

Title VI Program Manual

FFY2020-2023

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)

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Approved on _____

By LAMTPO Executive Board

Morristown City Council Approval on _____



TABLE OF CONTENTS

Chapter	Description	Page
Cover Page	Cover Page	
Table of Contents	Table of Contents	i
Table of Contents	Table of Contents - Tables	iii
Table of Contents	Table of Contents - Maps	iv
List of Abbreviations	List of Abbreviations	v
Title VI Contact Information	Title VI Contact Information	viii
Resolution	Resolution	ix
I	Introduction and Background	I-1
II	Program Overview	II-1
III	General Requirements and Guidelines	III-1
	1. Introduction	III-1
	2. Requirement to Provide Title VI Assurances	III-3
	Federal Requirements	III-4
	Title VI	III-4
	Americans With Disabilities Act	III-5
	FY2019 Certifications and Assurances Signature Page	III-6
	FY2019 FTA Assistance Programs	III-7
	Title VI Assurance	III-8
	Contract Assurances	III-10
	Monitoring of Contractors/ Consultants Form	III-12
	3. Requirements for First-Time Applicants	III-13
	4. Requirement to Prepare and Submit a Title VI Program	III-14
	Notice to Public	III-15
	LAMTPO Responsibilities	III-16
	Ensuring Compliance of Title VI Requirements	III-19
	Contract Title VI Compliant Procedures	III-23
	LAMTPO Title VI Complaint and Hearing Procedures	III-24
	Title VI Policy Statement	III-26
	Complaint Log	III-28
	LAMTPO Title VI Discriminatory Complaint Form	III-29
	5. Requirement to Notify Beneficiaries of Protection Under Title VI	III-36
	Notice to Public	III-37
	LAMTPO Responsibilities	III-39
	Title VI Training	III-44
	6. Requirement to Develop Title VI Complaint Procedures and Complaint Form	III-45
	Contract Title VI Complaint Procedures	III-45

Chapter	Description	Page
III	7. Requirement to record and report transit related Title VI investigations, complaints, and lawsuits	III-46
	8. Promoting Inclusive Public Participation	III-46
	ETHRA Brochure for Public Transportation (English and Spanish)	III-49
	9. Requirement to Provide meaningful access to LEP Persons	III-50
	LAMTPO LEP Plan	III-54
	Four Factor Analysis	III-55
	Title VI Sub-recipient Complaint and hearing procedures	III-66
	Providing notice of Language Assistance to LEP Persons	III-74
	Title VI Assessment	III-78
	Environmental Justice	III-87
	Environmental Mitigation	III-88
	10. Minority Representation on Planning and Advisory Bodies	III-120
	11. Providing Assistance to Sub-recipients	III-121
	12. Monitoring Sub-recipients	III-122
	Contract Monitoring Form	III-124
	Sub-Recipient Title VI Assurance	III-125
	Monitoring of Contractors/ Consultants	III-126
	13. Determination of Site or Locations of Facilities	III-127
	14. Requirement to provide Additional Information Upon Request	III-128
IV	Requirements and Guidelines for Fixed Route Transit Providers	IV-1
V	Requirements for States	V-1
VI	Requirements for MPOs	VI-1
VII	Effecting Compliance with DOT Title VI Regulations	VII-1
VIII	Compliance Reviews	VIII-1
IX	Complaints	IX-1
Appendix A	Title VI Program Checklist	A-1
Appendix B	Title VI Notice to Public (General Requirements)	B-1
Appendix C	Title VI Complaint Procedure	C-1
Appendix D	Title VI Complaint Form	D-1
Appendix E	List of Transit-Related Title VI Investigations, Complaints, and Lawsuits	E-1
Appendix F	Table Depicting Minority Representation on Committee and Councils Selected by the Recipient	F-1
Appendix G	Service Standards (Requirement for All Fixed Route Transit Providers)	G-1
Appendix H	Service Policies (Requirement for All Fixed Route Transit Providers)	H-1
Appendix I	Demographic Profile and Travel Patterns	I-1
Appendix J	Requirement to Monitor Transit Service	J-1
Appendix K	Service and Fare Equity Analysis Questionnaire Checklist	K-1

Chapter	Description	Page
Appendix L	Reporting Requirements	L-1
Appendix M	Title VI and Limited English Proficiency Technical Assistance	M-1
Appendix N	LAMTPO Public Participation Plan (PPP)	N-1
Appendix O	US Census Language Identification Flash Cards	O-1
Appendix P	Notice of Public Meetings and Comments	P-1

TABLE OF CONTENTS - TABLES

Section	Table Number	Description	Page
		Table of Contents	i
		List of Abbreviations	vi
		Title VI Contact Information	ix
I	I.1	Title VI and Environmental Justice	I-14
III	III.1	2013-2017 American Community Survey (ACS) data of Language Spoken at Home, based on Census Tract data (US Census table S1601), 2017 5-year estimates	III-56
	III.2	Limited English Speaking Households, by County, 2013-2017 American Community Survey 5-Year Estimates (US Census Table S1602)	III-57
	III.3	Language Spoken at Home for the Population 5 years and over 2013-2017 American Community Survey 5 year estimates (US Census Table C16001)	III-58
	III.4	AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER (US Census Table B16007) 2017 5-year estimates	III-60
	III.5	Age By Language Spoken at home for the Population 5 years and over, by County, US Census Table B16007) 2017 5-year estimates	III-62
	III.6	2010 US Census Population Information, Including Race/ Ethnic Breakdown	III-74
	III.7	Environmental Mitigation Activities	III-80
	III.8	FFY2020-2023 TIP Projects with Respect with Title VI Concerns	III-84
	III-9	1998, 2010, 2015, and 2017 Per Capita Income for Eight East Tennessee Counties, from the East Tennessee Development District(1998), 2010 US Census, and 2015 and 2017 American Community Survey (ACS) 5-year data (US Census Table B19301).	III-109
	III-10	Representation on LAMTPO Committees and Boards	III-110
IV	IV.1	Requirements for Transit Providers	IV-1

TABLE OF CONTENTS – MAPS

Section	Map	Description	Page
III	1	LAMTPO 2010 Urbanized Area, as defined by the US Census	III-2
III	2	LEP Areas with Respect to LAMTPO MPA and UZA, based on US Census 2017 ACS Data	III-63
	3	LAMTPO Region	III-80
	4	Minority Percentage of People with Respect to the LAMTPO FFY2020-2023 Projects, based on the US Census 2017 ACS Data	III-81
	5	Population Percentage of People 65 years of Age or Older with Respect to LAMTPO FFY2020-2023 Projects, Based on US Census 2017 ACS data	III-82
	6	Minority Percentage of People with Respect to the LAMTPO FFY2020-2023 Projects, based on the US Census 2017 ACS Data	III-91
	7	Hispanic Percentage of People with Respect to the LAMTPO FFY2020-2023 Projects, based on the US Census 2017 ACS Data	III-92
	8	Population Percentage of People 65 years of Age or Older with Respect to LAMTPO FFY2020-2023 Projects, Based on US Census 2017 ACS data	III-93
	9	Hamblen County TN Contour Map	III-96
	10	Jefferson County Contour Map	III-97
	11	Hamblen County TN Government owned parcels Map	III-98
	12	Jefferson County TN Government owned parcels Map	III-99
	13	Hamblen County TN Cultural Resources	III-100
	14	Jefferson County TN Cultural Resources	III-101
	15	Hamblen County TN Historical Places	III-102
	16	Jefferson County TN Historical Places	III-103
	17	Hamblen County TN Parcel Data and Road Network	III-104
	18	Jefferson County TN Parcel Data and Road Network	III-105
	19	Hamblen County, TN Railroads	III-106
	20	Jefferson County, TN Railroads	III-107
	21	Hamblen County TN Soils	III-108
	22	Jefferson County TN Soils	III-109
	23	Hamblen County TN Tree Canopy	III-110
	24	Jefferson County TN Tree Canopy	III-111
III	25	Hamblen County, TN Water Bodies	III-112
	26	Jefferson County, TN Water Bodies	III-113
	27	Hamblen Co TN Flood Map	III-114
	28	LAMTPO Existing Land Use	III-116
	29	LAMTPO Future Land Use	III-117

LIST OF ABBREVIATIONS

Abbreviation	Full Name Description
3-C	Continuing, Cooperative, and Comprehensive planning process
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADHS	Appalachian Development Highway System
AQ	Air Quality
CAA	Clean Air Act
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CTPP	Census Transportation Planning Products
DBE	Disadvantaged Business Enterprise
EPA	Environmental Protection Agency
ETDD	East Tennessee Development District
ETHRA	East Tennessee Human Resources Agency
FAF	Freight Analysis Framework
FAST Act	Fixing America's Surface Transportation Act
FFY	Federal Fiscal Year (from October 1 to September 30)
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTA Section 5303	FTA Section 5303 Metropolitan Transportation Planning (5303)
FTA Section 5307	FTA Section 5307 Urbanized Area Formula Grants (5307)
FTA Section 5309	FTA Section 5309 Capital Investments Grant
FTA Section 5310	FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities
FTA Section 5311	FTA Section 5311 Rural Areas Formula Grant
FTA Section 5312	FTA Section 5312 Public Transportation Innovation
FTA Section 5324	FTA Section 5324 Emergency Relief
FTA Section 5337	FTA Section 5337 State of Good Repair
FTA Section 5339	FTA Section 5339 Bus and Bus Facilities
FRA	Federal Railroad Administration
FY	Fiscal Year
GIS	Geographic Information Systems
GPS	Geographical Positioning System
HPP	High Priority Project
HSIP	Highway Safety Improvement Program
HSTCP	Human Services Transportation Coordination Plan
HUD	Housing and Urban Development
IAC	Inter-Agency Consultation

Abbreviation	Full Name Description
IM	Interstate Maintenance
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITS	Intelligent Transportation Systems
LAMTPO	Lakeway Area Metropolitan Transportation Planning Organization
LED	Light Emitting Diode
LEP	Limited English Proficiency
LRTP	Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century
MOBILE 6.2	Mobile Source Emission Factor Model
MOVES	Motor Vehicle Emission Simulator
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MTPO	Metropolitan Transportation Planning Organization
NAAQS	National Ambient Air Quality Standards
NHFP	National Highway Freight Program
NHPP	National Highway Performance Program
NHS	National Highway System
PC 1101	Public Chapter 1101
PEAs	Planning Emphasis Areas
PL 112	FHWA Section 112 Planning Funds
PPP	Public Participation Plan
RPO	Rural Transportation Planning Organization (North and South)
SAFETEA-LU	Safe, Accountable, Flexible and Efficient Transportation: A Legacy for Users
SHSP	Strategic Highway Safety Plan
SIP	State Implementation Plan
SPR	State Planning and Research Funds
SRTS	Safe Routes To School
SSCP	Social Services Coordination Plan
STBG	Surface Transportation Block Grant
STIP	State Transportation Improvement Program
TAP	Transportation Alternatives Program
TAC	Technical Advisory Committee
TCA	Tennessee Code Annotated
TCM	Transportation Control Measures
TDEC	Tennessee Department Of Environment and Conservation
TDM	Travel Demand Model
TDOT	Tennessee Department of Transportation

Abbreviation	Full Name Description
TDOT-LRPD	TDOT Long Range Planning Division
TDOT-DMTR	TDOT Division of Multimodal Transportation Resources
TDOT-OCT	TDOT Office of Community Transportation
TIFIA	Transportation Infrastructure Finance and Innovation Act
TIGER	Transportation Invest Generating Economic Recovery Program
TIP	Transportation Improvement Program
TPO	Transportation Planning Organization
TRANSCAD	Transportation Computer Aided Design
TRIMS	Tennessee Roadway Information Management System
UPWP	Unified Planning Work Program
UROP	State Operating Assistance Program
USDOT	United States Department of Transportation
UZA	Urbanized Area

TITLE VI CONTACT INFORMATION

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Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

RESOLUTION 2019-
Adoption of the FFY2020-2023 Title VI Document

WHEREAS, the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) seeks to continually develop comprehensive plan elements which serve as guidelines for the maintenance and improvement of community public facilities and infrastructure, and

WHEREAS, the citizens within the LAMTPO study area are afforded a continuous process whereby the transportation network within the area is maintained in an efficient and orderly manner while plans for future growth in traffic volumes, recreational and land uses are considered, and

WHEREAS, the Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states that *“No person in the United States shall, on the ground 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”*, and

WHEREAS, the governing entities of LAMTPO prohibit discrimination by recipients of Federal financial assistance on the basis of race, color, and national origin, including the denial of meaningful access for limited English proficient (LEP) persons; and

WHEREAS, the governing entities of LAMTPO desire to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects; and

NOW, THEREFORE BE IT RESOLVED that the LAMTPO Executive Board does hereby approve this resolution adopting the FFY2020-2023 Title VI document.



Chair,
LAMTPO Executive Board



Date

CHAPTER I

INTRODUCTION AND BACKGROUND

1. THE FEDERAL TRANSIT ADMINISTRATION (FTA). FTA is one of ten operating administrations within the U.S. Department of Transportation (DOT). Headed by an Administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, ten regional offices, and five metropolitan offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa.

Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

The Federal Government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA oversees thousands of grants to hundreds of State and local transit providers, primarily through its ten regional offices. These grant recipients are responsible for managing their programs in accordance with Federal requirements, and FTA is responsible for ensuring that recipients follow Federal statutory and administrative requirements.

2. AUTHORIZING LEGISLATION. Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the legal operation of a Federal program or agency. FTA's most recent authorizing legislation is the FAST Act, Fixing America's Surface Transportation Act, signed into law on December 4, 2015.
3. HOW TO CONTACT FTA. FTA's regional and metropolitan offices are responsible for providing financial assistance to FTA recipients and oversight of grant implementation for most FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located. See FTA's website for more information.

Visit FTA's website, <http://www.fta.dot.gov>, or contact FTA Headquarters at the following address and phone number:

Federal Transit Administration
Office of Communications and Congressional Affairs
1200 New Jersey Avenue SE
East Building
Washington, DC 20590
Phone: 202-366-4043; Fax: 202-366-3472

4. GRANTS.GOV. FTA posts all competitive grant opportunities on Grants.gov. Grants.gov is the one website for information on all discretionary Federal grant opportunities. Led by the U.S. Department of Health and Human Services (DHHS) and in partnership with Federal grant-making agencies, including 26 agencies, 11 commissions, and several States, Grants.gov is one of 24 government-wide E-government initiatives. It is designed to improve access to government services via the Internet. More information about Grants.gov is available at <http://www.grants.gov/>.
5. DEFINITIONS. All definitions in chapter 53 of title 49, United States Code, and in 49 CFR part 21 apply to this Circular, as well as the following definitions:
 - 1) Access/Accessibility — the opportunity to reach a given end use within a certain time frame, or without being impeded by physical, social or economic barriers.
 - 2) Alternative Modes of Transportation — Forms of transportation that provide transportation alternatives to the use of single-occupant automobiles. Examples include: rail, transit, carpools, bicycles and walking.
 - 3) American Association of State Highway and Transportation Officials (AASHTO) — A nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia and Puerto Rico.
 - 4) Americans with Disabilities Act (ADA) — Federal civil rights legislation for persons with disabilities, signed into law in 1990, that prohibits discrimination specifically in the areas of employment, public accommodation, public services, telecommunications and transportation. Transportation requirements include the provision of “comparable paratransit service” that is equivalent to general public fixed-route service for persons who are unable to use regular bus service due to a disability.
 - 5) Arterial Street — A class of street serving major traffic movements (high-speed, high volume) for travel between major points.
 - 6) Attainment Area — An area considered to have air quality that meets or exceeds the U.S. Environmental Protection Agency (EPA) health standards used in the Clean Air Act. Nonattainment areas are areas considered not to have met these standards for designated pollutants. An area may be an attainment area for one pollutant and a nonattainment area for others.
 - 7) Applicant means a person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA, and “application” means such an application, request, or plan.
 - 8) Capacity — A transportation facility's ability to accommodate a moving stream of people or vehicles in a given time period. The maximum rate of flow at which persons or vehicles can be reasonably expected to traverse a point or uniform segment of a lane

or roadway during a specified time period under prevailing roadway, traffic and control conditions; usually expressed as vehicles per hour or persons per hour.

