aid and non-federal aid) to meet federal reporting requirements of Highway Performance Monitoring System (HPMS) as outlined in the FAST Act.

Support is defined as (but not limited to):

- Outreach
- Training and education
- Data coordination with Local agencies
- Data compilation
- Data load, transfer, and/or reporting (Conduit between local agencies and MDOT/FHWA)

Activities

1. Collect, update, and submit data items for HPMS in conjunction with MDOT's HPMS coordinator.
 - a. Staff will review and update the HPMS database sample segments using MDOT supplied spreadsheets that contain only the data items needing to be updated for each sample in the format provided.
 - b. MPO staff will continue to participate in HPMS training workshops and meetings as they become available.
2. Participate and provide support to MDOT in any of their planning efforts for MIRE FDE

data collection.

3. Provide support to MDOT in the cross agency coordination effort to plan for, gather, and report roadway characteristics.

Products

1. Current and Future AADT estimates and a description of the process used.
2. Commercial estimates of single-unit and multi-unit vehicles.
3. Roadway condition and inventory information based on visual review.

C. Metropolitan Traffic Counting Program

Objective

To continue updating traffic volume data and determining Annual Average Daily Traffic (AADT) for strategic locations within the Metropolitan Planning Area, to assist the Michigan Department of Transportation in obtaining supplemental counts. New counts will continue to be focused on federal aid roads. The counts will be collected by an outside consultant, but the project will be managed by MPO staff.

This work will directly benefit MDOT and other local agencies, as it ties directly to other transportation activities performed for MDOT, such as:

1. The HPMS Update, the Needs Study Assistance, and MDOT's Statewide 2300 Zone System Update work items and other projects that utilize modeling analysis.
2. Fulfilling FAST Act requirements.
3. Socio-economic data updates and analysis.
4. Traffic counts are used in Travel Demand Model validation processes.

This work will also benefit the jurisdictions of the Metropolitan Planning Area and the regional agency by making frequently requested traffic information available to public and private agencies, as well as MDOT. All counts will be available online through the Commission's cloud based traffic count database. In addition to the traditional location counts, the MPO will be undertaking a number of classification counts. This provides the opportunity for attracting additional growth, and a better-planned environment, while providing supplemental data to MDOT for its various programs.

Activities

1. Maintain traffic count system and program to help MDOT accurately model the transportation system in the WestPlan area.

2. MPO Staff will engage a consultant to collect traffic counts at approximately 100 locations yearly. 15 - 20 of these will be traffic counts by vehicle class as per request by MDOT staff.
3. Coordinate with various MDOT departments on traffic counting issues.

Products

1. Maintain Metropolitan Planning Area off-trunkline system count program in coordination with local jurisdictions (county road commissions and communities), and with MDOT.
2. Maintain detailed interactive web based traffic count database on the WMSRDC web page.
3. Contract with consultant to collect traffic counts at approximately 100 locations. 15 - 20 of these will be traffic counts by vehicle class as per request by MDOT staff.

D. Public Involvement and Local Technical Assistance *Objective*

Assist MDOT in providing the public an opportunity to review and comment on the Statewide Transportation Plan and STIP as required by Title 23 CFR §450. Provide for public involvement in the transportation planning process as it corresponds with the West Michigan Metropolitan Transportation Planning Program Participation and Consultation Plan. Provide technical assistance as requested by the public and local agencies and units of government. (Ongoing activity)

Activities

1. Continually update and maintain a contact list of those persons and organizations within the Metropolitan Planning Area who are in some way interested in, or exert some influence on, transportation issues of all modes. Utilize this contact list for garnering public involvement in the transportation planning process for the WestPlan MPO.
2. Attend and report on activities of appropriate meetings of transportation related interests, and assisting in arranging, hosting, and conducting meetings as MDOT's representative in the metropolitan area, as they relate to the interests of this work program.
3. Inform public of meetings of the MPO and any other meetings related to the planning process and allow opportunity for public comment. This process is more detailed in the Participation and Consultation Plan.
4. Provide information to the public concerning the planning process.
5. Provide traffic counts, census information, and other technical assistance to the public, local agencies, and local units of government upon request.
6. Assist local units of government in technical aspects of grant applications, project submittal, project tracking, data collection, and other items as requested.

Products

1. Maintain and utilize an up-to-date contact list. This mailing list and email distribution list will be submitted to MDOT upon request and is used regularly by WestPlan.
2. Maintain the WMSRDC website where meeting dates and available reports, studies, and plans for review are prominently displayed. The WMSRDC website prominently shows upcoming meeting dates on the homepage and includes graphics or interactive maps that coincide with projects such as the TIP, LRTP, or asset management.
3. Ensure up-to-date traffic data is available to interested parties via WMSRDC website and upon request. WestPlan contracts with a consultant that specializes in databases to allow the user better access to traffic counts available in the MPO via the WMSRDC website.
4. Maintain and update the West Michigan Metropolitan Transportation Planning Program Participation and Consultation Plan. The plan is reviewed by staff annually to ensure effectiveness.

E. Geographic Information Systems (GIS) Data Service

Objective

To provide Geographic Information Systems (GIS) mapping and data services to MDOT, FHWA and Local Road Agencies. Many of the current transportation programs utilize this type of service. (Ongoing activity)

Activities

1. Create GIS data specific to LRTP, TIP, traffic counts, PASER ratings, and non-motorized projects.
2. Create digital and physical maps with unique GIS data for all projects, planning and local jurisdiction consumption.
3. Create online maps for use in the field and public consumption of all projects.
4. Attend PASER rating training and collect asset management data and perform analysis.
5. Perform environmental justice analysis for Long Range Plan and TIP Projects.
6. Provide environmental mitigation analysis for the Long Range Plan.
7. Work with WMSRDC's Environmental Program manager for environmental mitigation analysis for LRTP.
8. Edit and update stored GIS data for dissemination upon project changes.

9. GIS data, mapping and planning work for special projects such as non-motorized projects and the West Michigan Pike.
10. Coordinate and work in conjunction with local county GIS departments to share, edit and store GIS data.

Products

1. Maps for various transportation projects, reports, and presentations (paper or digital).
2. Support and assistance to local governments.
3. Provide data and meta-data in digital or spreadsheet format.

F. Performance Based Planning

Objective

The objective of a performance based program is for states and MPOs to invest resources in projects that will collectively make progress toward the achievement of nationally set goals. 23 CFR 490 outlines the national performance goals for the federal-aid highway program required to be established in seven areas: safety, infrastructure condition, congestion reduction, system reliability, freight movement, environmental sustainability, and reduced project delivery delay.

Within one year of the U.S. Department of Transportation final rules on performance measures, States are required to set performance targets in support of these measures. Within 180 days of the state setting targets, MPOs are then required to choose to support the statewide targets, or optionally set their own targets. To ensure consistency, each MPO must, to the maximum extent practicable, coordinate with the relevant state and public transportation providers when setting performance targets. Any new TIP document or amendment must comply with performance reporting requirements as outlined in the FAST Act. (Ongoing activity)

Activities

1. Work with federal, state, and local road agencies, as well as the public to continue to identify and establish performance based planning strategies.
2. Work with other MPOs, as well as state and federal agencies to define and implement the strategies.
3. Attend training and work sessions geared toward performance based planning.
4. Monitor and update measures and targets as necessary.

Products

1. Strategies and target setting to help with project planning and implementation.

2. Develop data for transportation planning and decision making.
3. Identification of deficiencies in the planning process.
4. Updated TIP and LRTP documents to reflect targets and measures.

G. Asset Management

Objective

The resources allocated to the MPO from the Transportation Asset Management Council (TAMC) annual budget shall be utilized to assist in the completion of the TAMC Work Program. All work shall be consistent with the policies and priorities established by the TAMC. All invoices submitted for reimbursement of Asset Management activities shall utilize MDOT's standard invoice forms and include the required information for processing. The MPO shall complete the required products and perform tasks according to the timeframes and directives established within TAMC's data collection policy. The MPO will emphasize these tasks to support the top 125 Act 51 agencies (agencies that certify under Act 51 a minimum of 100 centerline miles of road) within the planning area when resources are limited. The activities eligible for TAMC reimbursement include the following:

Activities

1. Training Activities
 - a. Attendance at training seminar(s) on the use of Pavement Surface Evaluation and Rating (PASER) and inventory-based rating system for unpaved roadways.
 - b. Represent MPO/RPO at TAMC-sponsored conferences and seminars, including attending either the spring or fall TAMC Conference.
 - c. Attend TAMC-sponsored Investment Reporting Tool (IRT) training seminars.
 - d. Attend TAMC-sponsored Asset Management Plan Development training seminars.
2. Data Collection Participation and Coordination
 - a. Federal Aid System:
 - i. Organize schedules with Act 51 agencies within MPO/RPO's boundary for participating in Federal Aid data collection efforts; ensure all participants of data collection have access to State of Michigan travel reimbursement rates.
 - ii. Coordinate, participate and facilitate road surface data collection on approximately one-half of the Federal Aid System in accordance with the

TAMC Policy for the Collection of Roadway Condition Data on Federal Aid Eligible Roads and Streets.

- iii. Collect unpaved roadway condition data on approximately half of any unpaved Federal Aid eligible roadways using the inventory-based rating system developed by the Michigan Technological University's Center for Technology and Training.

b. Non-Federal Aid System:

- i. The RPO/MPO may allocate reimbursements for Non-Federal Aid data collection to Act 51 agencies according to the resources available to them in the manner that best reflects the priorities of their area and supports the TAMC work.
- ii. Coordinate Non-Federal Aid data collection cycles with Act 51 agencies with an emphasis on the top 125 agencies.
- iii. Ensure all participants of data collection understand procedures for data sharing with TAMC and TAMC reimbursement policy and procedures for collecting Non-Federal Aid data.
- iv. Participate and perform with Act 51 agencies on an as-needed basis for the data collection of Non-Federal Aid roads.
- v. Equipment

- c. Ensure rating teams have the necessary tools to complete the federal aid data collection activity by maintaining a laptop compatible with the Laptop Data Collector and Roadsoft programs, a functioning Global Positioning System (GPS) unit, and other required hardware in good working order.
- d. Communicate any equipment needs and purchases with the TAMC Coordinator; laptops are eligible for replacement on a three-year cycle.

3. Data Submission

- a. Develop and maintain technical capability to manage regional RoadSoft databases and the Laptop Data Collector program; maintain a regional RoadSoft database that is accurate and consistent with local agency data sets.
- b. Coordinate Quality Assurance/Quality Control activities and data submission tasks according to protocols established in TAMC Data Collection Policies for Federal Aid and Non-Federal Aid Roads.
- c. Monitor and report status of data collection efforts to TAMC Asset Management Coordinator through monthly coordinator calls and/or monthly or quarterly program updates that are mailed with invoices.

