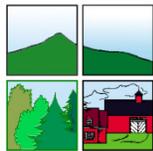


Southwest Region Planning Commission

Regional Transportation Planning Public Involvement Plan

Effective July 2, 2012



SWRPC

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1.0 Introduction

This Public Involvement Plan (PIP) establishes guidance by which the Southwest Region Planning Commission (SWRPC) ensures effective public involvement in the regional transportation planning process. SWRPC recognizes the value of public involvement as a democratic process that increases public awareness, contributes to information gathering on local needs and concerns, and benefits the overall transportation decision making process. Additionally, SWRPC is required to abide by federal non-discrimination laws as a condition to receiving federal funding. This Plan reflects the best practices and assures the Commission's due diligence toward meeting the statutory requirements as set forth in the latest Federal and State legislation (see page 2).

In the context of this Plan, the Public is identified as those with an interest in community development outcomes in the 35 towns that comprise the Southwest Region of New Hampshire. It includes:

- All residents regardless of their race, color, national origin, sex, age, disability, creed or income; and
- All owners of property or business interests; and
- All organizations representing the above mentioned, not to exclude elected representatives or agents thereof.

This PIP applies to all transportation planning activities conducted by SWRPC. These transportation planning activities are supported by Federal and State funds and include¹:

- Transportation Policy - is a decision making process that outlines the priorities for the expenditure of state and federal funds. Policy is set by the Transportation Advisory Committee (TAC) and by the SWRPC Board of Directors (BOD).
- Transportation Plans and Studies - are the initial steps to identifying transportation issues and possible solutions. They include transit and highway corridor plans. This process requires the collection of data, analysis, and presentation of the results. Planning studies are conducted by Commission staff with the aid of an Advisory Committee assembled for each project.
- Transportation Project Development - is the process by which the scope, limits, design, and other design aspects of a transportation project are decided. SWRPC is involved in this process through convening, facilitating, and assisting the state and federal departments of transportation (NH DOT and USDOT).
- Transportation Programs - are fiscally constrained schedules of transportation construction projects. These programs are deliberated by the TAC and Board of Directors in conjunction with the NH DOT.

¹ For a full description of transportation activities conducted by SWRPC, please refer to the Unified Planning Work Program (UPWP).

Public Involvement Statutes**Title VI of the Civil Rights Act of 1964 (Title VI)**

No person in the United States shall, on the ground of race, color, national origin, sex, age, disability, or creed be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (Environmental Justice)

To the greatest extent practicable and permitted by law, ... each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States...

Americans with Disabilities Act (ADA)

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU):

This Federal legislation suggests that the transportation planning process pro-actively involve the public by providing full access to information and timely notice to meetings. The decision making process should be transparent and open to public participation. This statute also requires Metropolitan areas to develop and utilize a 'Public Participation Plan' to explicitly demonstrate consideration of public input, especially from those traditionally underserved sections of the population.

State of New Hampshire Right-to-Know Law (RSA 91-a)

The State of New Hampshire dictates that public records must be made available for inspection by the public. These records include the minutes, agendas, documents, and records used in the decision making process and those describing the expenditure of public funds.

2.0 Policy, Goals and Principles of the Public Involvement Plan

Policy

The policy of SWRPC is to provide all interested and potentially affected individuals, businesses and community representatives the opportunity to participate in the transportation planning decision making process regardless of their race, color, national origin, sex, age, disability, creed, or income. Additionally, the public should have the ability to provide comments, insight and information pertinent to the subject on draft documents, policies, and programs prior to their adoption.

Goals

To pro-actively seek public involvement in order to assure that the outcome of regional planning activities accurately reflect the needs and concerns of the residents of Southwest New Hampshire. The four main goals of this process are:

1. To encourage and ensure full and fair participation by all potentially affected persons in the transportation decision-making process; and
2. To incorporate the needs and concerns of the public into the transportation planning process; and
3. To identify and address disproportionately high and adverse health, environmental, social, and economic effects of transportation programs, policies and activities on minority and/or low-income populations; and
4. To prevent the denial of, reduction of, or significant delay in the receipt of transportation benefits by minority and low-income populations.