- 9) Capital Improvement Program (CIP) — A plan for future capital infrastructure and program expenditures which identifies each capital project, its anticipated start and completion and allocates existing funds and known revenue sources for a given period of time. Most local governments have a CIP.
- 10) Clean Air Act (CAA) — Federal statutes established by the United States Congress which set the nation's air quality goals and the process for achieving those goals. The original Clean Air Act was passed in 1963, but the national air pollution control program is actually based on the 1970 version of the law. The 1990 Clean Air Act Amendments are the most far-reaching revisions of the 1970 law.
- 11) Congestion — A condition under which the number of vehicles using a facility is great enough to cause reduced speeds and increased travel times.
- 12) Congestion Management Process (CMP) — Systematic process for managing congestion. Provides information on transportation system performance and finds alternative ways to alleviate congestion and enhance the mobility of people and goods, to levels that meet state and local needs.
- 13) Congestion Mitigation and Air Quality Improvement Program (CMAQ) — A categorical Federal-aid funding program created with the ISTEA. Directs funding to projects that contribute to meeting National air quality standards. CMAQ funds generally may not be used for projects that result in the construction of new capacity available to SOVs (single-occupant vehicles).
- 14) Context Sensitive Solution (CSS) — A collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist.
- 15) Demand response system: Any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.
- 16) Design Standards — Standards that are met when a new road is constructed, or when a deficient section is improved. These standards pertain to all relevant geometric and structural features required to provide a desired level of service over the life of the project. The life of the project is generally 20 years beyond its implementation.
- 17) Designated recipient means an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion

amounts under section 5336 to urbanized areas of 200,000 or more in population; or a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.

- 18) Direct recipient means an entity that receives funding directly from FTA. For purposes of this Circular, a direct recipient is distinguished from a primary recipient in that a direct recipient does not extend financial assistance to subrecipients, whereas a primary recipient does.
- 19) Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
- 20) Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.
- 21) Disproportionate burden refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.
- 22) Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.
- 23) East Tennessee Human Resource Agency (ETHRA) – The transit agency serving the LAMTPO Region.
- 24) Environmental Assessments (EA) — prepared for federal actions under the National Environmental Policy Act (NEPA) where it is not clearly known how significant the environmental impact might be. If, after preparing an environmental assessment, it is determined that the project impact is significant, an Environmental Impact Statement (EIS) is then prepared. If not, a “finding of no significant impact” (FONSI) is documented.
- 25) Environmental Impact Statements (EIS) — prepared for federal actions that have a significant effect on the human and natural environment. These are disclosure documents prepared under the National Environmental Policy Act (NEPA) that provide a full description of the proposed project, the existing environment and analysis of the anticipated beneficial and adverse environmental effects of all reasonable alternatives. There are various stages — Draft EIS and Final EIS.
- 26) Environmental Justice (EJ) — Environmental justice assures that services and benefits allow for meaningful participation and are fairly distributed to avoid discrimination.

- 27) Environmental Protection Agency (EPA) — The federal regulatory agency responsible for administering and enforcing federal environmental laws, including the Clean Air Act, the Clean Water Act, the Endangered Species Act and others. EPA is the source agency of air quality control regulations affecting transportation.
- 28) Fix America's Surface Transportation Act (FAST ACT)- On December 4, 2015, President Obama signed the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) into law—the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and statistics programs. The FAST Act maintains our focus on safety, keeps intact the established structure of the various highway-related programs we manage, continues efforts to streamline project delivery and, for the first time, provides a dedicated source of federal dollars for freight projects. With the enactment of the FAST Act, states and local governments are now moving forward with critical transportation projects with the confidence that they will have a federal partner over the long term.
- 29) Federal financial assistance refers to:
- a. grants and loans of Federal funds;
 - b. the grant or donation of Federal property and interests in property;
 - c. the detail of Federal personnel;
 - d. the sale and lease of, and the permission to use (on other than a casual or transient basis), 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
 - e. any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.
- 30) Federal Highway Administration (FHWA) — a branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads and bridges. The FHWA also administers the Federal Lands Highway Program, including survey, design and construction of forest highway system roads, parkways and park roads, Indian reservation roads, defense access roads and other Federal lands roads.
- 31) Federal Transit Administration (FTA) — A branch of the U.S. Department of Transportation that is the principal source of federal financial assistance to America's communities for planning, development and improvement of public or mass transportation systems. FTA provides leadership, technical assistance and financial

resources for safe, technologically advanced public transportation to enhance mobility and accessibility, to improve the nation's communities and natural environment and to strengthen the national economy.

- 32) Financial Planning — the process of defining and evaluating funding sources, sharing the information and deciding how to allocate the funds.
- 33) Financial Programming — A short-term commitment of funds to specific projects identified in the regional Transportation Improvement Program (see TIP).
- 34) Fiscal or Financial Constraint — Making sure that a given program or project can reasonably expect to receive funding within the time allotted for its implementation.
- 35) Fixed guideway means a public transportation facility—using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; using a fixed catenary system; for a passenger ferry system; or for a bus rapid transit system.
- 36) Fixed route refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.
- 37) Geographic Information System (GIS) — computerized data management system designed to capture, store, retrieve, analyze and display geographically referenced information.
- 38) High-Occupancy Vehicle (HOV) — Vehicles carrying two or more people. The number that constitutes an HOV for the purposes of HOV highway lanes may be designated differently by different transportation agencies.
- 39) Intelligent Transportation Systems (ITS) — the application of advanced technologies to improve the efficiency and safety of transportation systems.
- 40) Intermodal — The ability to connect and the connections between modes of transportation.
- 41) Level of Service (LOS) — a qualitative rating of how well a unit of transportation supply (e.g. street, intersection, bikeway, etc) serves its current or projected demand. LOS A free-flow condition (32 percent of capacity); B = reasonably free-flow conditions (51percent); C = operation stable but becoming more critical (75 percent); D = lower speed range of stable flow (92 percent); E = unstable flow (100 percent); F = forced flow; >100 percent of capacity, stop-and-go operation.
- 42) Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

- 43) Long Range Transportation Plan (LRTP) — A document resulting from regional or statewide collaboration and consensus on a region or state's transportation system and serving as the defining vision for the region's or state's transportation systems and services. In metropolitan areas, the plan indicates all of the transportation improvements scheduled for funding over a minimum of the next 20 years.
- 44) Low-income person means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. 5302 as amended by MAP-21: “refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved” or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.
- 45) Low-income population refers to 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 FTA program, policy or activity.
- 46) Maintenance Area — Maintenance area is any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently re-designated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.
- 47) Major Road Plan — This plan views each road as part of the overall transportation system and identifies its functional classification. It assigns right-of-way requirements based on the purpose and function of the road, future road improvements, future pedestrian improvements, traffic counts, anticipated development and policies and goals contained in adopted sector plans, and long range transportation plans.
- 48) Metropolitan planning organization (MPO) means the policy board of an organization created and designated to carry out the metropolitan transportation planning process.
- 49) Metropolitan transportation plan (MTP) means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.
- 50) Minority persons include the following:
- a. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
 - b. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia,

China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

- c. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
 - d. Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
 - e. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- 51) Minority population means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.
- 52) Minority transit route means a route that has at least 1/3 of its total revenue mileage in a Census block or block group, or traffic analysis zone(s) with a percentage of minority population that exceeds the percentage of minority population in the transit service area. A recipient may supplement this service area data with route-specific ridership data in cases where ridership does not reflect the characteristics of the census block, block group, or traffic analysis zone.
- 53) Mode, Intermodal, Multimodal — Form of transportation, such as automobile, transit, bicycle and walking. Intermodal refers to the connections between modes and multimodal refers to the availability of transportation options within a system or corridor.
- 54) National Environmental Policy Act of 1969 (NEPA) — An established national environmental policy requiring that any project using federal funding or requiring federal approval, including transportation projects, examine the effects of proposed and alternative choices on the environment before a federal decision is made.
- 55) National Historic Preservation Act (NHPA) — Law requiring federal agencies to consider the potential effect of a project on a property that is registered on or eligible for the National Register of Historic Places. If effects are identified, federal and state agencies and the public must identify means to mitigate the harm.
- 56) National origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.
- 57) Non-attainment — Any geographic area that has not met the requirements for clean air as set out in the Clean Air Act of 1990. An area can at the same time be classified as in attainment for one or more air pollutants and as a non-attainment area for another air pollutant.

- 58) Noncompliance refers to an FTA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.
- 59) Non-profit organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.
- 60) Paratransit — Alternative known as "special or specialized" transportation, which often includes flexibly scheduled and routed transportation services. These services use low capacity vehicles such as vans to operate within normal urban transit corridors or rural areas. Services usually cater to the needs of persons whom standard mass transit services would serve with difficulty, or not at all. Common patrons are the elderly and persons with disabilities.
- 61) Planning Funds (PL) — Primary source of funding for metropolitan planning designated by the FHWA.
- 62) Predominantly minority area means a geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.
- 63) Primary recipient means any FTA recipient that extends Federal financial assistance to a subrecipient.
- 64) Provider of fixed route public transportation (or "transit provider") means any entity that operates public transportation service, and includes States, local and regional entities, and public and private entities. This term is used in place of "recipient" in chapter IV and is inclusive of direct recipients, primary recipients, designated recipients, and subrecipients that provide fixed route public transportation service.
- 65) Public transportation means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

- 66) Recipient as used in this Circular, means any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.
- 67) Right-of-Way (ROW) — Public space legally established for the use of pedestrians, vehicles or utilities. Right-of-way typically includes the street, sidewalk and buffer strip areas.
- 68) Rural Planning Organization (RPO) — An organization similar to an MPO, composed of representatives of rural local governments and appointed representatives from the geographic area covered by the organization with the purpose of involving local officials in multi-modal transportation planning through a structured process.
- 69) Secretary means the Secretary of the U.S. Department of Transportation.
- 70) Service area refers either to the geographic area in which a transit agency is authorized by its charter to provide service to the public, or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.
- 71) Service standard/policy means an established service performance measure or policy used by a transit provider or other recipient as a means to plan or distribute services and benefits within its service area.
- 72) Stakeholders — Individuals and organizations involved in or affected by the transportation planning process. Include federal/state/local officials, MPOs, transit operators, freight companies, shippers and the general public.
- 73) Statewide transportation improvement program (STIP) means a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.
- 74) Subrecipient means an entity that receives Federal financial assistance from FTA through a primary recipient.
- 75) Stakeholders — Individuals and organizations involved in or affected by the transportation planning process. Include federal/state/local officials, MPOs, transit operators, freight companies, shippers and the general public.
- 76) Tennessee Department of Environment and Conservation (TDEC) — Agency created to protect and improve the quality of Tennessee's land, air, water and recreation resources. It administers a variety of programs to safeguard human health and the environment while ensuring natural resources meet healthful, regulatory standards.

- 77) Tennessee Department of Transportation (TDOT) — The State agency that manages the highway system within Tennessee. TDOT's mission is to plan, implement, maintain and manage an integrated transportation system for the movement of people and products, with emphasis on quality, safety, efficiency and the environment for Tennesseans. TDOT is the administrative agency that responds to policy set by the Tennessee Legislation.
- 78) Title VI Program refers to a document developed by an FTA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.
- 79) Transportation Conformity — Process to assess the compliance of any transportation plan, program, or project with air quality implementation plans. The conformity process is defined by the Clean Air Act.
- 80) Transportation Control Measures (TCM) — Transportation strategies that affect traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include HOV lanes, provision of bicycle facilities, ridesharing, telecommuting, etc. Such actions may be included in a SIP if needed to demonstrate attainment of the NAAQS.
- 81) Transportation Demand Management (TDM) — "Demand-based" techniques that are designed to change travel behavior in order to improve the performance of transportation facilities and to reduce the need for additional road capacity. Methods include the use of alternative modes, ride-sharing and vanpool programs and trip-reduction programs and/or ordinances.
- 82) Transportation improvement program (TIP) means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C.
- 83) Transportation management area (TMA) means an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.
- 84) Transportation Planning — A collaborative process of examining demographic characteristics and travel patterns for a given area. This process shows how these characteristics will change over a given period of time and evaluates alternatives for the transportation system of the area and the most expeditious use of local, state and federal transportation funding. Long-range planning is typically done over a period of 20 years; short-range programming of specific projects usually covers a period of 3 to 5 years.

- 85) Unified Planning Work Program (UPWP) — The management plan for the (metropolitan) planning program. Its purpose is to coordinate the planning activities of all participants in the planning process.
- 86) Urbanized Area — Area that contains a city of 50,000 or more population plus incorporated surrounding areas meeting size or density criteria as defined by the U.S. Census.
- 87) Vehicle Miles of Travel (VMT) — The sum of distances traveled by all motor vehicles in a specified region. A requirement of the state Transportation Planning Rule is reducing vehicle miles traveled per capita.

6. ENVIRONMENTAL JUSTICE. Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed by President Clinton on February 11, 1994. Subsequent to issuance of the Executive Order, the U.S. Department of Transportation (DOT) issued a DOT Order for implementing the Executive Order on environmental justice (EJ). The DOT Order (Order 5610.2(a), “Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” 77 FR 27534, May 10, 2012) describes the process the Department and its modal administrations (including FTA) will use to incorporate EJ principles into programs, policies, and activities.

The Presidential memorandum accompanying EO 12898 identified Title VI of the Civil Rights Act of 1964 as one of several Federal laws that should be applied “to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects.” According to the U.S. Department of Justice, “...the core tenet of environmental justice—that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community’s minority—flows directly from the underlying principle of Title VI itself.”¹

Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, and national origin, including the denial of meaningful access for limited English proficient (LEP) persons. Under DOT’s Title VI regulations, recipients of Federal financial assistance are prohibited from, among other things, using “criteria or methods of administering its program which have the effect of subjecting individuals to discrimination based on their race, color, or national origin.” For example, facially neutral policies or practices that result in discriminatory effects or disparate impacts violate DOT’s Title VI regulations, unless the recipient can show the policies or practices are substantially justified and there is no less discriminatory alternative. In addition, Title VI and DOT regulations prohibit recipients from intentionally discriminating against people on the basis of race, color, and national origin.

The overlap between the statutory obligation placed on Federal agencies under Title VI to ensure nondiscrimination in federally assisted programs administered by State and local entities, and the administrative directive to Federal agencies under the Executive Order to address disproportionate adverse impacts of Federal activities on minority and low-income populations explain why Title VI and environmental justice are often paired. The clear objective of the Executive Order and Presidential memorandum is to ensure that Federal agencies promote and enforce nondiscrimination as one way of achieving the overarching objective of environmental justice—fair distribution of the adverse impacts of, or burdens associated with, Federal programs, policies, and activities.