- d. Provide links on agency websites and reports to the TAMC website, interactive maps and dashboards for the dissemination of roadway data.
4. Asset Management Planning
 - a. Participate and attend TAMC-sponsored training and workshops in order to provide technical support for Asset Management Plan development activities.
 - b. Provide an annual reporting of the status of Act 51 agency Asset Management Plans and keep abreast of the status of these plans for updates and revision.
 - c. Provide technical assistance and training funds to Act 51 agencies during the development of local Asset Management Plans using TAMC templates when applicable; coordinate these tasks with an emphasis on the Top 125 agencies.
 5. Technical Assistance
 - a. Provide technical assistance to local agencies in using the TAMC reporting tools for planned and completed infrastructure investments or any other TAMC Work Program activity.
 - b. Integrate PASER ratings and asset management into project selection criteria:
 - c. Analyze data and develop road preservation scenarios.
 - d. Analyze performance of implemented projects.
 6. Culvert Mapping Pilot
 - a. Provide administrative and technical assistance to Public Act 51 agencies and MDOT for reimbursement of TAMC funds for participation in the 2018 TAMC Culvert Mapping Pilot project.
 - b. Utilize TAMC reporting forms to communicate progress and expenditures of Public Act 51 agencies to assist TAMC in the Culvert Mapping Pilot Report.

Products:

1. PASER data for Federal Aid System submitted to TAMC via the IRT.
2. PASER data for Non-Federal Aid System submitted to TAMC via the IRT.
3. Quarterly or monthly activities reports submitted with invoices to TAMC Coordinator.
4. Create an annual report of Asset Management Program activities as well as a summary of PASER condition data by local agency, functional classification, and Act 51 Legal System; provide links to the Regional Annual Report on agency website and submit copies to TAMC Coordinator.

5. Prepare a draft status report of Act 51 agency Asset Management activities and plans within MPO/RPO boundary by September 30, 2021

Note: The Asset Management program is funded and administered through the Regional Work Program.

H. Model Inventory Roadway Elements (MIRE)

Model Inventory Roadway Elements (MIRE) Fundamental Data Elements (FDE) is a federal reporting requirement for safety roadway data. The design specifications of the systems for the MIRE FDE is expected to be complete, but some aspects may continue. Implementation by MDOT and its vendors (CSS, Roadsoft, and ESRI) of the MIRE FDE data repository in MDOT Roads & Highways is expected to be under way. Continued volunteer MPO participation, planning input, and piloting may be asked for on a volunteer basis. Education, material preparation, optional travel, and meeting time would be potential resources required for participation. As data collection elements are known, some MIRE FDE data collection may begin at the MPO’s discretion.

Activities

1. Participate and provide support to MDOT in any of their planning efforts for MIRE FDE data collection.

Products

No products have been identified at this time.

Data Assistance Budget

FHWA	FTA	Local	MPO Budget
\$75,699	\$6,959	\$18,329	\$100,988

V. METROPOLITAN AREA TRANSPORTATION PLANNING

A. Long Range Planning

Objective

MPO staff will maintain the 2045 Long Range Transportation Plan for the WestPlan MPO. (Approved April 2020) The plan is formulated on the basis of transportation needs with consideration to comprehensive long-range land use plans, development objectives, and overall social, economic, environmental, system performance, and energy conservation goals and objectives, and with due consideration to their probable effect on the future development of the MPO urbanized area. Special consideration has been given to existing land use and its relationship to probable future land use based on community comprehensive (or "master") plans, zoning, infrastructure and environmental, energy, and air quality constraints. In Muskegon County, the Muskegon Area-wide Plan (MAP) is the county's master plan. Ottawa County has the Ottawa County Development Plan, which functions as their Master Plan. The plans will be used as a tool for making transportation decisions throughout the MPO in the coming years.

There is a direct correlation between transportation, land use/zoning, population, and other infrastructure, such as water, sewer, and utilities. It is important to consider the link between transportation and infrastructure, in both terms of past and future development, with relation to expansion of infrastructure. Transportation must be looked at as a major component of planning and future development because it has the most potential for determining what the infrastructure network will look like in the future.

In the terms of linking transportation and infrastructure, all forms of transportation must be considered. These include roadways, pedestrians, bike paths, rail (passenger and freight), shipping, and air, among others.

Title 23 CFR §450 Implementation—Planning Considerations: (See also "Short-Range Planning")

Special consideration, under Title 23 CFR §450, will be given to the following planning factors:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life; and promote consistency between transportation improvements and state/local planned growth and economic development patterns.

- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system.

Activities:

1. Maintain and update data concerning current zoning, existing and expected future land-use, and current and anticipated extensions of infrastructure (especially sewer and water).
2. Update and monitor base, current, and future socio-economic data including population, housing, employment, and economic base data.
3. Update and collect street and highway data, including such data as traffic volumes, road and street characteristics, crash information, multi-modal uses, and capacity information.
5. Work with local units of government, planning commissions, and other interested stakeholders on transportation and land use issues related to their master plans and implementation activities, especially as they pertain to the community comprehensive or "master" plans, zoning, infrastructure, environmental, energy, air quality constraints, existing and future land use, and planning activities.
6. Update list of major traffic generators and generalized current land use data.
7. Assist MDOT in maintenance of the Muskegon/northern Ottawa Urbanized Area Model.
8. Maintain updated projections of urban area economic, demographic, and land use activities consistent with urban development goals and the development of potential transportation demands based on these projected levels of socio-economic activity and through the possible use of GIS methods.
9. Identify and address issues that relate and contribute to climate change and greenhouse gasses.
10. Continue to work with local governments and agencies on freight planning and more specifically port planning and development.
11. Continue to work with local government agencies to plan for non-motorized projects that can coordinate with highway and transit planning.
12. Port planning and project implementation. MPO staff will recommend port related involvement on the MPO Committees for future planning and project implementation.
13. Provide support and recommendation, coordination of local review, and committee approval of socio-economic data for use within the Travel Demand Model.

14. Coordination of Travel Demand Model activities in accordance to the agreed upon model development schedule and coordination with adjacent MPOs (GVMC & MACC) Travel Demand Model developments.
15. WestPlan will continue to coordinate with other MPOs, MDOT, and local agencies on various long-range transportation studies, as needed.
16. Improve documentation and communication and consideration of environmental consultation agencies.

Products

1. Maintenance of files for update of a Socio-Economic Data Report (showing population, housing units, total employment, retail employment, and vehicle ownership by Traffic Analysis Zone (TAZ) utilizing tables, charts, and other descriptive methods) for approval by Technical and Policy Committees.
2. Assist MDOT in the maintenance of the transportation network model.
3. Continued assistance with Port of Muskegon planning and project implementation.
4. Participation and data support with partner agencies for long-range transportation needs analysis and/or studies.

B. Short Range Planning

Objective

To identify and prepare short-range plans designed to evaluate existing transportation problems and to determine immediate and near-term improvement opportunities. Special emphasis will be placed on the implementation of elements of the Clean Air Act. As part of the emphasis on emissions reduction (specifically ozone), identify projects that will make better use of the existing transportation system and provide for the efficient movement of people and goods. To obtain information and maintain files of transportation planning data necessary to understand the nature, extent, and distribution of transportation and land use resources and traffic generators to provide an analysis of existing conditions of travel, transportation facilities, and systems management.

Special consideration has been given to existing land use and its relationship to probable future land use based on community comprehensive (or "master") plans, zoning, infrastructure and environmental, energy, and air quality constraints.

In the terms of linking transportation and infrastructure, all forms of transportation must be considered. These include roadways, pedestrians, bike paths, rail (passenger and freight), shipping, and air, among others. (Ongoing activity)

Title 23 CFR §450 Implementation—Planning Considerations: (Also listed under Long Range

Planning)

Special consideration, under Title 23 CFR §450, will be given to the following planning factors:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life; and promote consistency between transportation improvements and state/local planned growth and economic development patterns. In Muskegon County, the Muskegon Area-wide Plan (MAP) is the County's Master Plan. Ottawa County has the Ottawa County Development Plan, which functions as their Master Plan.
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

Activities

1. On a bi-annual basis, development of a staged multi-year program of transportation improvement projects (Transportation Improvement Program, or TIP) consistent with the long-range transportation plan, including assistance to MDOT in conformity determination as part of the requirements of the Clean Air Act.
2. Continuation of efforts to assist local governmental units in the metropolitan area with studies of designated "Corridors of Concern" (thoroughfare corridors which are multi-jurisdictional with high traffic volume and high existing and future development pressures) to determine recommendations for compatible land uses, access controls, and traffic improvements.
3. Work with local units of government and planning commissions on transportation and land use issues related to their master plans as they pertain to community comprehensive or "master" plans, zoning, infrastructure, environmental, energy, air quality constraints, and future land use.
4. Title 23 CFR §450 Implementation and Coordination - Consider Title 23 CFR §450 planning factors and the issues listed in the section above in decision making for short range planning. Assist local governments, road agencies, transit, and others to make decisions based on good forethought and planning as presented in the Title 23 CFR §450 federal legislation.

5. Census Assistance - Implementation of Traffic Analysis Zone definitions. Assist the Census Bureau in workplace coding as appropriate.
6. Safety Planning - Continue to work with local, state, and federal agencies to identify and address safety concerns with relation to transportation. Information will be used to help in determining local concerns, and how to best address these concerns. Inventory and identification of high accident locations that will be utilized for future project planning.
7. Climate Change - Identify and address issues that relate and contribute to Climate Change and Greenhouse Gasses. Continue to plan for emission reduction through funding sources such as CMAQ and Transportation Alternatives (TA).

Products

1. Revisions and amendments to the FY 2020-2023 TIP through the continued use of JobNet.
2. Annual listing of obligated projects for projects listed in the TIP. This will be posted on the WMSRDC website and available to the public.
3. Various short-range, TSM-type studies, corridor and area studies, etc., as well as other short-range planning items to support the development of the Long-Range Transportation Plan.
4. Work with MDOT staff to develop forums to discuss current safety issues, data collection methods, and how to incorporate these into the MPO process.
5. Performance Based Planning targets and language revisions as required.

C. Non-Motorized Planning

Objective

Continue to develop and expand non-motorized traffic planning for the MPO. Provide continuous updates to current comprehensive plan that was completed for the MPO area. Continue to look for ways to link all types of transportation.

Activities

1. Work with the MPO partners and other community members to address concerns or comments that were derived from the plan, and discuss ways to improve the plan.
2. Incorporate recommendations and comments into all aspects of MPO and Regional Planning.

3. Involvement and participation with various MPO partners as well as other agencies such as the Convention and Visitors bureaus, transit providers, and other interested agencies.

Products

1. A continually updated non-motorized plan for the Muskegon/northern Ottawa MPO, which includes an examination of existing non-motorized pathways within the MPO boundaries and an analysis as to where future investments would make the most sense to make connections.