Principles of the PIP

The following principles will be adopted in support of the goals identified above:

1. Outreach and Education - The planning process should be inclusive, accessible and understandable to the general public.
 - a. Information should be presented in a clear and readable manner; and
 - b. Information should be presented in a matter that educates the public; and
 - c. Information should be presented in a clear, concise manner using visualizations techniques where possible; and
 - d. Documents should be available at a public place such as the SWRPC office and/or the Keene Public Library; and
 - e. Documents should be available electronically and disseminated via the internet.

2. Engagement with the Public - The public should have the opportunity to participate and be engaged in the decision making process.
 - a. Meetings should be held in conveniently accessible locations at opportune times of the day; and
 - b. The public should receive adequate notice as to meetings and the availability of information; and
 - c. The public should have the opportunity to comment on all material for a period of at least 30 days from posting of a notice; and
 - d. Public testimony and input should be recorded and filed alongside documentation used in the production of transportation planning documents.

3. Consideration by Decision Makers - Public comments and concerns should be adequately considered by SWRPC staff, the TAC, and the BOD.
 - a. The information collected through the Public Involvement Process should be presented by staff to the TAC and BOD; and
 - b. Written and oral comments shall be incorporated as an appendix to the plans and filed at the SWRPC office; and
 - c. Comments which warrant immediate inclusions, such as typographical or factual mistakes shall be made by staff; and
 - d. Comments and suggestions as to the contents of the document, policy decision, or other content shall be reviewed by staff and the advisory committee and incorporated as appropriate.

Commission staff will attempt to respond to all comments received via writing, including e-mails, acknowledging receipt and a brief summary of its incorporation into the respective planning product.

3.0 Identification of Barriers to Involvement

In order to comply with public involvement statutes (see page 2), Commission staff will attempt to identify and mitigate the barriers which might currently prevent segments of the Region's population from participating in the transportation decision making process.

Minorities, low-income individuals, the elderly/disabled, and those with low-literacy or English proficiency are less likely to participate in the public process due to socio-economic and physical barriers. These populations are also more likely to be disproportionately affected by transportation decisions due to their dependence on social services. The following methods will be used to locate these populations and identify barriers which prevent their effective involvement in the decision making process:

Identifying and Locating Targeted Populations

Using GIS analysis of the latest Census and American Community Survey (ACS) data, the location of areas with concentrations of minority, low-income, and elderly populations were identified (see Maps 1-3). Due to the demographic homogeneity of the Region, along with its low-density and rural character, the exact locations and numbers of these populations are difficult to pinpoint using geographic areas defined by the Census. Census geography is based on population densities, resulting in the lowest level of data collection covering a large area of towns in the Region. These maps will be used as a resource to public involvement.

Minority Populations

In order to comply with Title VI (Civil Rights Act) requirements, SWRPC will attempt to identify and pro-actively seek the input from minority individuals in the Region. According to the Census, the Region has 3,303 (2.2%) people who *do not* describe themselves as being of 'one race-white' (2010 Decennial Census). This percentage is far below the national average of 25.2% being non-white. Please refer to Map 1 for locations of concentrated minority populations.

Minority populations may feel out of place, uncomfortable or otherwise un-welcomed to participate in a community discussion. These barriers could be overcome through culturally thoughtful design and distribution of public notices and a meeting facilitator who consciously welcomes and involves minority individuals. At no time should anyone, especially authority figures, be allowed to make disparaging comments towards minority individuals.

Low-Income Households and Individuals

In order to comply with Environmental Justice provisions, SWRPC will attempt to identify and pro-actively engage input from low-income individuals. An individual or household is classified as Low-Income if their income, adjusted for family size, is 150% or less of the federal poverty line. Approximately 15.4% of the population is considered low income. Please refer to Map 2 for locations of concentrated low-income populations.

Low-income individuals may have difficulty in attending meetings due to night-time work schedules and obtaining transportation or child care. Attempts should be made to provide meeting opportunities that mitigate these barriers. The provision of free food during a meeting could also alleviate the financial burden of eating-out, thereby providing additional incentive for involvement from low-income households and individuals. Please refer to Section 4 of this document for more information on public meetings.