Over the years, U.S. DOT has encouraged a proactive approach to the implementation of environmental justice principles in its programs, policies, and activities. This is reflected in the DOT Order on Environmental Justice (DOT Order 5610.2(a)) which, consistent with E.O.

¹ See Title VI Legal Manual, U.S. Department of Justice Civil Rights Division (2001), page 59.

12898, sets forth a process by which DOT and its Operating Administrations, including FTA, will integrate the goals of environmental justice into their existing operations to ensure that consideration of EJ principles is an integral part of all programs, policies, and activities, from the inception of the planning process through to project completion, operations, and evaluation.

FTA has developed policy guidance in the form of a Circular (Circular 4703.1), “Environmental Justice Policy Guidance for Federal Transit Administration Recipients,” in order to provide recipients with a distinct framework to assist them as they integrate principles of environmental justice into their public transportation decision-making processes. FTA expects the clarification provided by the EJ Circular and the updated Title VI Circular will provide recipients with the guidance they need to properly incorporate both Title VI and environmental justice into their public transportation decision-making.

Because of the connection between EJ and Title VI, the consideration of EJ principles has sometimes been confused with the requirements of Title VI. Here is a summary of the key differences between the two:

Table I.1. Title VI and Environmental Justice

Key Aspects of the Authorities	Title VI	Environmental Justice
What is the basis for the authority?	Title VI is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.	The basis for addressing environmental justice is an Executive Order: EO 12898 directs each Federal agency to “make achieving environmental justice part of its mission.” The EO is intended to improve the internal management of the executive branch and not to create legal rights enforceable by a party against the U.S.
What is the purpose of the authority?	Title VI prohibits recipients of Federal financial assistance (e.g., states, local governments, transit providers) from discriminating on the basis of race, color, or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.	EO 12898 calls on each Federal agency to achieve "environmental justice...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...."
To whom does the authority apply?	Title VI is a Federal law that applies to recipients and sub-	EO 12898 applies to Federal agency actions, including DOT’s

Key Aspects of the Authorities	Title VI	Environmental Justice
	recipients of Federal financial assistance (e.g., States, local governments, transit providers), and not to DOT itself.	and FTA's actions. Title VI is one of the tools used by Federal agencies to implement this directive.
What does the authority require, and of whom?	Under Title VI, DOT has the responsibility to provide oversight of recipients and to enforce their compliance with Title VI, to ensure that recipients do not use DOT funds to subsidize discrimination based on race, color, or national origin.	EO 12898 is a directive from the President of the United States to Federal agencies intended to improve the internal management of the Federal government. DOT issued its own Order implementing EO 12898, and updated the Order in May 2012 (Order 5610.2(a)).
What does the authority say with regard to negative effects or impacts?	In accordance with 49 CFR part 21 and Title VI case law, if an otherwise facially neutral program, policy, or activity will have a discriminatory impact on minority populations, that program, policy, or activity may only be carried out if (1) the recipient can demonstrate a substantial legitimate justification for the program, policy, or activity; (2) there are no comparably effective alternative practices that would result in less-disparate impacts; and (3) the justification for the program, policy or activity is not a pretext for discrimination.	In accordance with EO 12898 and the DOT Order on EJ, if a DOT program, policy, or activity will have a disproportionately high and adverse effect on minority or low-income populations, that program, policy, or activity may only be carried out if further mitigation measures or alternatives that would reduce the disproportionately high and adverse effects are not practicable. In determining whether a mitigation measure or an alternative is "practicable," the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.
Does the authority create any rights or remedies?	Title VI allows persons alleging discrimination based on race, color, or national origin by recipients of Federal funds to file administrative complaints with the Federal departments and agencies that provide financial assistance. Persons	EO 12898 establishes the Executive Branch policy on environmental justice; it is not enforceable in court and does not create any rights or remedies.

Key Aspects of the Authorities	Title VI	Environmental Justice
	alleging intentional discrimination (i.e., disparate treatment) may bring a court action seeking to enforce Title VI but cannot do so with regard to allegations of discrimination based on agency disparate impact regulations. Disparate impact claims may be filed with the Federal agency.	

Thus, while Title VI is one tool for agencies to use to achieve the principles of environmental justice, it is important to recognize that Title VI imposes statutory and regulatory requirements that are broader in scope than environmental justice. Recipients are cautioned that while there may be overlap, engaging in an EJ analysis under Federal transportation planning and NEPA provisions will not satisfy Title VI requirements, as outlined in this Title VI Circular. Similarly, a Title VI analysis will not necessarily satisfy environmental justice, given that Title VI does not include low-income populations. Moreover, Title VI applies to all activities of Federal recipients, not solely those which may have disproportionately high and adverse human health or environmental effects on EJ populations.

For example, while a bus rehabilitation project may not impose disproportionately high or adverse health or environmental effects on minority or low-income populations, the *use* of those buses subsequent to the rehabilitation may be subject to a Title VI analysis to ensure that vehicles assigned to a particular area do not result in a disparate impact on the basis of race, color, or national origin. In addition, if there are substantive changes to the service levels for which the rehabilitated or other buses will be used, i.e., the vehicles are deployed in such a way that the nature and quantity of service in a particular area is changed, then a service equity analysis must be conducted to determine whether this change results in a disparate impact on the basis of race, color, or national origin. The requirements for that particular analysis are part of the compliance determinations made for Federal transit recipients under chapter IV of this Circular.

CHAPTER II

PROGRAM OVERVIEW

PROGRAM OBJECTIVES. The direction, guidance and procedures in this document will help FTA recipients to:

- a. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- b. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- c. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

STATUTORY AUTHORITY. Section 601 of Title VI of the Civil Rights Act of 1964 states the following:

No person in the United States shall, on the ground 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.

The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI. Title VI covers all of the operations of covered entities without regard to whether specific portions of the covered program or activity are Federally funded. The term “program or activity” means all of the operations of a department, agency, special purpose district, or government; or the entity of such State or local government that distributes such assistance and each such department or agency to which the assistance is extended, in the case of assistance to a State or local government.

Therefore, compliance with this Circular does not relieve a recipient from the requirements and responsibilities of the DOT Title VI regulation at 49 CFR part 21, or any other requirements under other Federal agencies’ Title VI regulations, as applicable. This Circular only provides guidance on the transit-related aspects of an entity’s activities. Recipients are responsible for ensuring that all of their activities are in compliance with Title VI. In other words, a recipient may engage in activities not described in the Circular, such as ridesharing programs, roadway incident response programs, or other programs not funded by FTA, and those programs must also be administered in a nondiscriminatory manner.

REGULATORY AUTHORITY. The U.S. Department of Justice (“DOJ”) Title VI regulations can be found at 28 CFR § 42.401 *et seq.*, and 28 CFR § 50.3. The U.S. Department of Transportation (“DOT”) Title VI implementing regulations can be found at 49 CFR part 21.

All programs receiving financial assistance from FTA are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and DOT’s implementing regulations. In addition,

DOJ's regulations require agencies such as DOT to issue guidelines to recipients to provide detailed information on the requirements of Title VI. In order to assist recipients in carrying out the provisions of DOT's Title VI regulations, each of the requirements in this Circular includes a reference to the corresponding provision of 49 CFR part 21.

ADDITIONAL DOCUMENTS. In addition to the above-listed statute and regulations the following documents incorporate Title VI principles:

- a. The Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons ("DOT LEP Guidance"), 70 FR 74087, (December 14, 2005). This guidance is based on the prohibition against national origin discrimination in Title VI of the Civil Rights Act of 1964, as it affects limited English proficient persons.
- b. Section 12 of FTA's Master Agreement, which provides, in pertinent part, that recipients agree to comply, and assure the compliance of each subrecipient, lessee, third party contractor, or other participant at any tier of the Project, with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.*, and with U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21. Except to the extent FTA determines otherwise in writing, recipients agree to follow all applicable provisions of the most recent edition of FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," and any other applicable Federal directives that may be issued. Unless FTA states otherwise in writing, the Master Agreement requires all recipients to comply with all applicable Federal directives.

REPORTING REQUIREMENTS. Title 49 CFR Section 21.9(b) requires recipients to "keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with [49 CFR part 21]." FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years. The Title VI Program must be approved by the direct or primary recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. Recipients shall submit a copy of the Board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding, in order to assist the primary recipient in its compliance efforts, on a schedule to be determined by the primary recipient. In the event an entity receives funds from more than one primary recipient, the subrecipient shall submit Title VI Programs to all primary recipients from which it receives funds. Chapters III, IV, V, and VI and appendices

detail the specific information that shall be included in Title VI Programs, based on recipient characteristics.

APPLICABILITY TO CONTRACTORS. Contractors and subcontractors are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Contractors are not required to prepare or submit Title VI Programs. Recipients are responsible for ensuring that contractors are following the Title VI Program, and complying with Title VI.

CHAPTER III

GENERAL REQUIREMENTS AND GUIDELINES

1. INTRODUCTION.

This chapter describes requirements that all FTA recipients must follow to ensure that their programs, policies, and activities comply with DOT's Title VI regulations.

Transportation affects the everyday lives of the people within the United States. The ability to get to home, work, school, stores and services relies on access to transportation of some kind or another, from sidewalks to roadways. As a Federally funded organization charged with developing the Long Range Transportation Plan (LRTP), the Transportation Improvement Plan (TIP) and the Unified Planning Work Program (UPWP), the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) has an inherent responsibility to ensure that all people, regardless of Race, Color, National Origin, Sex, Age, Religion or Disability share in the benefits of transportation programs. All program and activities of Federal-aid recipients, subrecipients and contractors whether those programs and activities are Federally funded or not must comply with Title VI of the 1964 Civil Rights Act and the Civil Rights Restoration Act of 1987.

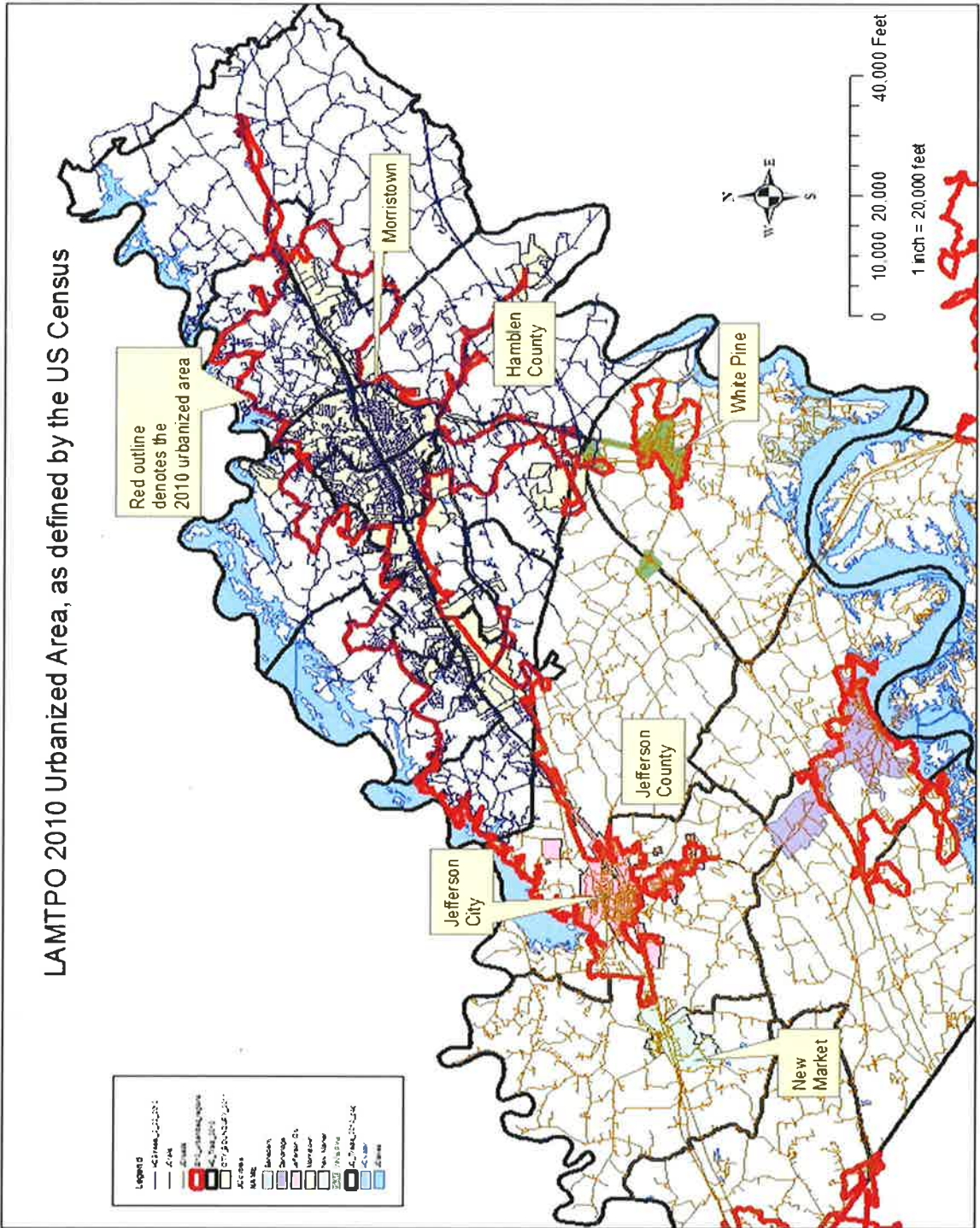
The Role of the Lakeway Area Metropolitan Transportation Planning Organization

To carry out the regional transportation planning process, each urbanized area with a population of 50,000 people or more has a MPO which acts as a liaison between local communities, their citizens, and the state departments of transportation. The metropolitan planning area for the LAMTPO includes the cities of Morristown, Jefferson City, White Pine, and portions of Hamblen County and Jefferson County, Tennessee. Based on the 2010 US Census, the population of the LAMTPO urbanized area is 59,355, with the land area approximately 59.98 square miles.

Mass Transit Services

Mass transit services within the LAMTPO study area are done by the East Tennessee Human Resource Agency (ETHRA). The service is demand response paratransit service, where anyone can ride. In order to use the mass transit services, people must call at least 24 hours in advance to schedule a ride. The phone number to call to schedule an appointment and find out the fare rates is 1-800-232-1565. FTA section 5307 is used to help pay for the mass transit services, along with state and local funding. LAMTPO/ City of Morristown is the designated recipient for FTA federal funds, while ETHRA is a direct recipient for FTA federal funds within the LAMTPO region.

LAMTPO 2010 Urbanized Area, as defined by the US Census



2. REQUIREMENT TO PROVIDE TITLE VI ASSURANCES.

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA. Primary recipients shall collect Title VI assurances from subrecipients prior to passing through FTA funds. The text of FTA's annual certifications and assurances is available on FTA's website.

LAMTPO will comply with 49 CFR Section 21.7, every application for financial assistance from FTA. LAMTPO will comply with the requirements of TITLE VI of the Civil Rights Act of 1964. The next two pages are the FFY2017 Certifications and Assurances Signature Page.

LAMTPO Title VI Assurances

The Lakeway Area Metropolitan Transportation Planning Organization HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

LAMTPO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.

The LAMTPO will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person of persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

Richard DesGroseilliers, MTPO Coordinator

Date: 12-19-2018

FEDERAL REQUIREMENTS

A. TITLE VI (Civil Rights Act of 1964, 42 USC 2000(d)-2000(d) (1))

General

This title declares it to be the policy of the United States that discrimination on the grounds of race, color, or national origin shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments and agencies to take action to carry out this policy. This title is not intended to apply to foreign assistance programs.