Metropolitan Area Transportation Planning Budget

FHWA	FTA	Local	MPO Budget
\$196,818	\$18,094	\$47,656	\$262,568

VI. TRANSIT PLANNING

A. Metropolitan Transit Planning (49 U.S.C. §5303 and U.S.C §5313(b))

Objective

To develop plans, procedures, and programs to assist the transit providers located in WestPlan MPO. These agencies include the Muskegon Area Transit System (MATS), Harbor Transit Multimodal Transportation System, Pioneer Resources, Agewell Services, and Goodwill Industries. To develop and improve comprehensive public mass transportation systems and to assure a continuing, comprehensive transportation planning process carried out cooperatively by the FTA, the state, and the local communities. (Ongoing activity)

Activities

1. Perform long-range transit planning by such techniques as travel forecasting, data base development and maintenance, systems analysis, sketch planning, system plan development, corridor studies, cost effectiveness studies, feasibility and location studies, planning for major transportation investments, alternatives analysis, etc. Incorporate transit planning with the Long Range Transportation Plan.
2. Perform short-range transit planning by such techniques as management analysis of operations, service planning, financial management planning, analysis of alternative fare box policies, ridership and user surveys, vanpool/rideshare analysis and impact, parking management, etc.
3. Perform Title VI Monitoring Procedures triennially, as required.
4. Assist with the planning, development, and improvement of transportation services to the elderly and persons with disabilities including service planning, evaluation, coordination, and application.
5. Maintain contact with transportation planners and providers throughout West Michigan to discuss and facilitate public transportation improvements.

Products

1. Assistance with applications for funding.
2. Transit surveys, as needed (on-board user, community-wide, and route surveys).
3. Specialized Services Grant application support.
4. Chairmanship and staffing responsibilities for the Muskegon County Specialized Services Coordinating Council.

B. Other Transit Planning Activities - Assist with specialized transportation needs

Objective

Continue to be an active member of the Muskegon County Specialized Services Committee. The Muskegon County Specialized Services Coordinating Committee was formed to assist seniors and persons with disabilities with their transportation needs. The committee was established in 1988 under PA51, as amended, to improve transportation services to seniors and people with disabilities in Muskegon County.

Work with local agencies and groups regarding their needs for planning assistance for specialized transportation needs. (Ongoing activity)

Activities

1. Chairperson for the Specialized Services Committee which meets bi-monthly.
2. Act as staff to the Specialized Services Committee by scheduling meetings, preparing agendas, and writing minutes of meetings.
3. Provide assistance to transit providers in the metropolitan area, including assessing and analyzing the transportation needs of disabled residents within the Muskegon County/northern Ottawa County area.
4. Facilitate public participation.
5. Provide updates on state and federal legislation.

Products

1. Human Services/Public Transportation Plan Updates.
2. Planning for transit related projects in the Transportation Improvement Program and the Long Range Plan.
3. Demographic data support for transit planning.
4. Meeting agendas and minutes.

Metropolitan Transit Planning Budget

FHWA	FTA	Local	MPO Budget
\$0	\$45,539	\$9,655	\$53,193

C. FTA Section 5304 – Harbor Transit Multi-Modal Transportation System

Objective

The goal of the project is to evaluate the Harbor Transit (HT) service territory to determine if HT could introduce and add some fixed routes to the on-demand service. HT feels the need to continue to improve customer service delivery and to assist in reducing overall operating costs per ride. Since 2012 the agency has increased in size from 10.6 square miles to 55 square miles and now serves approximately 45,000 residents within the service territory. HT's goal is to reduce customer waiting time for non paratransit ridership.

Activities

1. A third party consultant will evaluate the HT service territory using RouteMatch software.
2. Determine which classification of ridership is using the HT service and where they are traveling from point of origin to their designation and a return trip.
3. Perform a survey of ridership as to if they would utilize the fixed route service and establish pricing levels for the service. The target audience would be a portion of ridership that would be served in close proximity to the fixed routes and with the exclusion of anyone eligible for paratransit service.

Products

1. Cost reduction, improved customer service with more predictable wait times.

Harbor Transit Study Budget

FHWA	FTA	State/Local	MPO Budget
\$0	\$64,000	\$16,000	\$0

Note: This project will not be included in the MPO budget

VII. OTHER METROPOLITAN AREA TRANSPORTATION PLANNING ACTIVITIES

A. Area-Wide Air Quality Improvement Program/Clean Air Action Program

Objective

Promote voluntary emission reduction activities, especially on hot summer days when the weather and wind direction is conducive to the formation of ground-level ozone. This program will also promote similar activities on days when particulate matter air pollution is expected to be high. These efforts will continue to meet the goals of the program that was expanded in Fiscal Year 2009 from a summer seasonal program to a year-round program as particulate matter is a year-round pollutant.

Influence the travel and household behavior of the general public to be more air quality friendly.

Increase vehicle occupancy and decrease the number of vehicles in the transportation system.

Activities

1. Continue to successfully partner with the West Michigan Clean Air Coalition and others to develop and implement an annual educational marketing campaign for air quality awareness in West Michigan.
2. Continually promote the Michigan EnviroFlash Program. The EnviroFlash Program is a partnership between Michigan Department of Environment, Great Lakes, and Energy (EGLE) and US-EPA that automatically delivers air quality forecasts, as well as Air Quality Action Day notifications, directly to the public.
3. Establish new and maintain existing relationships with media, local business, governments, and community organizations to strengthen the goals of the Area-Wide Air Quality Improvement Program.
4. Develop and implement localized annual marketing campaign for Muskegon and Ottawa County that will influence the travel behavior of the public to be more air quality friendly.
5. Integrate social distancing guidelines that may be in place due to the COVID-19 into previously promoted clean air action activities.
6. Continue to partner with Muskegon Area Smart Commute through shared marketing.
7. Update the West Michigan Clean Air Coalition website and social media pages.

Products

1. An annual marketing campaign planned in conjunction with the West Michigan Clean Air Coalition.
2. Clean Air Action kick-off event.
3. Radio and television educational text, production, and purchase of public service announcements.
4. Social media content including text, graphics, and sponsored advertisements.
5. Television streaming service public service announcements.
6. On-air radio and television interviews.
7. Creation, purchasing, and/or printing of promotional items.
8. Participation in various community events and activities.
9. Involvement and participation in various environmental-related organizations and committees.
10. An ever expanding list of interested citizens who are registered with the EnviroFlash Program.
11. Press release text and distribution.

Air Quality Improvement Program Budget

FHWA	FTA	Local	MPO Budget
\$100,000	\$0	\$25,000	\$125,000

B. West Michigan Wayfinding Signage Guide (Non-Motorized)

Objective

To develop, with assistance from the Grand Valley Metropolitan Council, the Macatawa Area Coordinating Council, the West Michigan Trails and Greenways Coalition, MDOT, the Michigan Department of Natural Resources, and local trails and friends groups, a consistent and unified framework for regional trail and pathway signage in West Michigan.

Activities

1. Participation on Regional Trail Wayfinding Task Force to assist in planning and development of a recommended framework and language for wayfinding signage on regional non-motorized facilities and trails.

Products

1. Recommendations for options and guidelines for regional wayfinding signage.
2. Assistance with RFP for consultant to develop a guide and plan for this project.
3. Wayfinding strategies and guidelines incorporated into MPO planning process with relation to highway and non-motorized projects.

Funding

Note: There is no funding associated with this project at this time, if funding is established it will be amended at a later date.

VIII. FLOW CHART FOR FY2021 MPO ACTIVITIES

WestPlan Unified Work Program 2021												
Activities	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.
PROGRAM MANAGEMENT, ADMINISTRATION, AND ASSISTANCE TO MDOT												
<i>MPO Committee Meetings</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>Monthly Progress Reports</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>Unified Work Program (FY2022)</i>							→	→	→	→		
<i>Final Acceptance Report</i>	→	→	→									
Metropolitan Planning Data Assistance												
<i>Air Quality Planning</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>HPMS Update</i>		→	→	→								
<i>Metropolitan Traffic Counting Program</i>					→	→	→	→	→	→		
<i>Public Inv. & Local Technical Assistance</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>GIS Data Service</i>	→	→	→	→	→	→	→	→	→	→	→	→
Metropolitan Area Transportation Planning												
<i>Long Range Planning</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>Short Range Planning</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>Non-Motorized Planning</i>	→	→	→	→	→	→	→	→	→	→	→	→
Transit Planning												
<i>Metropolitan Area Transit Planning</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>Other Transit Planning Activities</i>	→	→	→	→	→	→	→	→	→	→	→	→
Other Planning Activities												
<i>Area-Wide Air Quality Imp. Program</i>	→	→	→	→	→	→	→	→	→	→	→	→
<i>West Michigan Regional Wayfinding</i>	→	→	→	→	→	→	→	→	→	→	→	→

FY 2021 WESTPLAN UWP APPENDIX

APPENDIX A:
FUNDING SOURCE SUMMARY

**APPENDIX A
TRANSPORTATION PLANNING WORK PROGRAM
FUNDING SOURCE SUMMARY
FY 2021**

	PL	FEDERAL	FTA SEC 5303 FEDERAL	CMAQ FEDERAL	LOCAL MATCH FOR PL	LOCAL MATCH FOR SEC 5303	LOCAL MATCH FOR CMAQ	STATE MATCH FOR PL	FEDERAL TOTAL	STATE TOTAL	LOCAL TOTAL	MATCH TOTAL	MPO TOTAL
MPO PROGRAM MANAGEMENT		30,280	2,784	-	6,714	617	-	-	33,063	-		7,332	40,396
METRO AREA DATA ASSISTANCE		75,699	6,959	-	16,786	1,543	-	-	82,658	-		18,329	100,988
METRO AREA PLANNING		196,818	18,094	-	43,644	4,012	-	-	214,912	-		47,656	262,568
Multimodal Subtotal		302,797	27,836	-	67,144	6,173	-	-	330,633	-		73,317	403,950
TRANSIT PLANNING		-	43,539	-	-	9,655	-	-	43,539	-		9,655	53,193
Transit Subtotal		-	71,375	-	-	15,827	-	-	71,375	-		15,827	87,202
AREAWIDE AIR QUALITY IMPROVEMENT PROGRAM		-	-	100,000	-	-	25,000	-	100,000	-		25,000	125,000
GRAND TOTAL	\$	302,797	\$ 71,375	\$100,000	\$ 67,144	\$ 15,827	\$ 25,000	\$ -	\$474,172	\$ -	\$	107,972	\$ 582,144

APPENDIX B:
COST ALLOCATION PLAN



FISCAL YEAR 2021
COST ALLOCATION PLAN

(October 1, 2020 – September 30, 2021)

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Introduction

West Michigan Shoreline Regional Development Commission
(EIN: 38-1957127)
316 Morris Avenue, Suite 340
Muskegon, MI 4940

Tel: (231) 722-7878

Website: <http://www.wmsrdc.org>

Contact Person(s): Erin Kuhn, Executive Director Email: ekuhn@wmsrdc.org

Amanda Snyder, Finance Manager Email: asnyder@wmsrdc.org

The West Michigan Shoreline Regional Development Commission (WMSRDC) is a federal and state designated regional planning and development agency serving 120 local governments in Lake, Mason, Muskegon, Newaygo, and Oceana Counties.