Elderly and Disabled Individuals

In order to comply with Americans with Disabilities Act (ADA) provisions, SWRPC will attempt to solicit and accommodate input from individuals with physical and/or mental impairments, including those brought about by advanced age. While data on aging is easily available, disability data is more difficult to obtain due to medical privacy issues. However, Commission staff is well aware of the importance of transportation to this group of individuals through work with non-profits such as Monadnock Developmental Services (MDS). Please refer to Map 3 for locations of concentrated aging populations.

Barriers to participation from this group are typically physical in nature. Mobility impairments are probably the most common barrier to participation. Sensory impairments such as hearing and vision loss should also be addressed through alternative modes of communications. Please refer to Section 4 of this document for more information on public meetings and how ADA compliance is addressed in venue location.

Low-Literacy and Limited English Proficiency Populations

In addition to the above mentioned barriers to effective public participation, language is perhaps the biggest impediment to communication between the public and the decision makers. Language barriers include low-literacy levels (closely correlated to low-income²) and limited English proficiency of minority and immigrant populations.

Low-literacy is defined as less than a 5th grade reading and comprehension level. While data regarding low literacy is not available for the Region, Census data shows that 19% of the Region's residents have an educational attainment level below a high-school diploma and an additional 30% of the Region's residents' highest educational attainment is a high school diploma or equivalent (ACS 2009 5 Year Estimates). An individual's reading level is usually 3 to 5 grades lower than their highest educational attainment. For this reason, about 50% of the population has an 8th grade reading level. Please refer to Section 5 of this document for more information regarding methods to accommodate low-literacy individuals.

The Region has approximately 170 households that have some difficulty with English (ACS 2009 5 Year Estimates). This is equivalent to approximately .45% of all households in the Region. The Census categorizes these households as "linguistically isolated."

SWRPC will attempt to accommodate those with low-English proficiency on an as-needed basis. SWRPC staff will strive to communicate transportation plans, notices, and policies to anyone who initiates contact. If communication due to a language barrier does arise, efforts will be made to work with local non-profits and human services providers to

² http://www.fhwa.dot.gov/planning/publications/low_limited/lowlim04.cfm

find suitable resources to bridge the language gap. Use of internet based translation services may also be used.

4.0 Pro-Active Methods of Involvement

The following methods and procedures will be used to mitigate barriers to effective public involvement in the decision making process.

Meeting Venues

SWRPC will attempt to hold public meetings in centrally located venues easily located and accessed by residents throughout the region. Meeting rooms should be ADA accessible when possible and offer plentiful public parking and ADA accessible bathrooms.

SWRPC routinely hosts public meetings at the Southwestern Community Services' Senior Housing Community Room at 49 Community Way in Keene. The Keene Public Library is another alternate site for meetings. Both sites are accessible in the evenings and offer ADA compliance and ample public parking. Both locations are known and accessible to most residents in the area.

In situations where meetings are sub-regional or local in scope, the SWRPC has a number of identified meeting locations throughout the Region to provide easier access to the local population. As a town member organization, the SWRPC has the flexibility in working with towns in the Region to meet in town owned facilities or other local community institutions.

Transportation for Non-Drivers

Upon request, SWRPC will utilize the Southwest Region Community Transportation Directory as a resource to connect interested stakeholders with limited mobility to community transportation services including taxis, ridesharing services, volunteer driver services and other available community transportation.

Transportation Advisory Committee (TAC)

TAC meetings represent a key decision making point in the planning process. As such, public awareness and inclusion to these meetings is an essential part of the PIP. TAC meetings are regularly scheduled meetings that are advertised on the SWRPC website. Meetings are held at either the Southwestern Community Services Senior Housing Community Room or the Keene Library in downtown Keene, NH.

Project Specific Advisory Committees

From time to time, SWRPC forms Advisory Committees to gain public input for the purposes of aiding in the development of specific transportation planning projects. These

committees are made up of stakeholders for the particular project. All meetings should be open to the public. These meetings should also be held close to the communities they affect if applicable.

Advisory Committee membership should also reflect the demographic make up of the community in which the project is located or of the community the project is to serve. Project specific public participation should be designed and documented as appropriate.