Section 601 -- This section states the general principle that no person in the United States shall be excluded from participation in or otherwise discriminated against on the grounds of race, color, or national origin under any program or activity receiving Federal financial assistance.

Section 602 -- Directs each Federal agency administering a program of Federal financial assistance by way of grant, contract, or loan to take action pursuant to rule, regulation, or order of general applicability to effectuate the principle of section 601 in a manner consistent with the achievement of the objectives of the statute authorizing the assistance. In seeking the effect compliance with its requirements imposed under this section, an agency is authorized to terminate or to refuse to grant or to continue assistance under a program to any recipient as to whom there has been an express finding pursuant to a hearing of a failure to comply with the requirements under that program, and it may also employ any other means authorized by law. However, each agency is directed first to seek compliance with its requirements by voluntary means.

Section 603 -- Provides that any agency action taken pursuant to section 602 shall be subject to such judicial review as would be available for similar actions by that agency on other grounds. Where the agency action consists of terminating or refusing to grant or to continue financial assistance because of a finding of a failure of the recipient to comply with the agency's requirements imposed under section 602, and the agency action would not otherwise be subject to judicial review under existing law, judicial review shall nevertheless be available to any person aggrieved as provided in section 10 of the Administrative Procedure Act (5 USC 1009). The section also states explicitly that in the latter situation such agency action shall not be deemed committed to un-reviewable agency discretion within the meaning of section 10. The purpose of this provision is to obviate the possible argument that although section 603 provides for review in accordance with section 10, section 10 itself has an exception for action "committed to agency discretion," which might otherwise be carried over into section 603. It is not the purpose of this provision of section 603, however, otherwise to alter the scope of judicial review as presently provided in section 10(e) of the Administrative Procedure Act.

B. AMERICANS WITH DISABILITIES ACT

Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events -- but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in civic life.

FEDERAL FISCAL YEAR 2019 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE
PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2019)

AFFIRMATION OF APPLICANT

Name of the Applicant: East Tennessee Human Resource Agency, Inc.

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2019, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2019.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 3/15/19


Name Gary W. Holiway, Executive Director Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): East Tennessee Human Resource Agency, Inc.

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature  Date: 3.18.19

Name E. Jerome Melson Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

**FEDERAL FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT
ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature page alternative to providing Certifications and Assurances in TRAMS)

Name of Applicant: Lakeway Area Metropolitan Transportation Planning Organization
(LAMTPO)

The Applicant agrees to comply with applicable provisions of Categories; OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

Category	Description	
01.	Assurances Required For Each Applicant.	<u> x </u>
02.	Lobbying.	<u> x </u>
03.	Procurement Compliance.	<u> x </u>
04.	Protections for Private Providers of Public Transportation.	<u> x </u>
05.	Public Hearing.	<u> x </u>
06.	Acquisition of Rolling Stock for Use in Revenue Service.	<u> </u>
07.	Acquisition of Capital Assets by Lease.	<u> x </u>
08.	Bus Testing.	<u> </u>
09.	Charter Service Agreement.	<u> </u>
10.	School Transportation Agreement.	<u> </u>
11.	Demand Responsive Service.	<u> x </u>
12.	Alcohol Misuse and Prohibited Drug Use.	<u> x </u>
13.	Interest and Other Financing Costs.	<u> x </u>
14.	Intelligent Transportation Systems.	<u> x </u>
15.	Urbanized Area Formula Program.	<u> x </u>
16.	Clean Fuels Grant Program.	<u> x </u>
17.	Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.	<u> x </u>
18.	Nonurbanized Area Formula Program for States.	<u> x </u>
19.	Job Access and Reverse Commute Program.	<u> x </u>
20.	New Freedom Program.	<u> x </u>
21.	Paul S. Sarbanes Transit in Parks Program.	<u> x </u>
22.	Tribal Transit Program.	<u> </u>
23.	TIFIA Projects	<u> x </u>
24.	Deposits of Federal Financial Assistance to a State Infrastructure Banks.	<u> X </u>

Title VI Assurance

LAMTPO (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its FTA Programs 5307 and 5309:

1. That Recipient agrees that “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 (or the most current approved clause approved by the FTA) notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all FTA Programs 5307 and 5309 and, in adapted form in all proposals for negotiated agreements:

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO), 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 of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively 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 most current and approved contractual clauses relative to this subject in every contract subject to this Act and the Regulations.

4. That this assurance obligates the 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.

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 he/she 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.

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 by the Department of Transportation under the subcontractors, transferees, successors in interest and other participants in the FTA Programs 5307 and 5309. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Dated: 12-19-2018

Richard DesGroseilliers, MTPO Coordinator

Contract Assurances

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 the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including 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 this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the LAMTPO or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the LAMTPO, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with nondiscrimination provisions of this contract, the LAMTPO shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - (a.) Withholding of 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 the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the LAMTPO or the Federal Transit 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 LAMTPO to enter into such litigation to protect the interests of the LAMTPO, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Monitoring of Contractors/Consultants

Name of Contractor: _____ **Date Completed:** _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: _____ **Fax:** _____

This should be completed annually while the contract is active and submitted to the sub-recipient's Title VI Coordinator for review.

1. Are Title VI posters visible to staff? If yes, where?
2. Are all Physical Areas (i.e. restrooms, dining rooms, waiting rooms, etc.) provided without regard to race, color, or national origin?
3. How is Title VI information disseminated to new/current employees?
4. Describe how certified Disadvantaged Business Enterprises(DBEs), other small, minority and women-owned businesses are solicited to participate on contracts
5. What process has been established to track and monitor ethnicity and gender of any contractors awarded contracts/sub-contracts?
6. Provide documentation to show that contracts contain non-discrimination assurance language?
7. Provide complaint procedures and attach complaint log form.
8. Provide Limited English Proficiency Communications Plan (ie, how do you communicate with persons that speak a language other than English.)

The below Title VI Assurance is to Be Submitted on Company Letterhead:

Contractor/Consultant Name assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.I. 100.259) 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 from the Tennessee Department of Transportation (TDOT).

DECLARATION OF RESPONDENT: I declare that I have completed this form to the best of my knowledge and believe it to be true and correct.

Name of Authorized Official

Date

3. REQUIREMENTS FOR FIRST-TIME APPLICANTS.

First-time applicants must submit a Title VI Program that is compliant with this Circular, and submit an assurance (as noted in Section 2 above) that it will comply with Title VI. In addition, and consistent with 28 CFR § 50.3, entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency. This shall include a copy of any Title VI compliance review activities conducted in the previous three years. The summary shall include:

- a. The purpose or reason for the review.
- b. The name of the agency or organization that performed the review.
- c. A summary of the findings and recommendations of the review.
- d. A report on the status and/or disposition of such findings and recommendations. This information shall be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.

In addition, first-time applicants shall submit a brief description of any pending applications to other Federal agencies for assistance, and whether any Federal agency has found the applicant to be in noncompliance with any civil rights requirement.

This is not required for LAMTPO/ City of Morristown as we are not a first Time Applicant.

4. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM.

Title 49 CFR Section 21.9(b) requires recipients to “keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with this [rule].” FTA requires that all direct and primary recipients document their compliance with DOT’s Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including sub-recipients), the Title VI Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. Recipients shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts. Such Programs may be submitted and stored electronically at the option of the primary recipient. Subrecipients may choose to adopt the primary recipient’s notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Operational differences between the primary recipient and subrecipient may require, in some instances, that the subrecipient tailor its language assistance plan. Subrecipients shall develop and submit to the primary recipient a list of complaints, investigations, or lawsuits. Subrecipients that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the subrecipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees. Subrecipients must submit all the above information to the primary recipient on a schedule requested by the primary recipient. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

a. **Contents.** Every Title VI Program shall include the following information:

- (1) A copy of the recipient’s Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted. A sample Title VI notice is on pages III-15, III-16, and III-102.

Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long Range Transportation Plan. The text will be placed permanently on the agency's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The LAMTPO hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, 49 CFR Section 21.9 (d), and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the LAMTPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the LAMTPO. Any such complaint must be in writing and filed with the LAMTPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. The information should be sent, in writing, to:

Title VI Coordinator
100 W 1st N St
PO Box 1499
Morristown, TN 37816-1499

The complaint procedures are shown on pages III-24 to III-37 of this document.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

The LAMTPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities.

If anyone wishes any LAMTPO plan, document, report, etc, they may make their request to:

Title VI Coordinator
100 W 1st N St
PO Box 1499
Morristown, TN 37816-1499

Please give your name, address, phone number (for contact purposes only) and a description of what LAMTPO plan, document, report, etc., that you may want, and also specify what language you wish for the document to be in (English, Spanish, French, etc.).

If a person is in need of a translator, LAMTPO staff will use:

- 1: Someone from the City of Morristown, TN, as they have several people that are bi-lingual, or
- 1) Use a translator service to accommodate the need.

Information on LAMTPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

An example of a recent advertisement (English and Spanish) that was in 5 local newspapers, which were Citizen-Tribune, Jefferson Standard-Banner, Knoxville News Sentinel, Mundo Hispano.

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) will be having public comment meetings concerning the Title VI program and the DBE Program and Goals. Information concerning these items can be obtained from Rich DesGroseilliers at 423-581-6277, or can be seen on the www.lamtpo.com website. The meeting dates are as follows:

1. Thursday January 24, 2019 at 9am to 10 am at the White Pine Town Hall, 1548 Main St., White Pine, TN.
2. Thursday January 24, 2019 from 1:00 pm to 2 pm am at the Morristown Planning Conference Room, City Center Building, 100 W 1st . St, Morristown TN.
3. Friday, January 25, 2019 from 10:00 am to 11:00 am in the Jefferson City Hall Council Chambers, 112 City Center Drive, Jefferson City, TN.

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

La organización de planificación del transporte Metropolitano del área de Lakeway (LAMTPO) tendrá reuniones de comentarios públicos sobre el programa Título VI y el programa y metas de DBE. La información sobre estos artículos se puede obtener de Rich DesGroseilliers en 423-581-6277, o puede ser visto en el sitio web www.lamtpo.com. Las fechas de la reunión son las siguientes:

1. jueves 24 de enero, 2019 a las 9am a 10 AM en el Ayuntamiento de pino blanco, 1548 Main St., pino blanco, TN.
2. jueves 24 de enero, 2019 de 1:00 pm a 2 pm en la sala de conferencias Morristown Planning, edificio del centro de la ciudad, 100 W 1st. St, Morristown TN.
3. viernes, 25 de enero, 2019 from 10:00 am a 11:00 AM en el Jefferson City Hall Council Chambers, 112 ciudad centro Drive, Jefferson City, TN.

Se invita a todas las partes interesadas a asistir a la reunión. Es la política de LAMTPO no discriminar sobre la base de raza, color, origen nacional, edad, sexo, o discapacidad en el funcionamiento de sus programas, servicios y actividades.

LAMTPO Responsibilities

The following are general Title VI responsibilities of the agency to ensure compliance with all Title VI laws. The Title VI Coordinator, with involvement and assistance from other members of staff, is responsible for ensuring these elements of the plan are appropriately implemented and maintained.

1. Data Collection

Statistical data on race, color, national origin, income level, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained. LAMTPO will prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. This information will be made available to the public and member agencies on LAMTPO's website (under construction) or in hard copy format, if requested. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

2. Annual Report and Update

An Annual Report and Update is to be submitted by September 1st of each year, to the Title VI Coordinator in the Division of Planning and Development, TDOT's Office of Civil Rights, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document is to include:

A report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes.

An update on Title VI-related goals and objectives for the upcoming year.

A report on the training LAMTPO staff provided or received on Title VI, Environmental Justice (EJ) or Limited English Proficiency (LEP).

A list of Title VI complaints received and how they were addressed.

An inventory of public meetings held, community outreach efforts, and data collected at each.

3. Annual Review of Title VI Program.

Each year, in preparing for the Annual Report and Update and in conjunction with an annual review preformed by TDOT, the Title VI Coordinator will review the agency's Title VI program to assure compliance with Title VI. In addition, he or she will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of Information Related to the Title VI Program.

Information on LAMTPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

5. Resolution of Complaints.

Any individual may exercise his or her right to file a complaint with LAMTPO, if that person believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, sex, or disability. LAMTPO will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure (page III-24).

6. Procedures Manual.

This document serves as the Title VI Procedures Manual for the agency's Title VI program, incorporating the day-to-day procedures necessary to maintain the program. This manual will be updated regularly to incorporate changes and additional responsibilities.

Title VI Coordinator and Responsibilities

The MTPO Coordinator is responsible for ensuring implementation of the agency's Title VI program and assumes the role of Title VI Coordinator. The Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Procedures Manual, plan, and assurances.

The Title VI Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and procedures set forth in federal guidance and according to LAMTPO's Title VI Procedures Manual. In support of this, the Title VI Coordinator will:

Ensure that all aspects of the planning and programming process operation comply with Title VI.

Ensure Title VI environmental justice compliance.

Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to LAMTPO's Title VI program.

Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.

Establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of LAMTPO's Title VI program, as well as related documents (such as the Title VI Discriminatory Complaint Form).

Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.

Ensure inclusion of Title VI language in contracts and Requests for Proposals (RFP).

Review consultants for Title VI compliance as described below:

- Ensure that all consultants verify their compliance with Title VI procedures and requirements.
- If a recipient or subrecipient is found to not be in compliance with Title VI, the Title VI Coordinator and relevant staff will work with the recipient or subrecipient to resolve the deficiency status and will write a remedial action if necessary.
- ☑ Identify, investigate, and work to eliminate discrimination when found to exist.
- ☑ Process Title VI complaints received by LAMTPO, as described in Appendix 2.
- ☑ Review important Title VI-related issues with the LAMTPO Executive Board's Chairperson, as needed.

Responsibilities of Other Staff Members

Other staff members, under supervision of the Title VI Coordinator, will at times be asked to accept or share responsibility for day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within an applicable program area. In addition, some staff members may be asked to accept responsibility for drafting text for an assigned section of the Annual Title VI Report and Update, and maintaining the data and documentation necessary for that report. These responsibilities may include reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI-related language and provisions into agency documents, as appropriate.

Ensuring Compliance of Title VI Requirements

Public Participation

It is the goal of the LAMTPO to establish a public participation process that is effective and meaningful for citizens in order to engage them in regional transportation planning activities. The LAMTPO will ensure that all members of the public are informed and involved early; that their issues and concerns are heard; and that their concerns are considered prior to any final decision. The Public Participation Plan ensures that all communications and public involvement efforts comply with Title VI. The goals and objectives of the LAMTPO's public engagement are outlined in the Public Participation Plan. See Appendix 4 for the most recently adopted Public Participation Plan.

The LAMTPO is committed to:

☑

Educate and effectively disseminate information to the public

- Technical jargon should be avoided and information should be displayed using visualization techniques.
- The use interpreters and translated materials should be used where appropriate.
- A Contact List is maintained by LAMTPO staff and any individual, organization, agency or other interested party can request to be added to this list by contacting LAMTPO or joining via the Web site.

○ On-line services provide communication 24 hours a day. The LAMTPO Web site provides comprehensive information on LAMTPO activities and regional transportation planning issues. Also housed on the LAMTPO Web site are necessary reports, core documents and agendas and meeting minutes for all committees and advisory boards.

When major transportation plans, maps or programs are proposed to be changed, copies of the existing document and the proposed changes are made available during the public comment period at the following locations:

- i. Morristown City Center
- ii. White Pine Town Hall
- iii. Jefferson City Municipal Building
- iv. Hamblen County Courthouse
- v. Jefferson County Courthouse
- vi. Morristown Library
- vii. Jefferson City Library
- viii. White Pine Library

○ Information on Title VI and agency programs is available online and should be developed in hard copy to distribute to the general public.