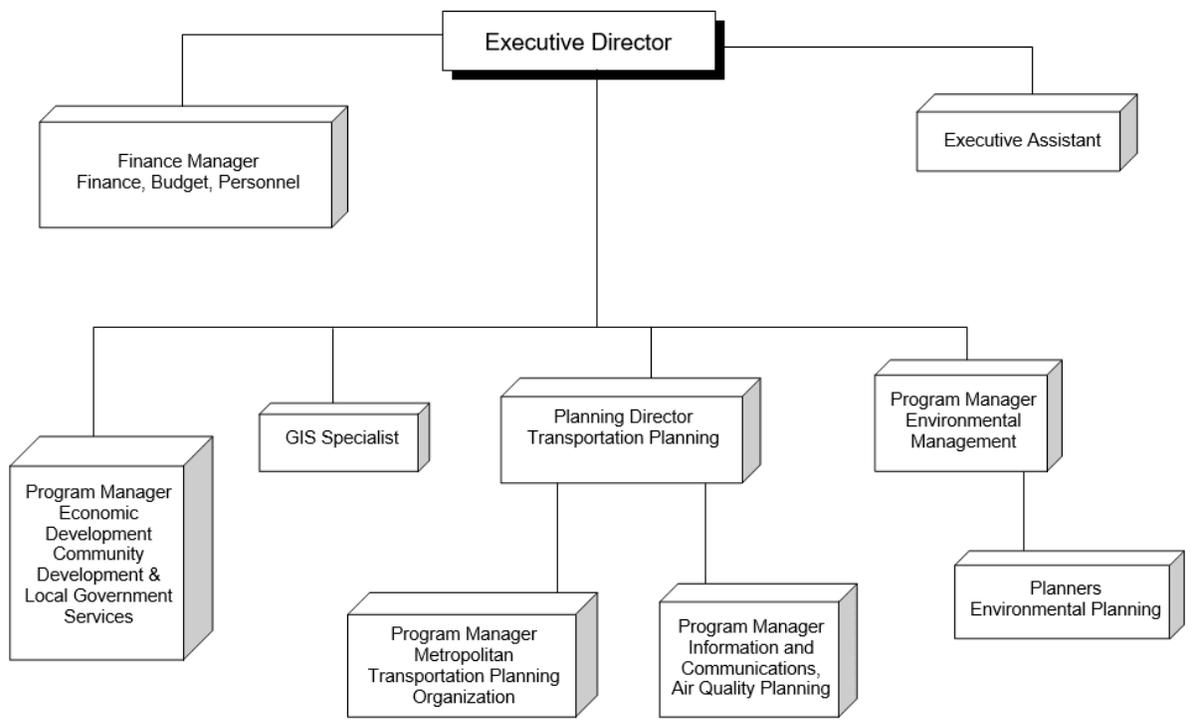
WMSRDC is also the planning agency for the metropolitan transportation planning (MPO) program for Muskegon and Northern Ottawa Counties.

The mission of the Commission is to promote and foster regional development in West Michigan through cooperation amongst local governments and other regional partners. WMSRDC provides services and manages and administers programs in homeland security, transportation planning, economic development, environmental planning, community development, local government services, and other special projects.

Presented in this document is WMSRDC's Cost Allocation Plan for the fiscal year 2021. This proposal is based upon estimated budgets for all programs to be administered by WMSRDC during the period of October 1, 2020 through September 30, 2021. All Federal, State, and local programs have been included in the proposal.

During the proposal fiscal year, no significant changes are anticipated, such as to the accounting system, or definition or to the accounting treatment of any expense category.

Organization Chart



**WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT COMMISSION**

Statement of Employee Benefits

10/1/20 - 9/30/21

Description	Amount		
F.I.C.A.	49,133		
Group Insurance	209,775	994	Vision
		7,866	Dental
		197,876	Health
		3,039	Life/LTD
Workers' Compensation Insurance	1,344		
Pension Plan Contributions	36,000		
Michigan Unemployment Insurance	<u>3,658</u>		
Total	<u>299,910</u>		
Allocation Base:			
Total Salaries	642,257		
Employee Fringe Benefit Rate	46.70%		

**WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT COMMISSION
Statement of Indirect Costs
Fiscal Year 2021**

DESCRIPTION	AMOUNT
Indirect Salaries	\$91,198
Employee Benefits	42,586
Administrative Services	74,942
Office Occupancy	55,940
Equipment Use Charges	6,977
Maintenance	12,781
Supplies Expense	2,000
Other - R&M	1,000
Total Indirect Costs	287,424
Indirect Cost Basis	
Direct Chargeable Salaries	\$551,058
Direct Chargeable Employee Benefits	257,324
Total Chargeable Salaries & Benefits	808,382
Indirect Cost Rate	35.56%

West Michigan Shoreline Regional Development Commission
Cost Allocation Plan

WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION PERSONNEL COST FY 2021											
NAME	TITLE	SALARY	CHARGE ABLE SALARY	FICA	LIFE/LTD INS	DENTAL INS	HEALTH INS	VISION INS	WORKERS COMP	MICHIGAN SUTA 3.5%	Pension Plan Contributions
PROGRAM SUB-TOTAL		551,058	551,058	42,156	2,623	7,587	179,194	962	1,153	3,292	30,888
INDIRECT SUB-TOTAL		91,198	91,198	6,977	416	279	18,682	33	191	366	5,112
TOTAL		<u>642,257</u>	<u>642,257</u>	49,133	3,039	7,866	197,876	994	1,344	3,658	36,000

JOB CLASSIFICATION SYSTEM

POSITION	GRADE
OFFICE ADMINISTRATION	
Executive Assistant	4
Administrative Assistant	1
FINANCE	
Finance Manager	8
Accounting Manager	6
PLANNING	
Planning Aide	2
Planner	5
Associate Planner	6
GIS Specialist	9
Senior Planner	10
Program Manager	11
Planning Director	12
MANAGEMENT	
Executive Director	*

*Board Determination

**Non-Exempt Positions

SALARY RANGE SCHEDULE**FY2021**

POSITION	SALARY GRADE	MINIMUM SALARY	MAXIMUM SALARY
OFFICE ADMINISTRATION			
Administrative Assistant	1	25,000	35,000
Executive Assistant	4	30,000	50,000
FINANCE			
Finance Manager	8	65,000	85,000
Accounting Manager	6	35,000	45,000
PLANNING			
Planning Aide	2	25,000	30,000
Planner	5	30,000	40,000
Associate Planner	6	35,000	45,000
GIS Specialist	9	33,000	50,000
Senior Planner	10	40,000	50,000
Program Manager	11	48,000	68,000
Planning Director	12	65,000	75,000

EXECUTIVE DIRECTOR: BOARD DETERMINATION

JOB DESCRIPTIONS

TITLE: EXECUTIVE DIRECTOR

General Summary

This position is directly responsible to the West Michigan Shoreline Regional Development Commission. Under the policy direction of the Commission, individual is responsible for directing and managing all agency functions; including work programs, budget, staff supervision, finance, and other management responsibilities.

Major Duties and Responsibilities

- Prepares annual work program for Commission approval
- Supervises the financial management of the agency's operation
- Directs the recruitment, evaluation and termination of Commission employees
- Directs the day-to-day operations of the Commission, including the supervision of staff and assignment of responsibilities
- Executes Commission's personnel policies; and develops and implements office management procedures
- Functions as liaison between Commission and Federal, State, and local governments; and other public organizations and the private sector
- Reports to Commission on a regular basis on status of agency programs and finances

The above is not intended to be an exhaustive list of all duties and responsibilities. The Regional Commission may assign other duties and responsibilities as may be necessary to direct and manage the operation of the agency.

Education and Experience

Master's degree in planning or related field and/or a minimum of fifteen years' experience in planning and development, at least five of which must have been in a supervisory planning position. Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: FINANCE MANAGERGeneral Summary

Under the supervision of the Executive Director, individual is responsible for operation and management of all aspects of the Commission's financial matters, including agency's accounting system, budget performance and financial reporting.

Major Duties and Responsibilities

- Responsible for cash management
- Prepares, monitors and maintains Commission's budget
- Maintains Commission's accounting system, including general ledger, accounts payable, accounts receivable, payroll, monthly financial reports, and balance sheet
- Prepares and monitors Cost Allocation Plan, and indirect and fringe benefit budget
- Assists and coordinates independent C.P.A. and other Federal and State auditors with financial audit of agency's books
- Prepares and submits appropriate Federal and State required financial statements, forms, and payment requests
- Reviews all purchases and disbursements
- Reviews contractual agreements with Federal and State agencies, and other grantors
- Acts as Human Resource Administrator

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director may assign other duties and responsibilities as may be necessary to fulfill the requirements of the position.

Education and Experience

Bachelor's degree in business administration or related field, with a major in accounting. Master's degree or CPA desirable, but not required.

A minimum of five years of progressively responsible experience of which two must be in a supervisory capacity.

TITLE: EXECUTIVE ASSISTANTGeneral Summary

Under the supervision of the Executive Director, this position primarily serves as the Executive Assistant to the Executive Director; Secretary to the Executive Board; also is responsible for providing administrative services to other professionals in the Commission.

Major Duties and Responsibilities

- Serves as Executive Assistant to the Executive Director
- Assists Executive Director, as necessary, in building maintenance and other office management services
- Maintains Commission's database of contacts and committees
- Maintains filing system for agency
- Updates and distributes Personnel handbooks, as directed by Executive Director
- Serves as a recording secretary at Executive Board meetings and other meetings, and prepares official minutes
- Assists Finance Manager with various duties, as needed
- Processes purchase requisitions, creates purchase orders and maintains records of goods received, as necessary
- Assists Planning staff with contracts, change orders and amendments for various projects.
- Administers the Commission's Federal Project Review System/Regional Clearinghouse
- Processes staff travel arrangements and logistics, screens telephone calls and handles administrative details
- Manages voice mail and phone system
- Proofreads and edits documents
- Schedules meetings and arranges conferences
- Maintains leave calendar and conference room/call calendar in Outlook
- Processes incoming and outgoing mail
- Prepares monthly copy and postage reports
- Reconciles petty cash at month end
- Supervises other administrative staff of the Commission
- Prepares for new employees, alongside the Finance Manager
- In the absence of an Administrative Assistant, performs all duties and responsibilities

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director may assign other duties and responsibilities as may be necessary to fulfill the requirements of the position.

Education and Experience

High School Diploma; business college degree desirable, but not required. Knowledge of Microsoft Office essential.

A minimum of five years office administration experience. (Bachelor's degree in office administration with one-year experience; or an associate degree in office administration with three years' experience may substitute for the five years' experience requirements.)

TITLE: ADMINISTRATIVE ASSISTANT

General Summary

Under the supervision of the Executive Assistant, this position performs a variety of administrative duties including typing, filing, reception services; as well as, other clerical tasks as may be needed.