Non-SWRPC Public Meetings

SWRPC on occasion aids the NH DOT or other regional entities in hosting public meetings for our region. In these cases, SWRPC will aid in advertising these meetings and abide by the PIP principles.

Notification

Public notice should be distributed via the SWRPC website and monthly newsletter when appropriate. Notifications should be posted at least 7 days prior to the meeting, and should include the date, time, and place of the meeting. Additional methods of public notice such as press releases and pamphlets will be used on an as-needed basis.

Public notifications and notices should include directions to the venue and contact information to request assistance regarding special accommodations due to a disability or language barrier.

Public Records

In order to comply with the State of New Hampshire right-to-know statutes (RSA 91-a), SWRPC will make public records available for inspection by the public during regular business hours. These records include minutes, agendas, and associated documents from public meetings, and those records describing the expenditure of public funds. All of these materials are to be filed in the SWRPC archives and made available upon request for review and reproduction at-cost. If the records are unavailable immediately upon request, SWRPC has 5 days to make the records available, deny the request, or give written acknowledgement of the request and an estimate of the time needed to grant or deny the request.

5.0 Publications

The final outcome of the transportation decision making process is a published document. These publications should not only reflect the public comments and suggestions gathered through the public involvement process, but should also be easily accessed and understood by the average person.

Availability

Publications should be published both in hard copy and electronically. These publications should be made available on the SWRPC website and in its office for public review. Copies should also be distributed in public locations such as the Keene Public Library.

Electronic versions published on the internet should be easily downloaded and viewed. SWRPC will try to make files manageable by limiting their sizes and making them available on a widely used file format, such as pdf.

Readability and Comprehensibility

All publications should strive to be readable and comprehensible by the public. The average person reads at an 8th grade reading level. The following recommendations should be followed in order to increase the readability and comprehensibility of a document:

- a. Topic - An individual will read at a higher level if the topic is made interesting. Transportation issues should be set within the context of its effects on the Region, local area, and its residents;
- b. Legibility - Fonts should not be too small, crowded or faint;
- c. Sentence Length and Redundancy - Short sentences and redundancy help people read at higher levels;
- d. Format - White space and illustrations are appealing and aid in comprehension. Inset boxes should also be used to break up the layout of a page;
- e. Density of Information - New ideas should not be concentrated. Too many new concepts at once can be difficult to digest and discourage the reader.
- f. Language - Esoteric and technical jargon should be reserved for appendices. Where such jargon is essential to the document, all words and acronyms should be clearly defined and explained.
- g. Graphics - Publications should strive to use visualizations such as GIS maps, graphs, charts, and pictures to communicate concepts and ideas.

6.0 Complaint and Periodic Review Process

The following procedures should be used to inform the public of Title VI obligations:

Notice to Public of Title VI Procedures

SWRPC will provide public notice that it conducts transportation planning under the non-discrimination requirements as outlined in Title VI of the Civil Rights Act of 1964. This notice will also inform the public that more information is available by contacting SWRPC, at which time a copy of this document will be provided. (see Attachment A)

Title VI Complaint Process

Any member of the public will be allowed to file a complaint against SWRPC if they believe that it has violated Title VI obligations. All complaints will be forwarded to the Executive Director upon receipt, and a copy shall be forwarded to the NH DOT Bureau of Human Resources – Office of Civil Rights and Labor Compliance. The complaint will then be discussed by the SWRPC Board of Directors with assistance from NH DOT personnel to determine its merits. (see Attachment B)

Upon completion of these initial steps, a response to the originator of the complaint shall be sent from the Executive Director of SWRPC informing them if a violation has in fact taken place. SWRPC will work with NH DOT to remedy all violations as appropriate on a case-by-case basis. In cases where the procedures outlined in the Public Involvement Plan are flawed and lead to a violation, the Plan should be reviewed and updated to address these issues as soon as possible. All complaints and associated documentation shall be kept on file for a period of 5 years regardless of its outcome.