○ Information should be disseminated to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.

○ The LAMTPO should disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public participation procedures.

Encourage effective communication among a diverse group of stakeholders

○ The LAMTPO should utilize local residents who know the people and their culture to interview members of their own community.

○ Local officials and community insiders must be involved.

○ Partnering with existing organizations is beneficial in engaging a wide variety of community members.

○ Encourage the LAMTPO's committee structure to include representation from Title VI relevant populations.

Provide ample opportunity and promote continued participation

○ Public meetings should be held in locations accessible by transit and in buildings compliant with the Americans with Disabilities Act.

○ Meetings should be held in "neutral" locations, like schools or community centers.

○ Opportunities should be provided to comment on major plans at special events.

○ Neighborhood meetings will be held in areas where significant transportation-planning recommendations are being made to upgrade or change existing public infrastructure.

- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents.
- Include the use of interpreters when requested, or when a strong need for their use has been identified.

Incorporate public comments and recommendations into the decision making process

- Utilize the existing LAMTPO committee structure to solicit comments and discuss transportation planning activities
- Include public comments within the documents and show how they are responded to.
- Make public comments available to members of the public to increase transparency.

Evaluate the effectiveness of the public participation strategies

- Collect statistical information on attendees of public meetings to track how well different segments of the population are represented.
- Identify areas where additional outreach may be needed to increase participation

MPO Work Products

LAMTPO receives Federal funds to develop regional transportation plans and programs and to coordinate technical and policy studies on a wide range of transportation and other programs. When LAMTPO develops its work products a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents will take place. LAMTPO will continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process. The primary products of the transportation planning process include:

Long Range Transportation Plan (LRTP)

The development of LAMTPO's Long Range Transportation Plan includes a Title VI and environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. LAMTPO staff reviewed the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit.

Transportation Improvement Program (TIP)

The region's four-year TIP is a subset of the LRTP. It includes a Title VI and environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups.

Public Participation Plan (PPP)

The LAMTPO's Public Participation Plan outlines specific techniques to help encourage participation among the traditionally underserved population. It is encouraged in this plan to incorporate as many techniques as possible and tailor the message of the LAMTPO to help reach a more specific audience that may be traditionally underserved during the transportation planning process. (see Appendix N)

Unified Planning Work Program (UPWP)

The UPWP outlines the work of the MPO staff and consultants and guides the development cycle of major work products through the metropolitan transportation planning process. This document allows for the planning of staff training regarding Title VI and ensures all areas of the work program are funded.

The MPO will collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of the plans and programs developed by the MPO. LAMTPO will analyze and make findings regarding the population affected by the action, the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.

Title VI Training

All LAMTPO employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI). The Title VI Coordinator will:

Assist in the distribution of information to LAMTPO staff on training programs regarding Title VI and related statutes.

Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified LAMTPO employees.

Track staff participation in Title VI, NHI and NTI courses.

A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form. See pages III-23 to III-37)

Contract Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the programs of the LAMTPO. For Title VI complaints against any other agency within the LAMTPO Study area, or if you believe you have suffered housing or employment discrimination, please contact the appropriate agency.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that: No person in the United States shall, on the ground of race, color, sex, 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.

The LAMTPO has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1, dated May 26, 1988. If you believe that the LAMTPO's federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined in **Appendix C**.

Title VI Complaint Form is within Appendix D.

Title VI Complaint Log is within Appendix D (page D-15)

Monitoring of Contractors/ Consultants Form is within Appendix D (page D-16).

A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission. This list should include only those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the recipient submitting the report, not necessarily the larger agency or department of which the recipient is a part. ***There has not been any investigations, complaints, or lawsuits against LAMTPO / City of Morristown.***

A public participation plan (PPP) that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission. A recipient's targeted public participation plan for minority populations may be part of efforts that extend more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. ***See Appendix N.***

A copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils. ***See Appendix F***

Primary recipients shall include a narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions. ***See III-87 to III-127***

If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility. ***Not applicable***

Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a fixed route transit provider, a State, or an MPO.

Upload Title VI Program to TRAMS. Direct and primary recipients must upload their Title VI Program into FTA's Transportation Electronic Award Management (TEAM) system, or other tracking system as directed by FTA. The Title VI Program shall be attached via the paper clip function on the Civil Rights screen, and not attached to a particular grant. Recipients must also notify their FTA Regional Civil Rights Officer via email that they have uploaded their Title VI Program to TEAM. The Title VI Program must be uploaded to TEAM no fewer than sixty calendar days prior to the date of expiration of the Title VI Program.

Document is uploaded in TRAMS.

Determinations. The status of a direct or primary recipient's Title VI Program will be noted in TRAMS. The three status determinations are:

- (1) Concur. This status indicates that the recipients' Title VI Program meets the requirements as set out in this Circular. The recipient may receive grant funds.
- (2) In review. This status indicates that the recipient's Title VI Program is being reviewed by FTA staff and a determination as to sufficiency has not yet been made. "In review" status is only effective for sixty days and grants may be processed while a Title VI Program has an "in review" status.
- (3) Expired/Expiration. This status indicates that the recipients' Title VI Program has expired and that an updated Title VI Program must be submitted. A recipient with an expired Title VI Program may have its draw-down privileges suspended and grants may not be processed.

Reporting Requirement Exemptions. Recipients whose only FTA funding is through FTA's University Transportation Center Program, National Research and Technology Program, Transportation Cooperative Research Program, Over the Road Bus Accessibility program, or the Public Transportation on Indian Reservations program are exempt from submitting a Title VI Program to FTA. In addition, FTA may exempt a recipient, upon receipt of a request for a waiver submitted to the Director of the Office of Civil Rights, from the requirement to submit a Title VI Program, or from some elements of the Title VI Program. The absence of the requirement to submit a Title VI Program does not obviate the underlying obligations to comply with DOT's Title VI regulations. Furthermore, with the exception of the Public Transportation on Indian Reservation program, FTA may, at any time, request information from an exempt recipient in order to determine compliance with Title VI regulations and statutes.

5. REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles. A sample Title VI notice to the public is provided in Appendix B.

a. Contents. The Title VI notice shall include:

- (1) A statement that the agency operates programs without regard to race, color, or national origin.
- (2) A description of the procedures that members of the public should follow in order to request additional information on the recipient's Title VI obligations.
- (3) A description of the procedures that members of the public shall follow in order to file a Title VI discrimination complaint against the recipient.

b. Effective Practices for Fulfilling the Notification Requirement.

- (1) Dissemination. Agencies shall inform the public of their rights under Title VI through such measures as posting the Title VI notice on posters, comment cards, or flyers placed at stations, bus shelters, and in transit vehicles. The type, timing, and frequency of these measures are at the recipient's discretion, as long as the type, timing, and frequency are sufficient to notify passengers and other interested persons of their rights under DOT's Title VI regulations with regard to the recipient's program.
- (2) Document translation. Notices detailing a recipient's Title VI obligations and complaint procedures shall be translated into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient's language assistance plan.
- (3) Subrecipients. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI Notice developed by the primary recipient; however, subrecipients shall notify passengers and other interested persons that they may file discrimination complaints directly with the subrecipient.

Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long Range Transportation Plan. The text will be placed permanently on the agency's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The LAMTPO hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, 49 CFR Section 21.9 (d), and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the LAMTPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the LAMTPO. Any such complaint must be in writing and filed with the LAMTPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. The information should be sent, in writing, to:

Title VI Coordinator
100 W 1st N St
PO Box 1499
Morristown, TN 37816-1499

The complaint procedures are shown on pages 27-39 of this document.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

The LAMTPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities.

If anyone wishes any LAMTPO plan, document, report, etc, they may make their request to:

Title VI Coordinator
100 W 1st N St
PO Box 1499
Morristown, TN 37816-1499

Please give your name, address, phone number (for contact purposes only) and a description of what LAMTPO plan, document, report, etc., that you may want, and also specify what language you wish for the document to be in (English, Spanish, French, etc.).

If a person is in need of a translator, LAMTPO staff will use:

- 1) Someone from the City of Morristown, TN, as they have several people that are bi-lingual, or
- 2) Use a translator service to accommodate the need.

Information on LAMTPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

An example of a recent advertisement (in English and Spanish):

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) will be having public comment meetings concerning the Title VI program and the DBE Program and Goals. Information concerning these items can be obtained from Rich DesGroseilliers at 423-581-6277, or can be seen on the www.lamtpo.com website. The meeting dates are as follows:

1. Thursday January 24, 2019 at 9am to 10 am at the White Pine Town Hall, 1548 Main St., White Pine, TN.
2. Thursday January 24, 2019 from 1:00 pm to 2 pm am at the Morristown Planning Conference Room, City Center Building, 100 W 1st . St, Morristown TN.
3. Friday, January 25, 2019 from 10:00 am to 11:00 am in the Jefferson City Hall Council Chambers, 112 City Center Drive, Jefferson City, TN.

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

La organización de planificación del transporte Metropolitano del área de Lakeway (LAMTPO) tendrá reuniones de comentarios públicos sobre el programa Título VI y el programa y metas de DBE. La información sobre estos artículos se puede obtener de Rich DesGroseilliers en 423-581-6277, o puede ser visto en el sitio web www.lamtpo.com. Las fechas de la reunión son las siguientes:

1. jueves 24 de enero, 2019 a las 9am a 10 AM en el Ayuntamiento de pino blanco, 1548 Main St., pino blanco, TN.
2. jueves 24 de enero, 2019 de 1:00 pm a 2 pm en la sala de conferencias Morristown Planning, edificio del centro de la ciudad, 100 W 1st. St, Morristown TN.
3. viernes, 25 de enero, 2019 from 10:00 am a 11:00 AM en el Jefferson City Hall Council Chambers, 112 ciudad centro Drive, Jefferson City, TN.

Se invita a todas las partes interesadas a asistir a la reunión. Es la política de LAMTPO no discriminar sobre la base de raza, color, origen nacional, edad, sexo, o discapacidad en el funcionamiento de sus programas, servicios y actividades.

LAMTPO Responsibilities

The following are general Title VI responsibilities of the agency to ensure compliance with all Title VI laws. The Title VI Coordinator, with involvement and assistance from other members of staff, is responsible for ensuring these elements of the plan are appropriately implemented and maintained.

1. Data Collection

Statistical data on race, color, national origin, income level, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained. LAMTPO will prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. This information will be made available to the public and member agencies on LAMTPO's website (www.lamtpo.com) or in hard copy format, if requested. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

2. Annual Report and Update

An Annual Report and Update is to be submitted by September 1st of each year, to the Title VI Coordinator in the Division of Planning and Development, TDOT's Office of Civil Rights, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document is to include:

A report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes.

An update on Title VI-related goals and objectives for the upcoming year.

A report on the training LAMTPO staff provided or received on Title VI, Environmental Justice (EJ) or Limited English Proficiency (LEP).

A list of Title VI complaints received and how they were addressed.

An inventory of public meetings held, community outreach efforts, and data collected at each.

3. Annual Review of Title VI Program.

Each year, in preparing for the Annual Report and Update and in conjunction with an annual review performed by TDOT, the Title VI Coordinator will review the agency's Title VI program to assure compliance with Title VI. In addition, he or she will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of Information Related to the Title VI Program.

Information on LAMTPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

5. Resolution of Complaints.

Any individual may exercise his or her right to file a complaint with LAMTPO, if that person believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, sex, or disability. LAMTPO will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure, found in Appendix 2.

6. Procedures Manual.

This document serves as the Title VI Procedures Manual for the agency's Title VI program, incorporating the day-to-day procedures necessary to maintain the program. This manual will be updated regularly to incorporate changes and additional responsibilities.

Title VI Coordinator and Responsibilities

The MTPO Coordinator is responsible for ensuring implementation of the agency's Title VI program and assumes the role of Title VI Coordinator. The Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Procedures Manual, plan, and assurances.

The Title VI Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and procedures set forth in federal guidance and according to LAMTPO's Title VI Procedures Manual. In support of this, the Title VI Coordinator will:

Ensure that all aspects of the planning and programming process operation comply with Title VI.

Ensure Title VI environmental justice compliance.

Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to LAMTPO's Title VI program.

Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.

Establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of LAMTPO's Title VI program, as well as related documents (such as the Title VI Discriminatory Complaint Form).

Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.

Ensure inclusion of Title VI language in contracts and Requests for Proposals (RFP).

Review consultants for Title VI compliance as described below:

- Ensure that all consultants verify their compliance with Title VI procedures and requirements.
- If a recipient or subrecipient is found to not be in compliance with Title VI, the Title VI Coordinator and relevant staff will work with the recipient or subrecipient to resolve the deficiency status and will write a remedial action if necessary.
- ☑ Identify, investigate, and work to eliminate discrimination when found to exist.
- ☑ Process Title VI complaints received by LAMTPO, as described in Appendix 2.
- ☑ Review important Title VI-related issues with the LAMTPO Executive Board's Chairperson, as needed.

Responsibilities of Other Staff Members

Other staff members, under supervision of the Title VI Coordinator, will at times be asked to accept or share responsibility for day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within an applicable program area. In addition, some staff members may be asked to accept responsibility for drafting text for an assigned section of the Annual Title VI Report and Update, and maintaining the data and documentation necessary for that report. These responsibilities may include reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI-related language and provisions into agency documents, as appropriate.

Ensuring Compliance of Title VI Requirements

Public Participation

It is the goal of the LAMTPO to establish a public participation process that is effective and meaningful for citizens in order to engage them in regional transportation planning activities. The LAMTPO will ensure that all members of the public are informed and involved early; that their issues and concerns are heard; and that their concerns are considered prior to any final decision. The Public Participation Plan ensures that all communications and public involvement efforts comply with Title VI. The goals and objectives of the LAMTPO's public engagement are outlined in the Public Participation Plan. See Appendix 4 for the most recently adopted Public Participation Plan.

The LAMTPO is committed to:

☑

Educate and effectively disseminate information to the public

- Technical jargon should be avoided and information should be displayed using visualization techniques.
- The use interpreters and translated materials should be used where appropriate.
- A Contact List is maintained by LAMTPO staff and any individual, organization, agency or other interested party can request to be added to this list by contacting LAMTPO or joining via the Web site.

○ On-line services provide communication 24 hours a day. The LAMTPO Web site provides comprehensive information on LAMTPO activities and regional transportation planning issues. Also housed on the LAMTPO Web site are necessary reports, core documents and agendas and meeting minutes for all committees and advisory boards.

When major transportation plans, maps or programs are proposed to be changed, copies of the existing document and the proposed changes are made available during the public comment period at the following locations:

- ix. Morristown City Center
- x. White Pine Town Hall
- xi. Jefferson City Municipal Building
- xii. Hamblen County Courthouse
- xiii. Jefferson County Courthouse
- xiv. Morristown Library
- xv. Jefferson City Library
- xvi. White Pine Library

○ Information on Title VI and agency programs is available online and should be developed in hard copy to distribute to the general public.

○ Information should be disseminated to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.

○ The LAMTPO should disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public participation procedures.

Encourage effective communication among a diverse group of stakeholders

○ The LAMTPO should utilize local residents who know the people and their culture to interview members of their own community.

○ Local officials and community insiders must be involved.

○ Partnering with existing organizations is beneficial in engaging a wide variety of community members.

○ Encourage the LAMTPO's committee structure to include representation from Title VI relevant populations.