Major Duties and Responsibilities

- Refers phone calls to appropriate staff and provides general assistance and information to the public
- Receives visitors and refers them to appropriate personnel
- Assists Finance Manager with:
 - monthly billings - creates invoices, makes copies and files appropriately; proofreads Progress/Status Reports
 - Purchase Requisitions and Purchase Orders
 - Accounts Receivables - prepares Invoices
- Assists Executive Assistant in performing various administrative services, including typing, copying, collating, shredding and other tasks such as:
 - maintaining filing system for agency
 - reproducing Commission documents on copier or through outside printer
 - Creating sign-in/out log and filing daily
 - Creating Daily Postage Logs; daily mail; postage deposits as necessary; assisting Planners with large mailings
 - Proofreading and editing Commission reports and documents
 - Maintaining general office and equipment supplies by monitoring and ordering supplies, as needed
 - Binding documents using VeloBind System
- Provides administrative support to the technical Planning staff
- Maintains original WMSRDC Publications and current Publications Directory on both shared drive and flash drive
- Maintains WMSRDC Library files and Library Directory on both the shared drive and flash drive
- WeMIC Information

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Executive Assistant may assign other duties and responsibilities as may be necessary to fulfill the requirements of the position.

Education and Experience

High School Diploma; Business College training desirable, but not required. Knowledge of Microsoft Office essential.

Minimum of two years office administration experience. (Office Administration degree may substitute for the two years' experience requirement.)

TITLE: PLANNING DIRECTOR

General Summary

Under the supervision of the Executive Director, the planning director is responsible for managing and coordinating the Commission's work program; including supervising assigned personnel.

Major Duties and Responsibilities

- Manages and directs Commission's planning work program
- Supervises program managers and other planning staff
- Assists in the development of Commission's work program
- Acts as staff to Commission Committees
- Develops programs and services for local governments, utilizing federal and state resources
- Functions as liaison to federal and local government, as well as, general public

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Finance Manager may assign other duties and responsibilities as may be necessary to fulfill the requirements of the position.

Education and Experience

Master's degree in planning or related field and/or a minimum of ten years' experience in planning and development, at least five of which have been in a supervisory planning position. (Bachelor's degree in planning or related field with a minimum of ten years' experience, at least five of which must have been in a supervisory planning position, may substitute for the above requirements.) Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: PROGRAM MANAGERGeneral Summary

Under the supervision of the Executive Director, program managers are responsible for managing and coordinating major area of the Commission's work program; including supervising assigned personnel.

Major Duties and Responsibilities

- Prepares goals and objectives for major areas of agency's work program; translates goals and objectives into a work program in accordance to Federal, State, and local grant application requirements; prepares report on accomplishments for previous year; assists Finance Manager in budget preparation
- Manages and coordinates accomplishment of work program in accordance with Federal, State, and local requirements
- Prepares monthly progress reports on areas of responsibility; monitors monthly financial reports; prepares other Federal and State mandated progress reports
- Works with Commission committees and receives appropriate policy direction
- Prepares articles and announcements for agency newsletter; prepares News and Information bulletins for local government
- Provides technical assistance to local governments, public organizations, citizens, and the private sector
- Supervises assigned staff personnel
- Assists Executive Director in developing new programs and services for local governments through careful monitoring of Federal, State, and local assistance programs
- Assists in the development of agency's work program
- Prepares and conducts presentations of Commission plans and programs to agency committees, local governments, and other public bodies and at public hearings
- Prepares Commission grant applications for Federal, State, and local program funds

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director may assign other duties and responsibilities as may be required to fulfill the requirements of the position.

Education and Experience

Bachelor's degree in planning or related field and/or a minimum of seven years' experience in planning and development, at least three of which must have been in a supervisory planning position. Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: GIS SPECIALISTGeneral Summary

Under the supervision of the Executive Director, this person provides GIS services to professional planners in the preparation of agency plans and programs.

Major Duties and Responsibilities

- Develop, implement, and manage GIS data for regional programs in transportation, environmental, economic development, and various other local government planning efforts
- Develop, implement and manage the Commission's GIS data organizational structure and database environment
- Organize and coordinate activities involving GIS projects
- Consult with and support the planning staff in the development of GIS needs for the Commission's program areas
- Coordinate GIS activities between the Commission and other external agencies
- Maintain current knowledge of trends and developments in the GIS field

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director may assign other duties and responsibilities as may be necessary to fulfill the requirements of this position.

Education and Experience

Bachelor's Degree in Geography, Geographic Information Systems, Information Technology, or closely related field; and/or a minimum of three (3) years full-time work experience with GIS software applications including ESRI products, such as ArcGIS desktop and server, Geodatabase management, Spatial Analyst, Microsoft and translation programs.

TITLE: SENIOR PLANNERGeneral Summary

Under the supervision of the Executive Director and Program Manager, this position is responsible for carrying out elements of the agency's work program; including working with Commission committees, local governments, other public bodies and citizens; as well as, other professional planners.

Major Duties and Responsibilities

- Conducts multi-jurisdictional planning, including the coordination and management of Federal, State, and local planning and development programs in the region; and provides technical assistance to local governments in the implementation of development projects
- Assists in the development of agency's work program
- Collects planning data, conducts qualitative and quantitative research and prepares local and regional plans and programs related to specific technical areas such as economic development, transportation, environmental management, community development and other special projects
- Prepares and conducts presentations of Commission plans and programs to agency committees, local governments, and other public bodies and at public hearings
- Provides technical assistance to local governments, public bodies, citizens, the private sector and others through the West Michigan Information Center Program
- Prepares Commission grant applications for Federal, State, and local program funds
- Prepares News and Information bulletins for local governments and articles on planning and development issues for agency newsletter

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Program Manager may assign other duties and responsibilities as may be necessary to fulfill the requirements of this position.

Education and Experience

Bachelor's degree in planning or related field and/or five years' experience in planning and development. Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: ASSOCIATE PLANNERGeneral Summary

Under the supervision of the Executive Director and Program Manager, this position is responsible for carrying out elements of the agency's work program; including working with local governments, other public bodies and citizens; as well as, other professional planners.

Major Duties and Responsibilities

- Conducts multi-jurisdictional planning, including the coordination and management of Federal, State, and local planning and development programs in the region; and provides technical assistance to local governments in the implementation of development projects
- Collects planning data, conducts qualitative and quantitative research and assists in the preparation of local and regional plans and programs related to specific technical areas such as economic development, transportation, environmental management, community development and other special projects
- Assists in preparation and conduction of presentations of Commission plans and programs to agency committees, local governments, and other public bodies and at public hearings
- Provides technical assistance to local governments, public bodies, citizens, the private sector and others through the West Michigan Information Center Program
- Assists in the preparation of Commission grant applications for Federal, State, and local program funds
- Assists in the preparation of News and Information bulletins for local governments and articles on planning and development issues for agency newsletter

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Program Manager may assign other duties and responsibilities as may be necessary to fulfill the requirements of this position.

Education and Experience

Bachelor's degree in planning or related field and/or a minimum of three years' experience in planning and development. Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: PLANNERGeneral Summary

Under the supervision of the Executive Director and Program Manager, this position is responsible for carrying out elements of the agency's work program; including working with local governments, other public bodies and citizens; as well as, other professional planners.

Major Duties and Responsibilities

- Conducts multi-jurisdictional planning, including the coordination and management of Federal, State, and local planning and development programs in the region; and provides technical assistance to local governments in the implementation of development projects
- Collects planning data, conducts qualitative and quantitative research related to specific technical areas such as economic development, transportation, environmental management, community development and other special projects
- Provides technical assistance to local governments, public bodies, citizens, the private sector and others through the West Michigan Information Center Program
- Assists in the preparation of News and Information bulletins for local governments and articles on planning and development issues for agency newsletter

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Program Manager may assign other duties and responsibilities as may be necessary to fulfill the requirements of this position.

Education and Experience

Bachelor's degree in planning or related field. Six months of relevant internship preferred. Good written and verbal communication skills essential, as well as, ability to work with a wide spectrum of public officials and citizens.

TITLE: PLANNING AIDEGeneral Summary

Under the supervision of the Program Manager, this person provides support planning services to professional planners in the preparation of agency plans and programs.

Major Duties and Responsibilities

- Assists in data collection and compilation for plans, programs and projects

- Disseminates routine information and data to local governments, other public bodies and private sector
- Performs program-related computerized data input and output
- Assists in organizing meetings, transmitting notifications, and other follow-up work
- Assists in organizing program records and performing other support duties as necessary

The above is not intended to be an exhaustive list of all duties and responsibilities. The Executive Director and Program Manager may assign other duties and responsibilities as may be necessary to fulfill the requirements of this position.

Education and Experience

High School Diploma. College training in planning or related field desirable, but not necessary.

**COMMISSION STAFF
FISCAL YEAR 2021****Office of Executive Director****Erin Kuhn**, Executive Directorekuhn@wmsrdc.org

Erin is responsible for the management and direction of all Commission programs and operations; is the liaison to federal, state, and local governments and the general public; and reports to the governing board.

Syndi Copeland, Executive Assistantscopeland@wmsrdc.org

Syndi is responsible for assisting the executive director and providing other services/support for the administration of the Commission and technical planning staff. She also provides general assistance and information to the public, and coordinates internal Commission publications.

Finance and Budget**Amanda Snyder**, Finance Managerasnyder@wmsrdc.org

Amanda is responsible for the financial management of the Commission's programs, preparation and maintenance of the budget, and administration of the benefits program.

Air Quality & Information & Communications**Amy Haack**, Program Managerahaack@wmsrdc.org

Amy is responsible for the management of the air quality planning program and the Commission's data center, communications tools (newsletter, annual report, and website), and regional forums.

Community Development and Local Government Services**Stephen Carlson**, Program Managerscarlson@wmsrdc.org

Stephen is responsible for the Community Development and Local Government Services at the Commission. This includes assistance with the development of master plans, recreation plans and special projects.

Jamie Way, GIS Planner

jway@wmsrdc.org

Jamie is responsible for the Commission's GIS Program; as well as other planning & development programs.

Economic Development

Stephen Carlson, Program Manager

scarlson@wmsrdc.org

Stephen is responsible for economic development planning and implementation programs, including the Comprehensive Economic Development (CEDS) Annual Report.

Environmental Planning

Kathy Evans, Program Manager

kevans@wmsrdc.org

Kathy is responsible for the Commission's environmental planning programs, including the Area-wide Water Quality Management Plan, and liaison to the region's watershed management groups.

Gales Nobes, Planner

gnobes@wmsrdc.org

Gale is responsible for providing assistance to the environmental planning program and implementation of various environmental grants.

Vicki Luthy, Planner

vluthy@wmsrdc.org

Vicki is responsible for providing assistance to the environmental planning program and implementation of various environmental grants.

Transportation Planning

Joel Fitzpatrick, Program Director

jfitzpatrick@wmsrdc.org

Joel is responsible for regional transportation planning and assisting in metropolitan planning (including the Transportation Improvement Program and Long-Range Transportation Plan), transportation asset management, and special transportation studies.