Periodic Review

The PIP should be reviewed periodically by SWRPC staff, TAC and the Board of Directors no less frequently than every 5 years and revised as necessary. The effectiveness of the procedures set herein should be reviewed and updated to meet best practices and evolving transportation planning requirements.

A public review and comment period should run for a period of no less than 45 days for all changes made to the PIP. Public participation is encouraged in this periodic review process.

Attachment A - Title VI Public Notice

**Southwest Region Planning Commission
Title VI Notice to Public**

The Southwest Region Planning Commission (SWRPC) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the SWRPC's programs has a right to file a formal complaint with SWRPC. Any such complaint must be in writing and submitted to the SWRPC Executive Director within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

**SWRPC
20 Central Square, 2nd Floor
Keene, NH 03431
(603) 357-0557
FAX: (603) 357-7440**

Attachment B - NH DOT Title VI Complaint and Investigation Procedure

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by The New Hampshire Department of Transportation (NH DOT).

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the NH DOT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint to the following address:

**Title VI Coordinator
New Hampshire Department of Transportation
P.O. Box 483, 7 Hazen Drive
Concord, NH 03302-0483
Phone: (603) 271-6070
TTY Access: (800) 735-2964**

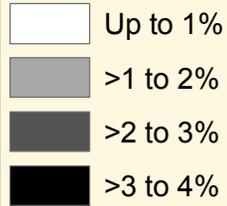
The following measures will be taken to resolve Title VI complaints:

- 1.) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
- 2.) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the NH DOT Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the NH DOT Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.
- 3.) The Department will investigate complaints filed with the Department against contractors, consultants, or other sub-recipients. Complaints filed directly with the Department against the Department shall be forwarded to the appropriate Federal agency for investigation.
- 4.) When a complete complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within five (5) days by registered mail. At the same time, the complaint will be forwarded to the State of New Hampshire Attorney General's Office and to the appropriate Federal agency.

- 5.) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be notified within 15 business days from receipt. The Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 6.) Within 15 business days from receipt of a complete complaint, the NH DOT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Commissioner or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
- a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of the NH DOT's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 7.) When the NH DOT does not have sufficient jurisdiction, the Commissioner or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 8.) If the complaint has investigative merit, the Commissioner or his/her authorized designee will assign an investigator. A complete investigation will be conducted, and an investigative report will be submitted to the Commissioner within 45 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations.
- 9.) The Commissioner or his/her authorized designee will issue letters of finding to the Complainant and Respondent. Where appropriate, these letters will include conciliatory measures. A copy of the investigative report shall be forwarded to the respective Federal agency within 60 days from receipt of the complaint. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
- 10.) If the Complainant is dissatisfied with the NH DOT's resolution of the complaint, he/she has the right to file a complaint with the:

Departmental Office of Civil Rights U.S. Department of Transportation
400 7th Street, S.W., Rm #10215, S-30 Washington D.C. 20590
(202) 366-4648
(202) 366-5992
TTY Access: (202) 366-9696
DC Relay: (202) 855-1000

Percent of Non-White Population, 2010



Numbers within each town indicate the total non-white population.