Provide ample opportunity and promote continued participation

○ Public meetings should be held in locations accessible by transit and in buildings compliant with the Americans with Disabilities Act.

○ Meetings should be held in "neutral" locations, like schools or community centers.

○ Opportunities should be provided to comment on major plans at special events.

○ Neighborhood meetings will be held in areas where significant transportation-planning recommendations are being made to upgrade or change existing public infrastructure.

○ Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents.

- Include the use of interpreters when requested, or when a strong need for their use has been identified.

Incorporate public comments and recommendations into the decision making process

- Utilize the existing LAMTPO committee structure to solicit comments and discuss transportation planning activities
- Include public comments within the documents and show how they are responded to.
- Make public comments available to members of the public to increase transparency.

Evaluate the effectiveness of the public participation strategies

- Collect statistical information on attendees of public meetings to track how well different segments of the population are represented.
- Identify areas where additional outreach may be needed to increase participation

MPO Work Products

LAMTPO receives Federal funds to develop regional transportation plans and programs and to coordinate technical and policy studies on a wide range of transportation and other programs. When LAMTPO develops its work products a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents will take place. LAMTPO will continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process. The primary products of the transportation planning process include:

Long Range Transportation Plan (LRTP)

The development of LAMTPO's Long Range Transportation Plan includes a Title VI and environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. LAMTPO staff reviewed the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit.

Transportation Improvement Program (TIP)

The region's four-year TIP is a subset of the LRTP. It includes a Title VI and environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups.

Public Participation Plan (PPP)

The LAMTPO's Public Participation Plan outlines specific techniques to help encourage participation among the traditionally underserved population. It is encouraged in this plan to incorporate as many techniques as possible and tailor the message of the LAMTPO to help reach a more specific audience that may be traditionally underserved during the transportation planning process.

Unified Planning Work Program (UPWP)

The UPWP outlines the work of the MPO staff and consultants and guides the development cycle of major work products through the metropolitan transportation planning process. This document allows for the planning of staff training regarding Title VI and ensures all areas of the work program are funded.

The MPO will collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of the plans and programs developed by the MPO. LAMTPO will analyze and make findings regarding the population affected by the action, the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.

Title VI Training

All LAMTPO employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI). The Title VI Coordinator will:

Assist in the distribution of information to LAMTPO staff on training programs regarding Title VI and related statutes.

Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified LAMTPO employees.

Track staff participation in Title VI, NHI and NTI courses.

6. REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website. FTA requires direct and primary recipients to report information regarding their complaint procedures in their Title VI Programs in order for FTA to determine compliance with DOT's Title VI regulations. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures and complaint form developed by the primary recipient.

For Contact Listing, please see page vii at the beginning of this document.

Please see Appendix C for Complaint Procedure

Please see Appendix D for Complaint Form

Contract Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the programs of the LAMTPO. For Title VI complaints against any other agency within the LAMTPO Study area, or if you believe you have suffered housing or employment discrimination, please contact the appropriate agency.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that:

No person in the United States shall, on the ground of race, color, sex, 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.

The LAMTPO has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1, dated May 26, 1988. If you believe that the LAMTPO's federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined in *Appendix C and D*.

7. REQUIREMENT TO RECORD AND REPORT TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS.

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years. See Appendix E for an example of how to report this information.

There are no investigations, lawsuits and/or complaints (present or past) against LAMTPO.

8. PROMOTING INCLUSIVE PUBLIC PARTICIPATION.

The content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance shall be integrated into each recipient's established public participation plan or process (i.e., the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities). Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient's decision-making process. FTA has developed a Circular, 4703.1, "Environmental Justice Policy Guidance for Federal Transit Administration Recipients," that includes many examples of effective strategies for engaging minority and low-income populations. FTA encourages recipients to review that Circular for ideas when developing their public engagement strategy. Some of those effective practices include:

- a. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities. *All meetings are open to the public and are held in buildings that are ADA accessible.*
- b. Employing different meeting sizes and formats. *Staff not only has the Technical Advisory Board (TAC) meetings, and Executive Board meetings, but also will meet with interested individuals or group organizations to discuss transportation related issues.*
- c. Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out

specifically to members of affected minority and/or LEP communities. ***See Appendix M pertaining to Title VI and LEP, and Appendix N LAMTPO PPP. Information is also sent out to the East Tennessee Hispanic Chamber of Commerce.***

- d. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts. ***Staff advertises (in English and Spanish) in 4 local newspapers, 1 of which is a Hispanic newspaper. Information is also posted online.***
- e. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments. ***Staff not only has the Technical Advisory Board (TAC) meetings, and Executive Board meetings, but also will meet with interested individuals or group organizations to discuss transportation related issues.***

Grant recipients are required to comply with the public participation requirements of 49 U.S.C. Sections 5307(b) (requires programs of projects to be developed with public participation) and 5307(c)(1)(I) (requires a locally developed process to consider public comment before raising a fare or carrying out a major reduction in transportation service). FTA/FHWA (Federal Highway Administration) joint planning regulations (23 CFR part 450) require States and MPOs engaged in planning activities to seek out and consider the needs and input of the general public, including interested parties and those traditionally underserved by existing transportation systems, such as minority and LEP persons, who may face challenges accessing employment and other services, as States and MPOs develop and conduct their public involvement activities. Recipients engaged in planning and other decision-making activities at the local level should consider the principles embodied in the planning regulations, and develop and use a documented public participation plan or process that provides adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points.

In order to integrate, into community outreach activities, considerations expressed in the DOT Order on Environmental Justice, and the DOT LEP Guidance, recipients and subrecipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. An agency's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

A copy of the LAMTPO Public Participation Plan (PPP) is included in Appendix N.

Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long Range Transportation Plan. The text will be placed permanently on the agency's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The LAMTPO hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the LAMTPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the LAMTPO. Any such complaint must be in writing and filed with the LAMTPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

The LAMTPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. In the past year, advertisements (in English and Spanish) were posted in 4 local newspapers (1 was Hispanic). Information posted on the www.lamtpo.com website, and information sent via email to the East Tennessee Hispanic Chamber of Commerce .Information was also sent to the governing agencies of LAMTPO and information was also posted at the 3 local libraries.



ETHRA's servicio de transito operado profesionalmente puede llevarlo a usted al banco, al supermercado, trabajo, centro de compras, al salon de belleza o peluqueria, a la farmacia, medico, al centro de gente mayor, a las peluquerias, a la corte, a visitar amigos o otros lugares de la comunidad.

Reservaciones se necesitan hacer 72 horas antes de planear su viaje por lo que este no es servicio de taxi. Horas disponibles son Lunes-Viernes, 8 a.m. hasta 4:30 p.m.

Costo es \$3 viajesencillo para el publico general viajando dentro de condado. Viajar cruzando lineas de condado es un adicional de \$3.



Deja que nuestra gente diga...

"Bienvenidos Aboard!"

Un servicio de Agencia de Recursos Humanos del Estado de Tennessee, Incorporated, 9111 Cross Park Drive, D-100, Knoxville, TN 37923. FUNDADO BAJO EL ACUERDO CON EL DEPARTAMENTO DE TRANSPORTACION DE TENNESSEE y la ciudad de Oak Ridge.



LA AGENCIA WITH DISABILITIES ACT OF 1990 (ADA) PROHIBE LA DISCRIMINACION CONTRA EL VIAJERO DE OPORTUNIDADES Y EL ACCESO DE LAS PERSONAS CON DISCAPACIDAD. ETHRA ES UN EMPLEADOR DE OPORTUNIDAD DE IGUALDAD. APLICANTES SON CONSIDERADOS SIN REFERENCIA A RAZA, COLOR, RELIGION, SEXO, ORIGEN NACIONAL, EDAD, ESTATUS SOCIAL O DISABILIDAD.



ETHRA's professionally operated transit service can take you to the bank, grocery, work, shopping center, beauty or barber shop, drug store, doctor, senior center, movie, courthouse, to visit friends or other places in the community.

Reservations need to be made 72 hours before your planned trip since this is not a taxi service. Operating hours are Monday-Friday, 8 a.m. until 4:30 p.m.

Cost is \$3 one-way for general public traveling within the county. Travel across county lines is an additional \$3.



Let our staff say ...

"Welcome Aboard!"

A service of East Tennessee Human Resource Agency, Inc., 9111 Cross Park Drive, D-100, Knoxville, TN 37923.

FUNDED UNDER AGREEMENT WITH CITY OF OAK RIDGE AND TENNESSEE DEPARTMENT OF TRANSPORTATION.



THE AGENCIES WITH DISABILITIES ACT OF 1990 (ADA) PROHIBITS DISCRIMINATION AND ENSURES EQUAL OPPORTUNITY AND ACCESS FOR PERSONS WITH DISABILITIES. ETHRA IS AN EQUAL OPPORTUNITY EMPLOYER. APPLICANTS ARE CONSIDERED WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, NATIONAL, ED, OR STATUS SOCIAL, OR DISABILITY.

9. REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LEP PERSONS.

Consistent with Title VI of the Civil Rights Act of 1964, DOT's implementing regulations, and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). This Circular contains only a summary of the LEP requirements as they apply to FTA recipients; recipients are encouraged to review DOT's LEP guidance for additional information (70 FR 74087, Dec. 14, 2005) <http://www.gpo.gov/fdsys/pkg/FR-2005-12-14/pdf/05-23972.pdf>. Recipients are also encouraged to review DOJ's guidelines on self-assessment, Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), as well as other materials, available at www.lep.gov.

Four Factor Analysis. In order to ensure meaningful access to programs and activities, recipients shall use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. A careful analysis can help a recipient determine if it communicates effectively with LEP persons and will inform language access planning. The Four Factor Analysis is an individualized assessment that balances the following four factors:

- (1) **The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.** This population will be program-specific. In addition to the number or proportion of LEP persons served, the recipient's analysis should, at a minimum, identify:
 - (a) How LEP persons interact with the recipient's agency;
 - (b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group;
 - (c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice; and
 - (d) Whether LEP persons are underserved by the recipient due to language barriers.
- (2) **The frequency with which LEP persons come into contact with the program.** Recipients should survey key program areas and assess major points of contact with the public, such as:
 - (a) Use of bus and rail service;
 - (b) Purchase of passes and tickets through vending machines, outlets, websites, and over the phone;

- (c) Participation in public meetings;
 - (d) Customer service interactions;
 - (e) Ridership surveys;
 - (f) Operator surveys.
- (3) **The nature and importance of the program, activity, or service provided by the program to people's lives.** Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed. The provision of public transportation is a vital service, especially for people without access to personal vehicles. An MPO's regional planning activities will impact every person in a region. Development of a coordinated plan to meet the specific transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. Transit providers, States, and MPOs must assess their programs, activities and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.
- (4) **The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.** Resource and cost issues can often be reduced by technological advances, reasonable business practices, and the sharing of language assistance materials and services among and between recipients, advocacy groups, LEP populations and Federal agencies. Large entities and those entities serving a significant number of LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

Developing a Language Assistance Plan. After completing the Four Factor Analysis, the recipient shall use the results of the analyses to determine which language assistance services are appropriate. Additionally, the recipient shall develop an assistance plan to address the identified needs of the LEP population(s) it serves. The DOT LEP Guidance recognizes that certain recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written plan. However, FTA has determined it is necessary to require its recipients to develop an assistance plan in order to ensure compliance. A recipient may formally request an exemption from this requirement if it believes it fits within the exception described. Recipients have considerable flexibility in developing a Language Assistance Plan, or LEP Plan.

An LEP Plan shall, at a minimum:

- (a) Include the results of the Four Factor Analysis, including a description of the LEP population(s) served;
- (b) Describe how the recipient provides language assistance services by language;

- (c) Describe how the recipient provides notice to LEP persons about the availability of language assistance;
- (d) Describe how the recipient monitors, evaluates and updates the language access plan; and
- (e) Describe how the recipient trains employees to provide timely and reasonable language assistance to LEP populations.

FTA will solely determine, at the time the recipient submits its Title VI Program or subsequent to a complaint investigation or compliance review, whether a recipient's plan is sufficient to ensure meaningful access and thus ensure the recipient is not engaging in discrimination on the basis of national origin.

After completing the Four Factor Analysis, a recipient may determine that an effective LEP plan for its community includes the translation of vital documents into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient's programs and services. Vital written documents include, but are not limited to, consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advising LEP individuals of free language assistance services. Examples of vital documents include an ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person's rights under Title VI, and other documents that provide access to essential services. Failure to translate these vital documents could result in a recipient denying an eligible LEP person access to services and discrimination on the basis of national origin.

Safe Harbor Provision. DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation.

In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

If anyone wishes any LAMTPO plan, document, report, etc, they may make their request to:

Title VI Coordinator
100 W 1st N St
PO Box 1499
Morristown, TN 37816-1499

Please give your name, address, phone number (for contact purposes only) and a description of what LAMTPO plan, document, report, etc., that you may want, and also specify what language you wish for the document to be in (English, Spanish, French, etc.).

If a person is in need of a translator, LAMTPO staff will use:

- 1: Someone from the City of Morristown, TN, as they have several people that are bi-lingual, or Use a translator service to accommodate the need.

Information on LAMTPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

Language Assistance Implementation Plan For Limited English Proficiency (LEP) Persons

Introduction

The purpose of the *LAMTPO Language Assistance Implementation Plan for Limited English Proficiency Persons* (LEP) is to fulfill the requirements of Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," issued on August 11, 2000, and Federal Transit Administration LEP policy guidance (70 FR 74087, December 14, 2005). Executive Order 13166 clarifies existing requirements for LEP persons under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), and FTA policy guidance (70 FR 74087) provides recipients of FTA financial assistance with guidance and instructions necessary to carry out the U.S. Department of Transportation Title VI regulations (49 CFR Part 21).

Goal of LAMTPO LEP Plan

It is the goal of LAMTPO Transit to reduce the language barriers for LEP individuals seeking to utilize LAMTPO's services, to ensure that they are accessible to these persons. To achieve this goal, LAMTPO will take ongoing, reasonable steps consistent with the fundamental mission of LAMTPO, to ensure meaningful access by LEP persons to the public transportation services provided by LAMTPO.

System Overview

LAMTPO Transit (LAMTPO) provides public transportation services in Morristown, Jefferson City, White Pine, and portions of Hamblen and Jefferson counties, Tennessee. Morristown, with a population of approximately 29,137, is the urban center of the LAMTPO Urbanized Area. The LAMTPO Urbanized Area has a population of 59,355, and covers approximately 60 square miles.

ETHRA (East Tennessee Human Resource Agency), under contract with LAMTPO, provides demand response services. The demand response service includes: 1) para-transit services for ADA certified individuals with disabilities, and 2) Job Access transportation service, and 30 any general public trips as needed.

FOUR FACTOR ANALYSIS

The Limited English Proficient (LEP) to Federally Assisted and Federally Conducted Programs and Activities

BACKGROUND

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) study area consists of the cities of Morristown, Jefferson City, White Pine, and portions of Jefferson County and Hamblen County in the State of Tennessee. Because the study area is within only parts of the 2010 US Census Tracts, the entire tract boundary will be used where the study area is just in a portion of it. LAMTPO contracts with the East Tennessee Human Resources Agency (ETHRA) to provide mass transit services within the LAMTPO region. The mass transit service that is provided is demand-response, which a potential rider must call at least 24-hours in advance to schedule a ride. The vehicles that are used are paratransit vehicles in order to help serve the disabled passengers.

Factor 1. The number and proportion of LEP persons served or encountered in the Eligible Service Population.