Brian Mulnix, Program Manager

bmulnix@wmsrdc.org

Brian is responsible for metropolitan transportation planning (including the Transportation Improvement Program and Long-Range Transportation Plan), transportation asset management, and special transportation studies.

COMMISSION STAFFED COMMITTEES/BOARDS as of May 21, 2020

MPO Transportation Policy Committee

Kim Arter – Chairperson, Laketon Township Supervisor
 Kay Beecham – City of Norton Shores Councilperson
 Aaron Dawson – Federal Highway Administration Planner
 Matthew Fenski – Ottawa County Commissioner
 Marc Fredrickson – Michigan Department of Transportation TSC Manager
 Betty Gajewski – Ottawa County Commissioner
 Scott Blease – City of Ferrysburg Mayor
 Elmer Hoyle – Ravenna Township Supervisor
 Susie Hughes – Muskegon County Commissioner
 Ken Johnson – Muskegon County Commissioner
 Jack Kennedy – Muskegon County Road Commissioner
 Tyler Kent – Michigan Department of Transportation Grand Region Planner
 Melissa Klos – City of Roosevelt Park Councilperson
 Tom Lohman – City of Montague Mayor
 Don Mayle – Michigan Department of Transportation Supervisor
 Bonnie McGlothlin – City of Muskegon Heights Councilperson
 Bill Mogren – City of North Muskegon Councilperson
 Robert Monetza – Harbor Transit Board Member
 Wally Delamater – Village of Spring Lake Councilperson
 Angelica Salgado – Federal Transit Administration Representative
 Steve Salter – City of Whitehall Councilperson
 Dennis Scott – City of Grand Haven Councilperson
 Leon Stille – Crockery Township Supervisor
 Roger Vanderstelt – Village of Fruitport President
 Rillastine Wilkins – Muskegon County Commissioner – MATS

MPO Transportation Technical Committee

Matt Farrar, Chairperson - Muskegon County Public Works Director
 Craig Bessinger - City of Ferrysburg Manager
 Derek Gadjos - City of Grand Haven Director
 Paul Bouman, - Muskegon County Road Commission Engineer
 Scott Beishuizen - City of Montague DPW Superintendent
 Marcia Jeske - Muskegon County Rural Township Representative
 Leo Evans - City of Muskegon Engineer
 Heidi Tice - Muskegon County Urban Township Representative
 Doug Kadzban - City of Muskegon Heights DPW Supervisor
 Jim Koens - Muskegon Area Transit System Manager
 Mark Disselkoe - City of North Muskegon DPW Supervisor
 Paul Sachs - Ottawa County Director
 Jim Murphy - City of Norton Shores Project Engineer
 Brett Laughlin - Ottawa County Road Commission Managing Director
 Ben VanHoeven - City of Roosevelt Park Public Works Director
 John Nash - Ottawa County Urban Township Representative
 Brian Armstrong - City of Whitehall Public Works Director
 Aaron Dawson - Federal Highway Administration Planner
 Jay Bolt - Village of Fruitport Councilmember
 Steve Patrick - Harbor Transit Interim Transportation Director
 Wally Delamater - Village of Spring Lake Director
 Luke Walters - Michigan Dept. of Transportation MPO Program Manager

Rural Transportation Task Force

Mark Timmer, Chairperson – Oceana County Road Commission Managing Director
 Derek Wawsczyk, Vice Chairperson – Newaygo County Road Commission
 Paul Bouman – Muskegon County Road Commission Engineer
 Christopher Brown – Village of Pentwater Manager
 Joseph Fox – Newaygo County Commission on Aging
 Vedra Gant – Yates Township Dial A Ride
 Josh Grab – Michigan Department of Transportation Program Manager
 Lora Kalkofen – City of White Cloud Manager
 Tyler Kent – Michigan Department of Transportation Grand Region Planner
 James Koens – Muskegon Area Transit System Manager
 Paul Keson – Ludington Mass Transit System
 Theresa Lamb – Village of Baldwin Clerk
 Courtney Magaluk – City of Scottville Manager
 Don Mayle – Michigan Department of Transportation Supervisor
 Eric Nelson – Mason County Road Commission Engineer
 Jeff Nelson – Village of Ravenna
 Kathleen Premer – Oceana County Council on Aging

Mary Samuels – Mason County Road Commission Manager
 Robert Widigan – Village of Shelby Administrator
 LeRoy Williams – Lake County Road Commission Managing Director

Comprehensive Economic Development Strategy (CEDS) Committee

Julie Burrell – The Right Place (Newaygo County)
 Michael Cook – Oceana County Planning Commission
 Jami Cutter – Great Lakes Energy
 Sue DeVries, Michigan Economic Development Corp.
 Jim Edmonson, Muskegon Area First
 Eric Gustad – Consumers Energy
 Richard Houtteman, Consumers Energy
 Leslie Jolman, West Michigan Works!
 Shelly Keene – Michigan Works! West Central
 Tobi Lake – Lake County Administrator
 Jerry Lottie – National Association for the Advancement of Colored People
 Brandy Miller – Ludington & Scottville Chamber of Commerce
 Jodi Nichols – The Right Place (Lake/Oceana Counties)
 Dan Rinsema-Sybenga – Muskegon Community College
 Jonathan Wilson – DTE Energy
 Christopher Wren - Newaygo County
 Crystal Young – West Shore Community College

West Michigan Shoreline Regional Development Commission Board of Commissioners

Bonnie McGlothin, Chairperson –City of Muskegon Heights Councilperson
 Dale Nesbary, Vice-Chairperson – Muskegon Community College President
 Charles Lange, Secretary – Mason County Commissioner
 Kay Beecham – City of Norton Shores Councilperson
 James Brown – Oceana County Commissioner
 Burt Cooper – Newaygo County Commissioner
 Dean Gustafson – Oceana County Commissioner
 Jennifer Hernandez – Muskegon Township Supervisor
 Rich Houtteman – WMSRDC Appointee
 Marcia Hovey-Wright – Muskegon County Commissioner
 Ken Johnson – City of Muskegon Commissioner
 James Kelly, WMSRDC Appointee
 Nick Krieger, Mason County Commissioner
 Andrea Large – WMSRDC Appointee
 Joe Lenius – WMSRDC Appointee

Howard Lodholtz – Lake County Commissioner
James Maike – Newaygo County Commissioner
James Rynberg – City of Fremont Mayor
Bob Scolnik – Muskegon County Commissioner
Rillastine Wilkins – Muskegon County Commissioner
Crystal Young – West Shore Community College

CERTIFICATE OF COST ALLOCATION PLAN

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

1. All costs included in this proposal **May 21, 2020** to establish cost allocations or billings for the fiscal year **October 1, 2020 to September 30, 2021** are allowable in accordance with the requirements of the Federal awards(s) to which they apply and OMB Circular A 87, "Costs Principles for State, Local, and Indian Tribal Governments." Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.
2. All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or casual relationship between expenses incurred and the awards to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

Organization: West Michigan Shoreline
Regional Development Commission

Signature: 

Name of Official: Erin Kuhn

Title: Executive Director

Date of Execution: May 21, 2020

CERTIFICATE OF INDIRECT COSTS

This is to certify that I have reviewed the indirect cost rate proposal submitted herewith and to the best of my knowledge and belief:

- (1) All costs included in this proposal **May 21, 2020** to establish billing or final indirect cost rates for **October 1, 2020 through September 30, 2021** are allowable in accordance with the requirements of the Federal award(s) to which they apply and the provisions of 2 CFR Part 200 Subpart E-Cost Principles. Unallowable costs have been adjusted for in allocating costs as indicated in the indirect cost proposal.
- (2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently and the Federal government will be notified of any accounting changes that would affect the predetermined rate.

I declare that the foregoing is true and correct.

Governmental Unit: West Michigan Shoreline Regional Development Commission

Signature:



Name of Official (printed): Erin Kuhn

Title: Executive Director

Date of Execution: May 21, 2020

APPENDIX C:
TITLE VI PLAN

**WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT
COMMISSION**

**TITLE VI
NON-DISCRIMINATION PLAN**

**316 Morris Avenue
Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 10
Website: <http://www.wmsrdc.org>**

**Title VI Coordinator:
Erin Kuhn, Executive Director
Phone: 231-722-7878 ext. 18
Email: ekuhn@wmsrdc.org**

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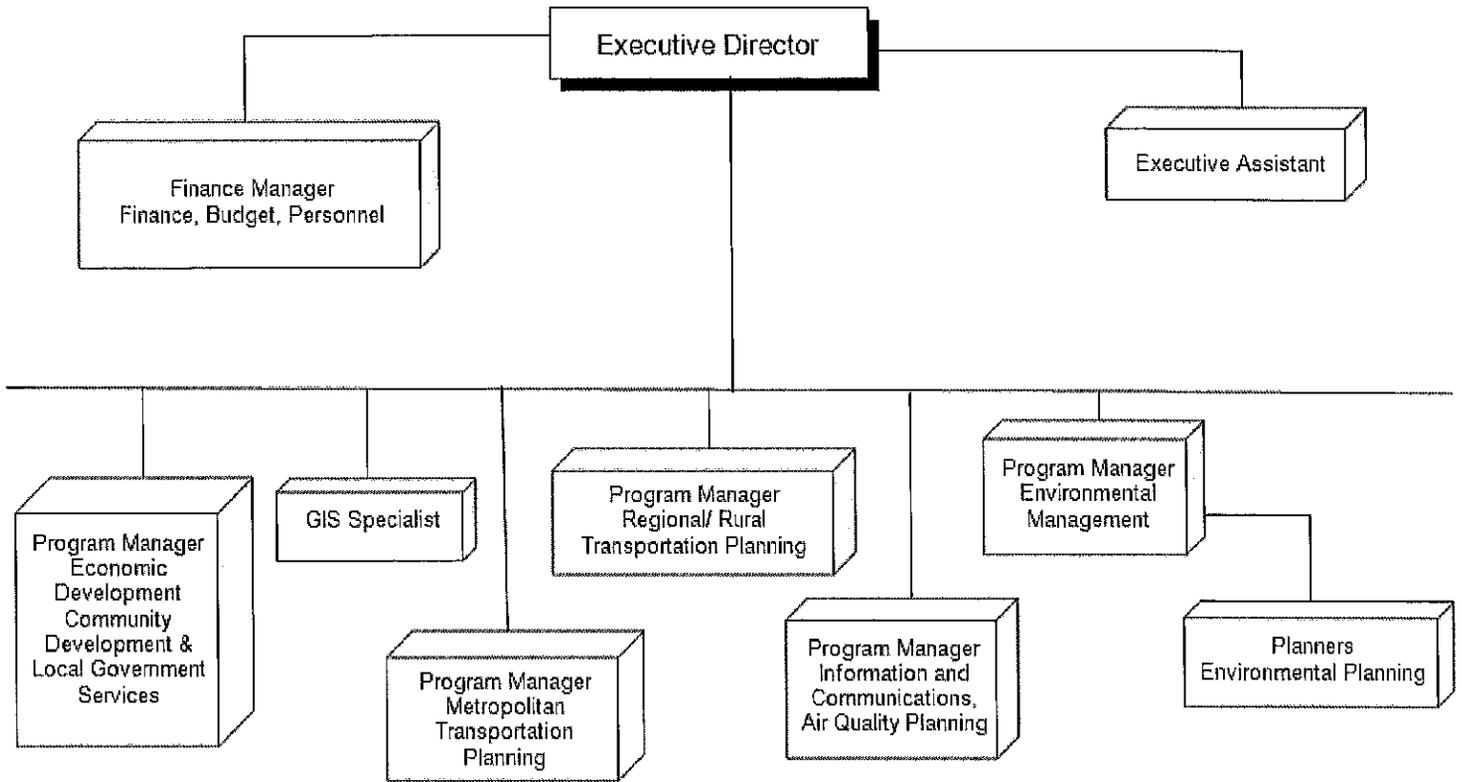
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**WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION
ORGANIZATIONAL CHART**