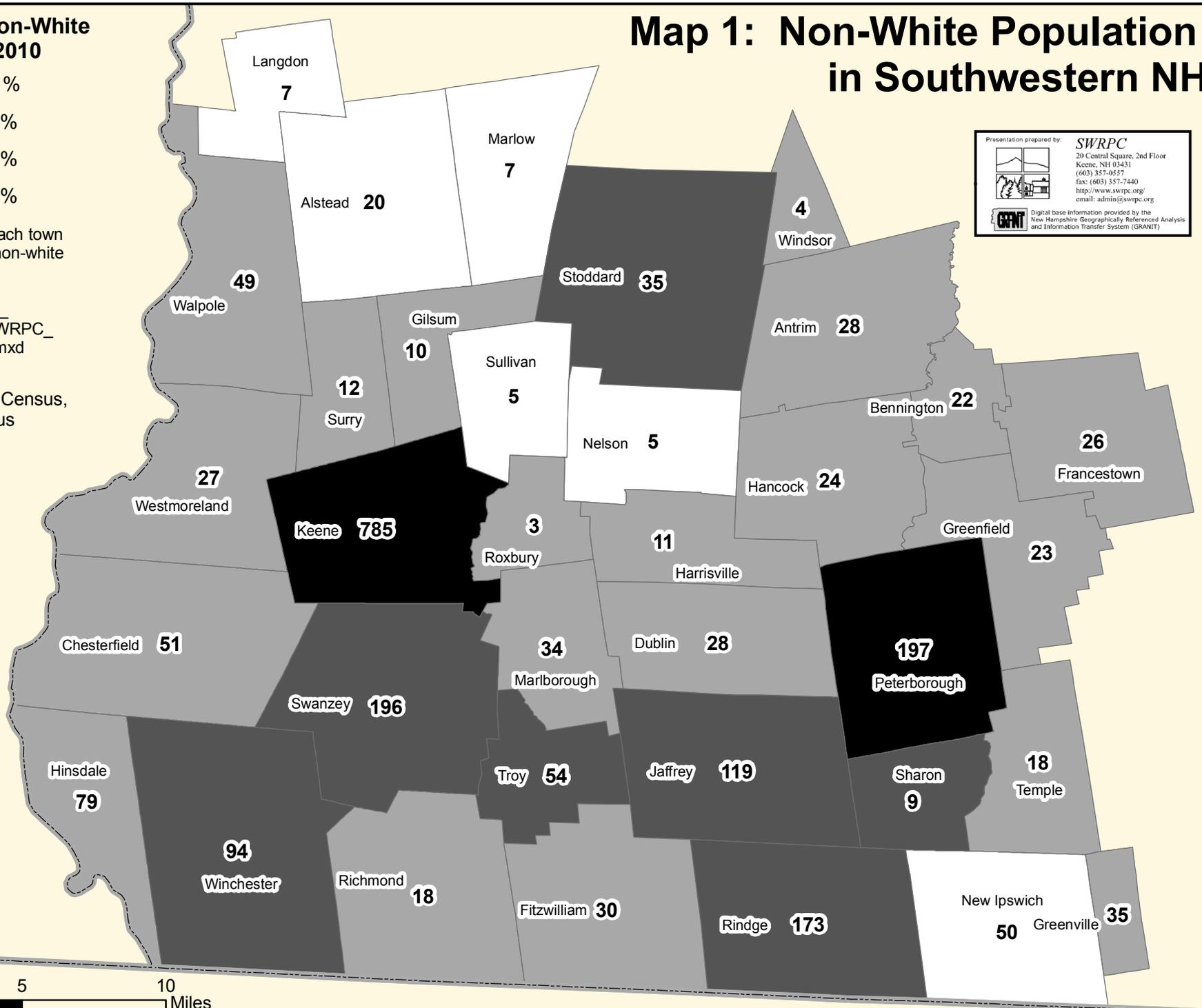
Y:MAPS\Regional_Transportation_SWRPC_Race_04202012.mxd

Source:
2010 Decennial Census,
Bureau of Census

Map 1: Non-White Population in Southwestern NH

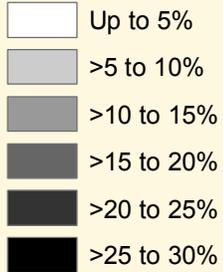
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Digital base information provided by the
 New Hampshire Geographically Referenced Analysis
 and Information Transfer System (GRANIT)