According to the US Census American FactFinder 2013-2017 American Community Survey 5-year estimates Language Spoken at Home for the Population 5 years old and Over. The majority of the population within the census tracts of the LAMTPO region speak English very well, with the lowest percentage being only 90.1%.

There are six census tracts where the population speaks English less than very well is greater than 5%. Those census tracts are all in Hamblen County, and they are census tracts 1001, 1002, 1003, 1004, 1009, and 1012. It ranges from 5.3% in census tract 1012 to 9.9% in census tract 1009.

The overall average of people speaking English very well 96.19%, based on the US Census 2017 5-year estimates data. The www.lep.gov website's interactive map has Hamblen County with a total population of 58,944, a LEP population of 3,099, and the LEP percentage being 5.26%, while Jefferson County had a population of 49,418, a LEP population of 830, and a LEP percentage of 1.68% (based on 2014 year data). This is almost 2 times higher than the Tennessee State average. The majority of the people that Speak English less than very well are Hispanic, and the language spoken at home is Spanish. A breakdown of the Language spoken at home is shown in the tables on the following pages (information taken from the U.S. Census American Fact-Finder).

The map on page III-53 illustrates the areas where there are high concentrations of people that do not speak English very well. These areas are also low to moderate income areas of the LAMTPO region.

Table III.1. 2013-2017 American Community Survey (ACS) data of Language Spoken at Home, based on Census Tract data (US Census table S1601), 2017 5-year estimates

County	Census Tract	Total Population	Speak English Very Well %	Speak English Less Than Very Well %	Speak only English %	Speak Language Other than English %	Speak Spanish%	Speak Language other than English or Spanish %
Jefferson	701	7,237	97.1	2.9	93.4	6.6	6.3	0.3
Jefferson	702	4,898	99.8	0.2	98.4	1.6	1.1	0.5
Jefferson	703	6,670	98.1	1.9	93.6	6.4	5.3	1.1
Jefferson	704	3,836	96.6	3.4	92.3	7.7	5	2.7
Jefferson	706	5,391	97.6	2.4	94.1	5.9	3.9	2
Hamblen	1001	6,758	93.6	6.4	85.9	14.1	13.9	0.2
Hamblen	1002	4,805	94.1	5.9	81.8	18.2	16.6	1.6
Hamblen	1003	3,191	91.8	8.2	81.2	18.8	18.2	0.6
Hamblen	1004	6,665	90.6	9.4	83.6	16.4	15.9	0.5
Hamblen	1005	2,967	99.1	0.9	96	4	3.8	0.2
Hamblen	1006	6,683	97.9	2.1	97.3	2.7	0.6	2.1
Hamblen	1007	6,013	97.9	2.1	96.5	3.5	3.1	0.4
Hamblen	1008	3,766	97.2	2.8	90.2	9.8	9.8	0
Hamblen	1009	5,481	90.1	9.9	82.3	17.7	16.7	1
Hamblen	1010	5,270	100	0	99.5	0.5	0.5	0
Hamblen	1011	4,966	99.1	0.9	95.2	4.8	3.1	1.7
Hamblen	1012	6,900	94.7	5.3	91.8	8.2	2.7	5.5

Table III.2. Limited English Speaking Households, by County, 2013-2017 American Community Survey 5-Year Estimates (US Census Table S1602)

Subject	Hamblen County, Tennessee				Jefferson County, Tennessee			
	Total	Percent	Limited English-speaking households	Percent limited English-speaking households	Total	Percent	Limited English-speaking households	Percent limited English-speaking households
	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
All households	24,343	(X)	728	3.00%	20,088	(X)	156	0.80%
Households speaking --								
Spanish	2,135	8.80%	678	31.80%	522	2.60%	102	19.50%
Other Indo-European languages	167	0.70%	15	9.00%	201	1.00%	7	3.50%
Asian and Pacific Island languages	189	0.80%	35	18.50%	92	0.50%	16	17.40%
Other languages	17	0.10%	0	0.00%	31	0.20%	31	100.00%

**Table III.3. Language Spoken at Home for the Population 5 years and over 2013-2017
American Community Survey 5 year estimates (US Census Table C16001)**

	Hamblen County, Tennessee		Jefferson County, Tennessee	
	Estimate	Margin of Error	Estimate	Margin of Error
Total:	59,562	+/-50	50,264	+/-66
Speak only English	53,775	+/-429	48,147	+/-260
Spanish:	5,002	+/-412	1,395	+/-170
Speak English "very well"	2,658	+/-489	816	+/-174
Speak English less than "very well"	2,344	+/-433	579	+/-145
French, Haitian, or Cajun:	8	+/-16	70	+/-60
Speak English "very well"	8	+/-16	70	+/-60
Speak English less than "very well"	0	+/-29	0	+/-29
German or other West Germanic languages:	118	+/-97	141	+/-91
Speak English "very well"	118	+/-97	125	+/-79
Speak English less than "very well"	0	+/-29	16	+/-24
Russian, Polish, or other Slavic languages:	89	+/-116	45	+/-60
Speak English "very well"	23	+/-36	15	+/-17
Speak English less than "very well"	66	+/-111	30	+/-51
Other Indo-European languages:	74	+/-65	49	+/-40
Speak English "very well"	64	+/-56	35	+/-33
Speak English less than "very well"	10	+/-18	14	+/-22
Korean:	0	+/-29	48	+/-61
Speak English "very well"	0	+/-29	0	+/-29
Speak English less than "very well"	0	+/-29	48	+/-61
Chinese (incl. Mandarin, Cantonese):	130	+/-120	123	+/-124
Speak English "very well"	0	+/-29	68	+/-72
Speak English less than "very well"	130	+/-120	55	+/-55
Vietnamese:	0	+/-29	70	+/-109
Speak English "very well"	0	+/-29	36	+/-55

	Hamblen County, Tennessee		Jefferson County, Tennessee	
	Estimate	Margin of Error	Estimate	Margin of Error
Speak English less than "very well"	0	+/-29	34	+/-54
Tagalog (incl. Filipino):	172	+/-193	0	+/-29
Speak English "very well"	58	+/-67	0	+/-29
Speak English less than "very well"	114	+/-134	0	+/-29
Other Asian and Pacific Island languages:	170	+/-99	80	+/-97
Speak English "very well"	76	+/-70	49	+/-59
Speak English less than "very well"	94	+/-72	31	+/-41
Arabic:	0	+/-29	92	+/-115
Speak English "very well"	0	+/-29	0	+/-29
Speak English less than "very well"	0	+/-29	92	+/-115
Other and unspecified languages:	24	+/-38	4	+/-10
Speak English "very well"	24	+/-38	4	+/-10
Speak English less than "very well"	0	+/-29	0	+/-29

Table III.4. AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER (US Census Table B16007) 2017 5-year estimates

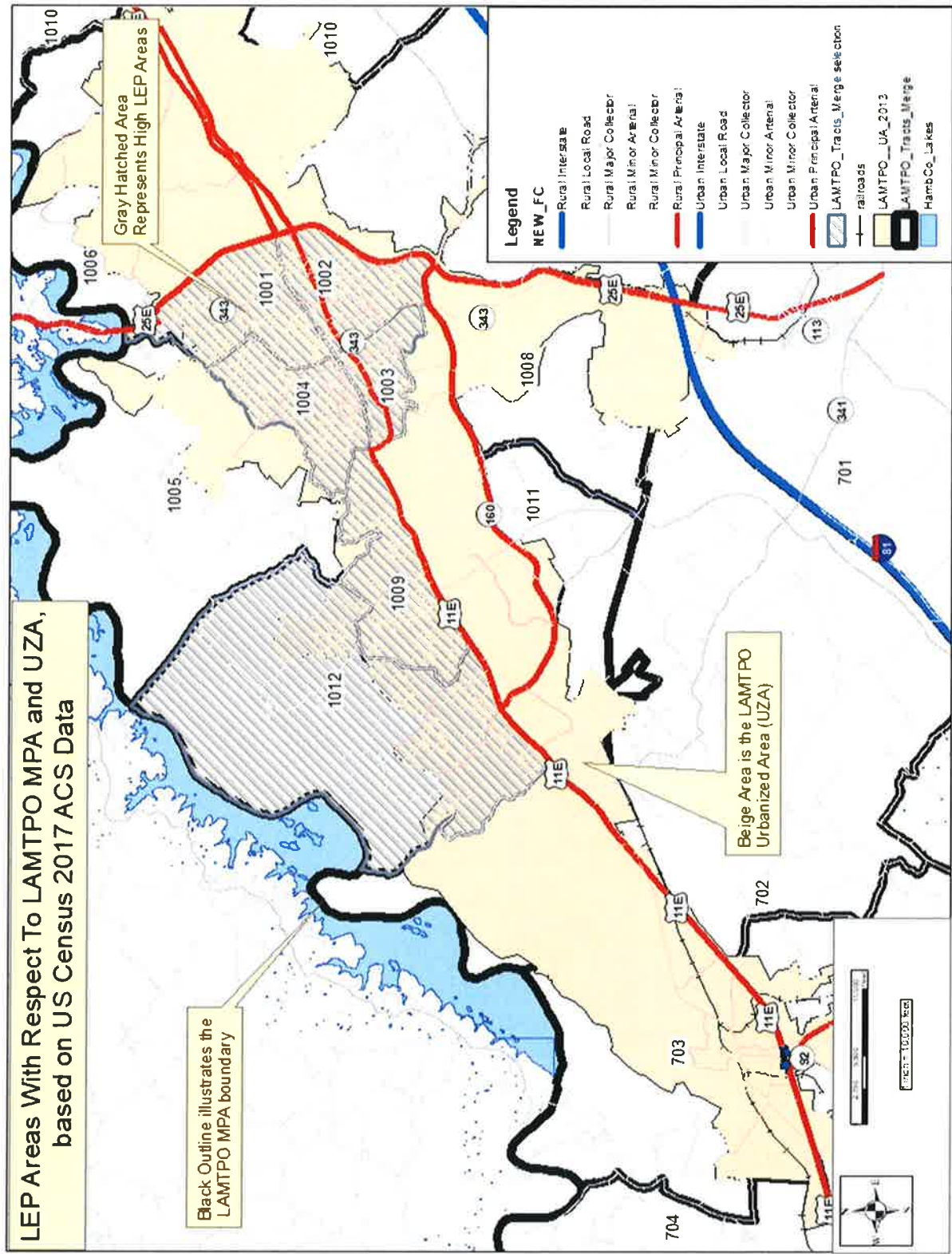
	Hamblen County, Tennessee		Jefferson County, Tennessee	
	Estimate	Margin of Error	Estimate	Margin of Error
Total:	59,562	+/-50	50,264	+/-66
5 to 17 years:	10,848	+/-70	8,260	+/-84
Speak only English	9,127	+/-309	7,594	+/-150
Speak Spanish:	1,591	+/-308	444	+/-101
Speak English "very well"	1,275	+/-318	366	+/-115
Speak English "well"	173	+/-163	60	+/-56
Speak English "not well"	143	+/-96	18	+/-32
Speak English "not at all"	0	+/-29	0	+/-29
Speak other Indo-European languages:	60	+/-55	39	+/-40
Speak English "very well"	46	+/-47	39	+/-40
Speak English "well"	14	+/-24	0	+/-29
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
Speak Asian and Pacific Island languages:	70	+/-55	149	+/-83
Speak English "very well"	15	+/-27	131	+/-67
Speak English "well"	45	+/-60	18	+/-29
Speak English "not well"	10	+/-17	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
Speak other languages:	0	+/-29	34	+/-38
Speak English "very well"	0	+/-29	4	+/-10
Speak English "well"	0	+/-29	30	+/-37
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
18 to 64 years:	37,517	+/-154	31,921	+/-124
Speak only English	33,682	+/-323	30,534	+/-195
Speak Spanish:	3,245	+/-299	921	+/-117
Speak English "very well"	1,281	+/-342	436	+/-113
Speak English "well"	814	+/-288	154	+/-51
Speak English "not well"	976	+/-356	258	+/-110
Speak English "not at all"	174	+/-112	73	+/-59
Speak other Indo-European languages:	184	+/-127	232	+/-104
Speak English "very well"	122	+/-87	172	+/-76
Speak English "well"	10	+/-18	60	+/-63

	Hamblen County, Tennessee		Jefferson County, Tennessee	
	Estimate	Margin of Error	Estimate	Margin of Error
Speak English "not well"	52	+/-87	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
Speak Asian and Pacific Island languages:	382	+/-78	172	+/-71
Speak English "very well"	99	+/-71	22	+/-27
Speak English "well"	159	+/-71	93	+/-66
Speak English "not well"	124	+/-52	57	+/-59
Speak English "not at all"	0	+/-29	0	+/-29
Speak other languages:	24	+/-38	62	+/-79
Speak English "very well"	24	+/-38	0	+/-29
Speak English "well"	0	+/-29	0	+/-29
Speak English "not well"	0	+/-29	62	+/-79
Speak English "not at all"	0	+/-29	0	+/-29
65 years and over:	11,197	+/-154	10,083	+/-124
Speak only English	10,966	+/-149	10,019	+/-133
Speak Spanish:	166	+/-102	30	+/-33
Speak English "very well"	102	+/-71	14	+/-17
Speak English "well"	23	+/-39	0	+/-29
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	41	+/-62	16	+/-27
Speak other Indo-European languages:	45	+/-46	34	+/-32
Speak English "very well"	45	+/-46	34	+/-32
Speak English "well"	0	+/-29	0	+/-29
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
Speak Asian and Pacific Island languages:	20	+/-23	0	+/-29
Speak English "very well"	20	+/-23	0	+/-29
Speak English "well"	0	+/-29	0	+/-29
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29
Speak other languages:	0	+/-29	0	+/-29
Speak English "very well"	0	+/-29	0	+/-29
Speak English "well"	0	+/-29	0	+/-29
Speak English "not well"	0	+/-29	0	+/-29
Speak English "not at all"	0	+/-29	0	+/-29

Table III.5. Age By Language Spoken at home for the Population 5 years and over, by County, US Census Table B16007) 2017 5-year estimates

	Hamblen County, Tennessee		Jefferson County, Tennessee	
	Estimate	Margin of Error	Estimate	Margin of Error
Total:	59,562	+/-50	50,264	+/-66
5 to 17 years:	10,848	+/-70	8,260	+/-84
Speak only English	9,127	+/-309	7,594	+/-150
Speak Spanish	1,591	+/-308	444	+/-101
Speak other Indo-European languages	60	+/-55	39	+/-40
Speak Asian and Pacific Island languages	70	+/-55	149	+/-83
Speak other languages	0	+/-29	34	+/-38
18 to 64 years:	37,517	+/-154	31,921	+/-124
Speak only English	33,682	+/-323	30,534	+/-195
Speak Spanish	3,245	+/-299	921	+/-117
Speak other Indo-European languages	184	+/-127	232	+/-104
Speak Asian and Pacific Island languages	382	+/-78	172	+/-71
Speak other languages	24	+/-38	62	+/-79
65 years and over:	11,197	+/-154	10,083	+/-124
Speak only English	10,966	+/-149	10,019	+/-133
Speak Spanish	166	+/-102	30	+/-33
Speak other Indo-European languages	45	+/-46	34	+/-32
Speak Asian and Pacific Island languages	20	+/-23	0	+/-29
Speak other languages	0	+/-29	0	+/-29

The map on the next page illustrates the areas where the LEP percentages is greater than 5%. Since we send various notices out to the areas of high minority ratios, which is larger than the areas of people with LEP, we are meeting are Title VI requirements.