INTRODUCTION

The West Michigan Shoreline Regional Development Commission is a federal and state designated regional planning and development agency serving 120 local governments in Lake, Mason, Muskegon, Newaygo, and Oceana Counties. WMSRDC is the planning agency for the metropolitan transportation planning (MPO) program for Muskegon and Northern Ottawa Counties. WMSRDC serves all people of the state of Michigan, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the MPO. WMSRDC recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law which prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures 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 benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," signed in February of 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Environmental Justice initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)," provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

As a recipient of federal financial assistance, the WMSRDC must provide access to individuals with limited ability to speak, write, or understand the English language. The MPO will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse

impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the WMSRDC's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the MPO's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the WMSRDC's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the MPO;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the MPO's services, programs or activities.

As a sub-recipient of federal transportation funds, the WMSRDC must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The WMSRDC shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The WMSRDC, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the MPO will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

Discrimination under Title VI

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is “disparate treatment.” Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is “disparate impact.” Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The WMSRDC’s efforts to prevent such discrimination must address, but not be limited to, a program’s impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The WMSRDC has developed this Title VI Plan to assure that services, programs, and activities of the MPO are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

**WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION
NON-DISCRIMINATION POLICY STATEMENT**

The WMSRDC reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

“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 subjected to discrimination under any program or activity receiving Federal financial assistance.” In applying this policy, the MPO and its sub-recipients of federal funds shall not:

1. Deny any individual with any service, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The WMSRDC will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The WMSRDC designates Erin Kuhn, Executive Director, as the Title VI Coordinator. The Executive Director will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the WMSRDC complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the WMSRDC and Title VI may be directed to the

Executive Director
316 Morris Avenue
Suite 340, Muskegon, MI 49440
Phone: 231-722-7878 ext. 18
Email: ekuhn@wmsrdc.org



Erin Kuhn
Executive Director/Title VI Coordinator

**WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION
TITLE VI ASSURANCES**

The WMSRDC (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, Non-discrimination in Federally-Assisted Programs for 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 received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the 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 and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

"The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office 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 insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
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.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it 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.
10. The Recipient agrees that the United States has a right to seek judicial enforcement 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 under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, 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.

West Michigan Shoreline Regional Development Commission



Erin Kuhn, Executive Director

4-17-19

Date

AUTHORITIES

Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), 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 (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of 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).

Federal Aid Highway Act of 1973, 23 USC 324: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

Age Discrimination Act of 1975, 42 USC 6101: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

Americans With Disabilities Act of 1990 PL 101-336: No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

Section 504 of the Rehabilitation Act of 1973: No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

USDOT Order 1050.2: Standard Title VI Assurances

EO12250: Department of Justice Leadership and coordination of Non-discrimination Laws.

EO12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

28 CFR 50.3: Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

EO13166: Improving Access to Services for Persons with Limited English Proficiency.

DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the MPO programs, policies and activities

Federal Assistance – Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the MPO.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed MPO program, policy or activity.

Minority – A person who is:

- a. Black – A person having origins in any of the black racial groups of Africa;
- b. Hispanic – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or

- d. American Indian and Alaskan Native – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed MPO program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. is predominantly borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

ADMINISTRATION – GENERAL

The WMSRDC designates Erin Kuhn, Executive Director, as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). Ms. Kuhn shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the MPO. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the MPO programs; e.g., impacted citizens and affected communities will be gathered and maintained by the MPO. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The MPO does not have any special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those recipients of federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5th.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The MPO will disseminate Title VI Program information to the WMSRDC employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of

Title VI language in contracts and publishing the MPO's Title VI Plan within 90 days of approval on the main page of the WMSRDC's internet website, at <http://www.wmsrdc.org>.

Remedial Action: The MPO, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiencyⁱ, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounterⁱⁱ. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only are all federal agencies required to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The WMSRDC receives funds from the US Department of Transportation via the Federal Highway Administration.

For more information regarding our policies on LEP, copy of our LEP plan can be found on our website at <http://www.wmsrdc.org> or requested from:

West Michigan Shoreline Regional Development Commission
Erin Kuhn, Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 18

Email: ekuhn@wmsrdc.org

ENVIRONMENTAL JUSTICE (EJ)

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies and activities” undertaken by any agency receiving federal funds. This obligation will be met by the MPO in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The MPO will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the MPO will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment; etc.
- The project’s impact is unavoidable;
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the MPO will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the MPO will administer a potential disproportionate effects test.

The following steps will be taken to assess the impact of projects on minorities and/or low income population groups:

STEP ONE: Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low income population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

STEP FOUR: If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations or demonstrations in the environmental document prepared for the project.

FILING A TITLE VI COMPLAINT

I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the MPO programs, activities, and services as required by statute.

II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the MPO for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

IV. Filing a Complaint

The complainant shall make himself/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of MPO programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the MPO or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the MPO must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period,

he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

V. Investigation

Investigation Plan: The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the WMSRDC, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the WMSRDC, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

Investigation Reporting Process:

- Complaints made against a WMSRDC sub-recipient should be investigated by the MPO following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of Erin Kuhn for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Retaliation:

The laws enforced by this MPO prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact:

West Michigan Shoreline Regional Development Commission
Erin Kuhn, Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 18
Email: ekuhn@wmsrdc.org

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

Records

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

APPENDIX A - [TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS]

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

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, 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, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. 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 State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies and/or

b. Cancellation, termination or suspension of the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: 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 State Highway Department to 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.

APPENDIX B - TRANSFER OF PROPERTY

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with 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 (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)*

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

The State of Michigan, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)*(2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with 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, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and

the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX C - PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed 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, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

APPENDIX D - TITLE VI COMPLAINT FORM

WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT
COMMISSION
TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 states 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 benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance."

This form may be used to file a complaint with the WMSRDC based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

If you need assistance completing this form, please contact Erin Kuhn by phone at 231-722-7878 ext. 18 or via e-mail at ekuhn@wmsrdc.org.

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of individual (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination: _____

Date discrimination began: _____

Last or most recent date: _____

ALLEGED DISCRIMINATION:

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

____ Race

____ Income

____ Color

____ National Origin

____ Age

____ Sex

____ Disability

____ Religion

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: _____

Date: _____

Please return completed form to:

Erin Kuhn, Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 18
Email: ekuhn@wmsrdc.org

Note: The WMSRDC prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the MPO. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.

APPENDIX E - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) *Context.* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) *Intensity.* This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
 - (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this has no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the Finance Manager.

APPENDIX F - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The WMSRDC's Title VI Plan will be communicated to each MPO Department Head who will review the plan with departmental employees. All WMSRDC employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
2. The WMSRDC's Title VI Plan will be published on the main page of the MPO's website <http://www.wmsrdc.org>, within 90 days of approval.
3. Appendix A will be included in all MPO contracts as outlined in the Title VI Plan.
4. The language in Number 2 of the WMSRDC's Title VI Assurances will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure(s) for responding to individuals with Limited English Proficiency will be implemented.
6. A review of WMSRDC facilities will be conducted in reference to compliance with the American Disabilities Act.
7. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
 - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
 - b. **Public Meetings:** The number of open meetings; how meeting dates and times are communicated to the general public and to individuals directly affected by the meeting.
 - c. **Construction Projects:** The number of construction projects and minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
 - d. **LEP Needs:** The number of requests for language assistance that were requested or required; the outcome of these requests.
 - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
 - g. **Right of Way/Eminent Domain:** The number of such actions and diversity of individual(s) affected.
 - h. **Program Participants:** Racial data of program participants where possible.

ⁱ The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

ⁱⁱ Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

APPENDIX D:
LIMITED ENGLISH
PROFICIENCY (LEP) PLAN

**WEST MICHIGAN SHORELINE
REGIONAL DEVELOPMENT
COMMISSION**

**LIMITED ENGLISH PROFICIENCY
(LEP) PLAN**

**316 Morris Avenue
Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 18
Website: www.wmsrdc.org**

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Introduction

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiencyⁱ, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounterⁱⁱ. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient. The Executive Order states that:

“Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient’s entire program or activity. This means all parts of a recipient’s operations are covered, even if only one part of a recipient’s organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The West Michigan Shoreline Regional Development Commission receives funds from the US Department of Transportation via the Federal Highway Administration.

The US Department of Transportation published *Policy Guidance Concerning Recipients’ responsibilities to Limited English Proficient Person* in the December 14th, 2005 Federal Register.ⁱⁱⁱ

The Guidance implies that the West Michigan Shoreline Regional Development Commission is an organization that must follow this guidance:

This guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient’s entire program or activity, i.e., to all parts of a recipient’s operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular

highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

Elements of an Effective LEP Policy

The US Department of Justice, Civil Rights Division has developed a set of elements that may be helpful in designing an LEP policy or plan. These elements include:

1. Identifying LEP persons who need language assistance
2. Identifying ways in which language assistance will be provided
3. Training Staff
4. Providing notice to LEP persons
5. The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT.

These recommended plan elements have been incorporated into this plan.

Methodology for Assessing Needs and Reasonable Steps for an Effective LEP Policy

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to the LEP Community.
4. The resources available to the West Michigan Shoreline Regional Development Commission and overall cost.

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they have contact with a program, activity, or service and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets.

The DOT guidance is modeled after the Department of Justice's guidance and requires recipients and sub-recipients to take steps to ensure meaningful access to their programs and activities to

LEP persons. More information for recipients and sub-recipients can be found at <http://www.lep.gov>.

The Four-Factor Analysis

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to West Michigan Shoreline Regional Development Commission services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

Factor 1: The Proportion, Numbers and Distribution of LEP Persons

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: ‘very well,’ ‘well,’ ‘not well,’ and ‘not at all.’ For our planning purposes, we are considering people that speak English less than ‘very well’ as Limited English Proficient persons.

As seen in Table #1, the Census 2012 Data for the West Michigan Shoreline Regional Development Commission shows a small number of the population that speak English less than ‘very well.’