Map 2: Estimated Population Below 150% of Poverty Line in Southwestern NH

Percent of Population Living Below 150% of Poverty Line, 2009



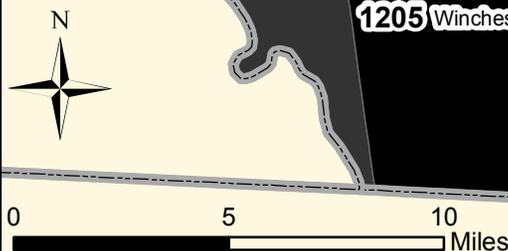
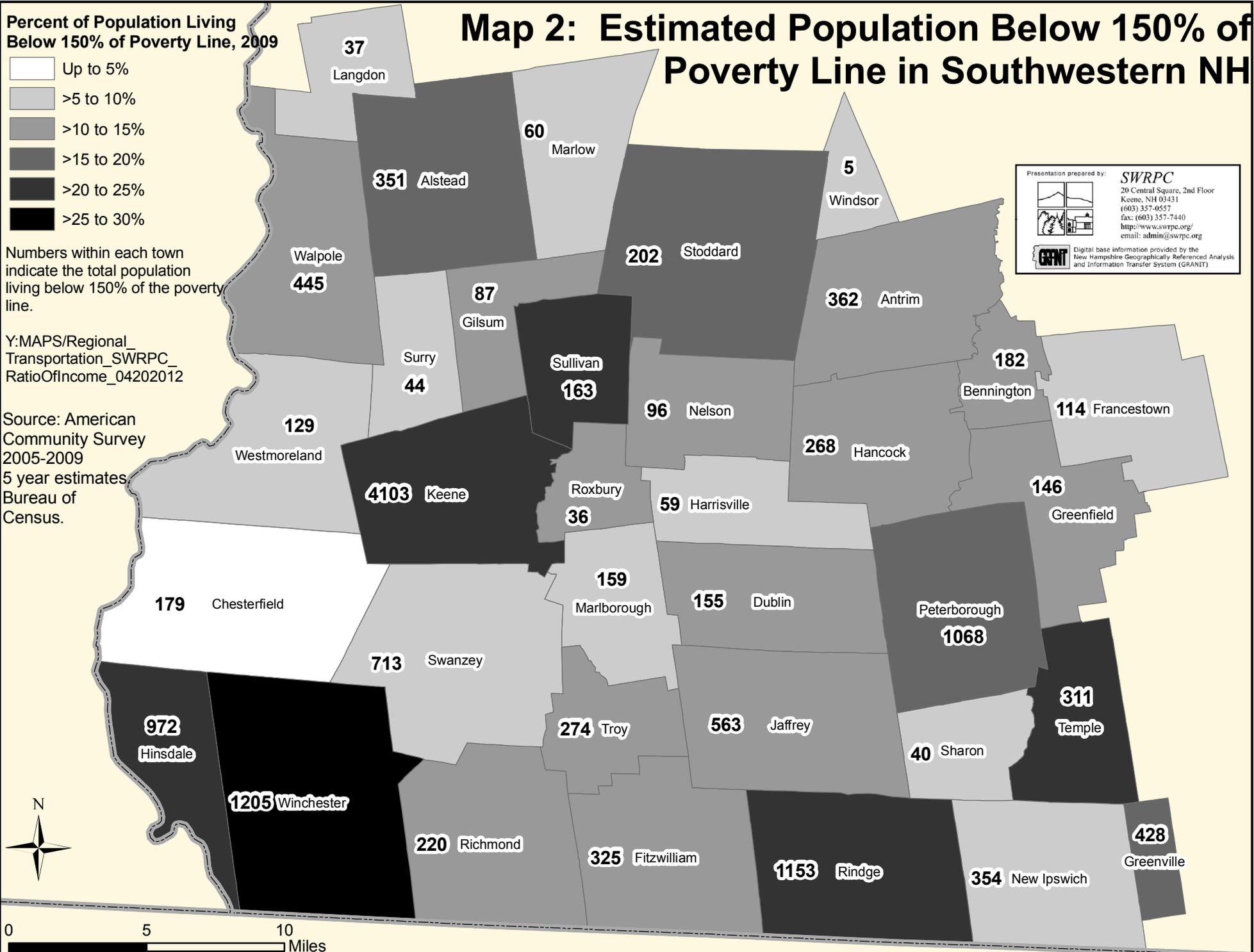
Numbers within each town indicate the total population living below 150% of the poverty line.

Y:MAPS/Regional_Transportation_SWRPC_RatioOfIncome_04202012

Source: American Community Survey 2005-2009
5 year estimates
Bureau of Census.

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Digital base information provided by the New Hampshire Geographically Referenced Analysis and Information Transfer System (GRANT)



Population 65 and Older, 2010



Numbers within each town indicate the total population 65 and older.

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Source:
2010 Decennial Census,
Bureau of Census

Map 3: Population 65 and Older in Southwestern NH

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