TABLE #1
Clare County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	29,150	
English only	28,086	96.3%
Language other than English	1,064	3.7%
Speak English less than "very well"	321	1.1%
Spanish	301	1.0%
Speak English less than "very well"	69	0.2%
Other Indo-European languages	561	1.9%
Speak English less than "very well"	130	0.4%
Asian and Pacific Islander languages	120	0.4%
Speak English less than "very well"	79	0.3%
Other languages	82	0.3%
Speak English less than "very well"	43	0.1%

Ionia County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	60,061	
English only	57,870	96.4%
Language other than English	2,191	3.6%
Speak English less than "very well"	631	1.1%
Spanish	1,449	2.4%
Speak English less than "very well"	424	0.7%
Other Indo-European languages	490	0.8%
Speak English less than "very well"	67	0.1%
Asian and Pacific Islander languages	120	0.2%
Speak English less than "very well"	59	0.1%
Other languages	132	0.2%
Speak English less than "very well"	81	0.1%

Isabella County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	66,574	
English only	63,430	95.3%
Language other than English	3,144	4.7%
Speak English less than "very well"	1,094	1.6%
Spanish	833	1.3%
Speak English less than "very well"	246	0.4%
Other Indo-European languages	993	1.5%
Speak English less than "very well"	145	0.2%
Asian and Pacific Islander languages	935	1.4%
Speak English less than "very well"	581	0.9%
Other languages	383	0.6%
Speak English less than "very well"	122	0.2%

Kent County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	561,097	
English only	496,438	88.5%
Language other than English	64,659	11.5%
Speak English less than "very well"	27,976	5.0%
Spanish	39,495	7.0%
Speak English less than "very well"	18,493	3.3%
Other Indo-European languages	13,201	2.4%
Speak English less than "very well"	3,522	0.6%
Asian and Pacific Islander languages	8,673	1.5%
Speak English less than "very well"	4,630	0.8%
Other languages	3,290	0.6%
Speak English less than "very well"	1,331	0.2%

Lake County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	11,049	
English only	10,809	97.8%
Language other than English	240	2.2%
Speak English less than "very well"	79	0.7%
Spanish	138	1.2%
Speak English less than "very well"	56	0.5%
Other Indo-European languages	95	0.9%
Speak English less than "very well"	23	0.2%
Asian and Pacific Islander languages	3	0.0%
Speak English less than "very well"	0	0.0%
Other languages	4	0.0%
Speak English less than "very well"	0	0.0%

Mason County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	27,089	
English only	25,752	95.1%
Language other than English	1,337	4.9%
Speak English less than "very well"	269	1.0%
Spanish	754	2.8%
Speak English less than "very well"	168	0.6%
Other Indo-European languages	510	1.9%
Speak English less than "very well"	80	0.3%
Asian and Pacific Islander languages	37	0.1%
Speak English less than "very well"	7	0.0%
Other languages	36	0.1%
Speak English less than "very well"	14	0.1%

Mecosta County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	40,742	
English only	39,010	95.7%
Language other than English	1,732	4.3%
Speak English less than "very well"	449	1.1%
Spanish	466	1.1%
Speak English less than "very well"	125	0.3%
Other Indo-European languages	736	1.8%
Speak English less than "very well"	182	0.4%
Asian and Pacific Islander languages	206	0.5%
Speak English less than "very well"	78	0.2%
Other languages	324	0.8%
Speak English less than "very well"	64	0.2%

Montcalm County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	59,506	
English only	57,425	96.5%
Language other than English	2,081	3.5%
Speak English less than "very well"	748	1.3%
Spanish	914	1.5%
Speak English less than "very well"	345	0.6%
Other Indo-European languages	861	1.4%
Speak English less than "very well"	290	0.5%
Asian and Pacific Islander languages	212	0.4%
Speak English less than "very well"	95	0.2%
Other languages	94	0.2%
Speak English less than "very well"	18	0.0%

Muskegon County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	160,458	
English only	153,674	95.8%
Language other than English	6,784	4.2%
Speak English less than "very well"	2,164	1.3%
Spanish	3,819	2.4%
Speak English less than "very well"	1,373	0.9%
Other Indo-European languages	2,018	1.3%
Speak English less than "very well"	477	0.3%
Asian and Pacific Islander languages	518	0.3%
Speak English less than "very well"	234	0.1%
Other languages	429	0.3%
Speak English less than "very well"	80	0.0%

Newaygo County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	45,485	
English only	42,976	94.5%
Language other than English	2,509	5.5%
Speak English less than "very well"	1,121	2.5%
Spanish	1,744	3.8%
Speak English less than "very well"	792	1.7%
Other Indo-European languages	683	1.5%
Speak English less than "very well"	303	0.7%
Asian and Pacific Islander languages	55	0.1%
Speak English less than "very well"	24	0.1%
Other languages	27	0.1%
Speak English less than "very well"	2	0.0%

Oceana County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	24,882	
English only	21,950	88.2%
Language other than English	2,932	11.8%
Speak English less than "very well"	1,376	5.5%
Spanish	2,606	10.5%
Speak English less than "very well"	1,248	5.0%
Other Indo-European languages	241	1.0%
Speak English less than "very well"	60	0.2%
Asian and Pacific Islander languages	6	0.0%
Speak English less than "very well"	6	0.0%
Other languages	79	0.3%
Speak English less than "very well"	62	0.2%

Osceola County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	22,051	
English only	21,115	95.8%
Language other than English	936	4.2%
Speak English less than "very well"	259	1.2%
Spanish	198	0.9%
Speak English less than "very well"	41	0.2%
Other Indo-European languages	671	3.0%
Speak English less than "very well"	193	0.9%
Asian and Pacific Islander languages	26	0.1%
Speak English less than "very well"	8	0.0%
Other languages	41	0.2%
Speak English less than "very well"	17	0.1%

Ottawa County:

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	247,085	
English only	223,400	90.4%
Language other than English	23,685	9.6%
Speak English less than "very well"	8,829	3.6%
Spanish	15,554	6.3%
Speak English less than "very well"	6,012	2.4%
Other Indo-European languages	3,514	1.4%
Speak English less than "very well"	760	0.3%
Asian and Pacific Islander languages	4,416	1.8%
Speak English less than "very well"	2,027	0.8%
Other languages	201	0.1%
Speak English less than "very well"	30	0.0%

Factor 2: Frequency of Contact with LEP Individuals

The MPO has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that they have not had any encounters with LEP individuals. We have offices accessible to the public

and therefore accessible to LEP individuals. We also have staff that work in the field that could encounter LEP individuals. Additionally, regular public meetings are held monthly, which would potentially bring LEP individuals to these meetings. Given the number of LEP individuals, as displayed in Table #1 (above), the probability of our employees to encounter an LEP individual is low.

Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP

The West Michigan Shoreline Regional Development Commission serves individuals throughout the MPO primarily by planning. Given the number of LEP individuals in the MPO, we will ensure accessibility to all of our programs, services, and activities.

Factor 4: The Resources Available to the WMSRDC and Overall Cost

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

“Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan.”

The West Michigan Shoreline Regional Development Commission serves very few LEP persons and has very limited resources. However, it has decided to include a LEP section in its Title VI Plan in order to comply with the Executive Order and to ensure access and reasonable accommodations for LEP persons who may be unknown at this time.

Safe Harbor Stipulation

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “Safe Harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides a guide for recipients that would like greater certainty of compliance than can be provided by a fact-intensive, four factor analysis. For example, even if a Safe Harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient’s written translation obligations under “Safe Harbor” includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This “Safe Harbor” provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Given the small number of LEP language group members, the West Michigan Shoreline Regional Development Commission’s budget and number of staff, it is deemed that written translations of vital documents would be so burdensome as to defeat the legitimate objectives of our programs. It is more appropriate for the WMSRDC to proceed with oral interpretation options for compliance with LEP regulations.

Providing Notice to LEP Persons

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage, in languages that an LEP individual would understand that free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient’s services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the West Michigan Shoreline Regional Development Commission.

Options and Proposed Actions

Options:

Federal fund recipients have two (2) main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.^{iv}

The West Michigan Shoreline Regional Development Commission is defining an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.^v

Considering the relatively small size of the MPO, the small number of LEP individuals in the service area, and limited financial resources, it is necessary to limit language aid to the most basic and cost-effective services. However, when requested appropriate assistance will be provided.

What the WMSRDC will do. What actions will the WMSRDC take?

- Notify the public that interpreter services are available upon request, with seven day advance notice.
- With advance notice of seven calendar days, the MPO will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- The MPO will utilize the *Translators Resource List* as provided by MDOT for translation services and verbal interpretation.
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the *Translators Resource List* will be contacted to provide interpretation services.
- Publications of the MPO’s complaint form will be made available online and upon request.
- In the event that a MPO employee encounters a LEP individual, they will follow the procedure listed below:

OFFICE ENCOUNTER

1. Provide an I-speak language identification card to determine the language spoken by the LEP individual.

2. Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's *Translators Resource List*.
3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

ROAD ENCOUNTER

1. Road crew employee will immediately contact the Title VI Coordinator for assistance, and provide an I-speak language identification card to the LEP individual to determine the language spoken by the individual.
2. Once the foreign language is determined, provide information to Title VI Coordinator who will contact an interpreter from MDOT's *Translators Resource List* to provide telephonic interpretation.
3. If the need is for a document to be translated, the Title VI Coordinator will have the document translated and provided to the requestor as soon as possible.

IN WRITING

1. Once a letter has been received it will be immediately forwarded to the Title VI Coordinator.
2. The Title VI Coordinator will contact a translator from the MDOT's *Translators Resource List* to determine the specifics of the letter request information.
3. The Title VI Coordinator will work with the selected agency to provide the requested service to the individual in a timely manner.

OVER THE PHONE

1. If someone calls into our office speaking another language, every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line, and if possible, determine the language spoken by the caller.
2. Once the language spoken by the caller has been identified, we will proceed with providing the requested assistance to the LEP individual.

The West Michigan Shoreline Regional Development Commission's Staff Training

The WMSRDC's staff will be provided training on the requirements for providing meaningful access to services for LEP persons.

LEP Plan Access

A copy of the LEP plan document can be requested at the West Michigan Shoreline Regional Development Commission's main office during normal business hours and the WMSRDC will

make the plan available on the website at www.wmsrdc.org. Any person or agency may also request a copy by contacting:

Erin Kuhn, Executive Director
316 Morris Avenue, Suite 340
Muskegon, MI 49440
Phone: 231-722-7878 ext. 18
Email: ekuhn@wmsrdc.org

ⁱ The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>.

ⁱⁱ Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons. Federal Register: December 14, 2005 (Volume 70, Number 239)

ⁱⁱⁱ The DOT has also posted an abbreviated version of this guidance on their website at <http://www.dotcr.ost.dot.gov/asp/lep.asp>.

^{iv} <http://www.dotcr.ost.dot.gov/asp/lep/asp>

^v Department of Justice Final LEP Guidelines, Federal Register June 18, 2002-Vol. 67-Number 117.