Factor (2) The frequency with which LEP individuals come into contact with the program;

LAMTPO contracts with ETHRA (East Tennessee Human Resource Agency) to provide demand response services within the LAMTPO area (Hamblen County and approximately one quarter (1/4) of Jefferson County, Tennessee. Anyone is able to ride, but must call at least 24-hours before the requested ride is needed. This is due to make sure the ride is scheduled and that there are no "over-bookings" of ridership. As part of the contract agreement, ETHRA must be in compliance with Title VI, LEP, and any other state, federal or local regulations.

LAMTPO also advertises in 4 local newspapers, 1 of which is a Hispanic newspaper, of events, meetings, etc. that are to occur. Also, there are brochures for mass transit ridership that are in English, as well as Spanish, to promote mass transit within the LAMTPO region. Community outreach is done by sending information to the Morristown and Jefferson City housing authorities, various apartment complexes, to different civic agencies, such as Boys and Girls Club, Senior Citizens Center, etc., to help to promote mass transit services, and/or any transportation related activity that is occurring within the LAMTPO region. Information is also emailed out to the East Tennessee Hispanic Chamber of Commerce. Information is also posted in 3 city halls, 3 libraries, 2 county mayor's offices, and anyone who makes a request for it.

Factor (3) the importance of the service provided by the program;

LAMTPO understands the importance of the program, as all people need some form of transportation to work, medical visits, shopping ,etc, and that not everyone has their own transportation. LAMTPO and/or ETHRA sends information out to the various housing agencies (Morristown Housing Authority and Jefferson City Housing Authority), as well as other local agencies, interests groups, as well as advertise about mass transit and its funding in five local newspapers (2 of which are Hispanic). Information is also emailed out to the East Tennessee Hispanic Chamber of Commerce. Information is also posted in 3 city halls, 3 libraries, 2 county mayor's offices, and anyone who makes a request for it.

Factor (4) the resources available to the recipient.

The public transportation is available to anyone, provided that they call at least 24 hours before the requested ride is needed. LAMTPO and/or ETHRA sends information out to the various housing agencies (Morristown Housing Authority and Jefferson City Housing Authority), as well as other local agencies, interests groups, as well as advertise about mass transit and its funding in four local newspapers (1 of which are Hispanic). The advertisements are in English and in Spanish form (an example is below). Information is also emailed out to the East Tennessee Hispanic Chamber of Commerce. Information is also posted in 3 city halls, 3 libraries, 2 county mayor's offices, and anyone who makes a request for it. It should be noted that LAMTPO will provide information for people speaking any language, not just English or Spanish. In those cases, a written letter is needed requesting which document or information is needed, and LAMTPO will respond within 10 business days of the date the request has been received. In cases when someone shows up in person and is speaking some other type of language, LAMTPO staff uses the US Census Language Identification flashcard to determine the language, and then call Open Communication (or some other translation type service) to translate what is being said and/or requested.

An example of a LAMTPO Advertisement, in English and Spanish:

12. The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) TAC will be having a public meeting. Items to be discussed are:

12.
 1. 2018 TDOT Obligations Report
 2. Performance Measures 1 (Safety)
 3. Update of Bike Ped Plan
 4. DBE Program (FTA and FHWA)
 5. Discussion of FFY2020-2023 TIP
 6. Discussion of SR66 Study
 7. Discussion of Prospectus and Bylaws

12. Information about the meeting can be obtained by contacting Rich DesGroseilliers at 423-581-6277. The meeting will be on January 3, 2019 at 10:00 am in the Morristown City Center Building, 100 W 1st N St, Morristown TN 37814. All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

12. El Lakeway área metropolitana transporte planificación organización (LAMTPO) TAC va a tener una reunión pública. Puntos a tratar son:

1. 2018 TDOT obligaciones Informe
2. Medidas de desempeño 1 (seguridad)
3. Actualización del Plan Ped bicicletas
4. Programa DBE (FTA y FHWA)
5. Punta de discusión de FFY2020-2023
6. Discusión de estudio SR66
7. Discusión del folleto y los estatutos

Información sobre la reunión puede obtenerse contactando con Rich DesGroseilliers en 423-581-6277. La reunión será el 03 de enero de 2019 en 10:00 en el edificio centro de la ciudad de Morristown, 100 W 1st N St, Morristown TN 37814. Todas las partes interesadas están invitadas a asistir a la reunión. Es la política de LAMTPO no para discriminar sobre la base de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)

Title VI Sub-Recipient Complaint and Hearing Procedures

It is the policy of LAMTPO to ensure compliance with Title VI of the Civil Rights Act of 1964: 49 CFR Part 21; related statutes and regulations to that end that no one person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance on the grounds of race, color, sex, or national origin. Any person who believes that they have been discriminated against is to contact LAMTPO's Title VI Coordinator at the following address:

100 W. 1st North St
Morristown, TN 387814
423-581-6277

Any complaints received via telephone or in person will be requested in writing from the person filing the complaint. Assistance in submitting a written complaint will be available if necessary.

Complaint filed under Title VI shall be processed with the following steps:

1. Maintain a log of all complaints and appeals.

The complainant and/or their representative shall present the complaint to the manager/department head of the service or facility where the discrimination occurred, within three (3) business days of the date the complaint incident.

2. Forward an initial report to TDOT within seven (7) working days.
3. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. Including the name and telephone number of the Title VI officer assigned to investigate the complaint.
4. The investigating officer will initiate the investigation by first contacting the complainant by telephone within 3 work days of receiving the assignment to set up an interview.
 - a. The complainant will be informed that they have a right to have a witness or representative present during the interview.
 - b. Submit any documentation he/she perceives as relevant to proving his/her complaint
5. The alleged discriminatory sub-contractor official will be given the opportunity to respond to all aspects of the complainant's allegations.
6. The investigating officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

7. The investigating officer will contact the complainant at the conclusion of the investigation, but prior to writing the final report and give the complainant an opportunity to give a rebuttal statement only at the end of the investigation process.
8. The investigation will be completed and a final report will be sent to TDOT, the alleged discriminatory sub-contractor, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:
 - a. The written complaint containing the allegation, basis, and date of filing
 - b. Summarized statements taken from witnesses
 - c. Finding of facts
 - d. Opinion (based on the evidence in the record) that the incident is substantiated or unsubstantiated
 - e. Remedial action(s) for substantiated cases
9. If corrective action(s) is recommended the alleged discriminatory sub-contractor will be given thirty (30) calendar days to inform the Title VI officer of the actions taken for compliance.
10. Corrective actions can be in the form of actions to be taken at a future date after the initial thirty (30) days with projected time period(s) in which action will be completed. All corrective actions must be within sixty (60) days from the date of the actual recommendation.
11. If the recommended corrective action(s) have not been taken within the thirty (30) day time period allowed, the sub-contractor will be found to be in non-compliance with Title VI and implementing rules and regulations, and a referral will be made to TDOT for enforcement action.
12. Appeals procedure:
 - a. The complainant has the right to appeal all written reports to TDOT
 - b. This appeal must be made in writing to the TDOT Title VI Director within fourteen (14) days of receipt of the sub-recipient's final report.
 - c. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/ her reason(s) for disagreement.
 - d. The Title VI Director will forward this appeal within seven (7) days to the TDOT Title VI Advisory Board for review.
 - e. The Board's review of the finding will be based on the entire record.
 - f. The Board must complete the appeal review within thirty (30) calendar days after receipt of the appeal.
 - g. The Board will forward their written findings to the complainant and the TDOT Commissioner.

EQUAL OPPORTUNITY
TITLE VI POLICY STATEMENT

It is the policy of the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) to ensure compliance with Title VI of the Civil Rights Act of 1964: 49 CFR Part 21; related statutes and regulations to the end that no person shall be executed from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance on the grounds of race, color, sex, or national origin.



LAMTPO Title VI Coordinator

Any person who believes he or she has been discriminated against should contact the following:

LAMTPO
100 W. 1st North St
Morristown, TN 37814
423-581-6277

EQUAL OPPORTUNITY

TITLE VI POLICY STATEMENT

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LAMTPO Title VI Coordinator

Any person who believes he or she has been discriminated against should contact the following:

LAMTPO
100 W. 1st North St
Morristown, TN 37814
423-581-6277

IGUAL OPORTUNIDAD

TITULO VI

Es la política del Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) asegurar que se cumpla con el Título VI del acto de derechos civiles de 1964; 49 CFR Parte 21, que se relaciona con los estatutos y normas para asegurar que ninguna persona sea excluida o discriminada o que se le niegen los beneficios de cualquier programa o actividad que reciba ayuda financiera sin importar su raza, color, sexo, origen, o con algún impedimento físico.



LAMTPO Title VI Coordinator

Cualquier persona que crea que ha sido discriminada deberá comunicarse al:

LAMTPO
100 W. 1st North St
Morristown, Tn 37814
423-581-6277

IGUAL OPORTUNIDAD

TITULO VI

Es la política del Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) asegurar que se cumpla con el Título VI del acto de derechos civiles de 1964; 49 CFR Parte 21, que se relaciona con los estatutos y normas para asegurar que ninguna persona sea excluida o discriminada o que se le niegen los beneficios de cualquier programa o actividad que reciba ayuda financiera sin importar su raza, color, sexo, origen, o con algun impedimento físico.



LAMTPO Title VI Coordinator

Cualquier persona que crea que ha sido discriminada debera comunicarse al:

LAMTPO
100 W. 1st North St
Morristown, Tn 37814
423-581-6277

Below is information that we used for advertisements, notices, etc.

The following should be used as part of any advertisement where federal dollars are being considered for a project, program, etc.

It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

Also, this may be needed as well (contracting out work):

With regard to all aspects of this contract, contractor certifies and warrants it will comply with this policy.

If there are any questions or concerns, please feel free to contact
Rich DesGrosceilliers, MTPO Coordinator
100 w. 1st N St.
PO Box 1499
Morristown, TN 37816-1499
423-581-6277
423-585-4679 (fax)
richd@mymorristown.com

All Title VI documents are located at each building of the governing entities of LAMTPO:

Morristown City Center Building
Hamblen County Courthouse
White Pine Town Hall
Jefferson City Town Hall
Jefferson County County Mayor's Office
ETHRA office
Copies are on file with TDOT Title VI offices

Below is an example of an advertisement (in English and Spanish)

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) TAC will be having a public meeting. Items to be discussed are:

1. 2018 TDOT Obligations Report
2. Performance Measures 1 (Safety)
3. Update of Bike Ped Plan
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Chapter 2 – Providing Notice of Language Assistance to LEP Persons

Section 1: Identifying LEP Persons Who Need Language Assistance

Results of the assessment of the frequency with which LAMTPO has or should have contact with LEP individuals seeking assistance were that during the most recent fiscal year were:

- There were no requests for either translators at public meetings or documents in translated version(s).
- There were also no requests to use the WWI telephone translator service, (or the former Open Communications International telephone translator service, which has been replaced by WWI). However, LAMTPO will remain a client of WWI and maintain this service for patrons (at no charge to patrons) for potential future use.

According to the 2013-2017 American Community Survey, the overall average of people that speak English Less Than Very well is 3.81 percent within the LAMTPO service area. Of this group, the largest majority of LEP individuals speak Spanish. Therefore, LAMTPO's efforts in areas such as document translation have been in Spanish to this point. However, LAMTPO does provide telephonic conferencing interpretation services for all languages, and will maintain an ongoing awareness of Census and related data regarding the possible growth of other non-English populations in the LAMTPO area.

Section 2: Language Assistance Measures

Although the assessment results indicate that there is not currently a significant need for LAMTPO to provide extensive language assistance measures, LAMTPO has taken measures to make language assistance available, which will be ongoing/updated as applicable.

LAMTPO provides the following services to area LEP individuals, free of charge:

- Telephonic conferencing interpretation services (available to Tennessee public transportation systems through Tennessee Department of Transportation contract with World Wide Interpreters, as noted previously, Exhibit 3);
- Translation of major LAMTPO documents (Title VI informational and complaint documents, and fixed route ride guide) into Spanish.
- "As needed" contracts established with area translators, for oral interpretation service, upon request by LEP individual, during LAMTPO public meetings or for translation of written communications LAMTPO receives from LEP persons;
- Provision of notices of public hearings/meetings regarding LAMTPO's proposed transportation plans, projects, or changes, and reduction, denial, or termination of services or benefits, in both English and Spanish. (Exhibit 7 provides a copy of a public hearing notice published in both English and Spanish in the sole local daily newspaper, Citizen-Tribune, regarding a grant amendment to fund additional capital projects.)

Section 3: Training Staff

All LAMTPO employees, including management staff, will be provided a copy of the *LAMTPO Transit Language Assistance Implementation Plan for Limited English Proficiency Persons*, and will be educated on procedures and services available and the importance of the plan. This information will also become part of the LAMTPO training/orientation for new employees. Training topics provided to all LAMTPO employees will include:

- Understanding LAMTPO's LEP policies and procedures;
 - How to access a staff interpreter and/or a staff member to utilize World Wide Interpreters telephone interpreters;

 - How to access LAMTPO documents which have been translated into Spanish;
- and
- Documentation of language assistance requests.

Additional training will be provided to employees who will have direct contact with LEP individuals, assisting them to utilize the telephonic interpretation system.

LAMTPO planning staff will work with "in-person" oral interpreters for LAMTPO public meetings, as well work with professional translators to provide and/or update major documents in Spanish or other languages if need arises.

Section 4: Providing Notice to LEP Persons

LAMTPO will initiate or continue to carry-out the below-listed measures to notify LEP persons of language assistance services available to them free of charge.

- Post signs in English/Spanish in public areas.
- Provide English and Spanish brochures of transit services.

Chapter 3 – Monitoring and Updating the LEP Plan

This plan will be reviewed, with a reevaluation of whether there have been changes in the LAMTPO area LEP population demographics, types of LAMTPO services, or other needs which indicate a need to update/expand LAMTPO's language assistance services. At a minimum, this review will follow the LAMTPO MPO Title VI Program update schedule.

During the plan review, the following will be assessed:

- Current LEP populations in the LAMTPO service area;
- Frequency of LAMTPO encounters with LEP persons;
- Nature and importance of LAMTPO services to LEP persons;
- Whether sources identified in this plan for LAMTPO language assistance are still available and viable;
- Availability of LAMTPO resources (including technological advances and/or other new resources) and the costs entailed;
- Whether existing LAMTPO language assistance measures are meeting the needs of LEP persons in LAMTPO service area, including input from applicable community agencies/groups; and
- Whether LAMTPO employees continue to understand LAMTPO's LEP plan and their part(s) in implementing it.

Chapter 4 – Dissemination of the LAMTPO LEP Plan

The *LAMTPO Language Assistance Implementation Plan for Limited English Proficiency Persons* will be posted on the LAMTPO website at <http://www.lamtpo.com>. For persons without internet service. The plan will also be available upon request in hard copy at the LAMTPO Transit Center, and will be mailed upon request. A Spanish translation of the plan will be available upon request.

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Limited English Proficiency (LEP) Procedures Title VI

It is the general policy of LAMTPO staff to not discriminate against anyone with Limited English Proficiency (LEP) who participates in our programs and/or services. We have taken steps to ensure that all individuals will be able to communicate, either through written or oral language services, with all members of our staff. These steps are as follows:

1. Employees will have access to “I Speak” cards.
2. Once language proficiency is determined, employees will have resources available to assist the individual in determining his/her need.
3. If the need is not urgent or life threatening, employees will defer to their supervisors what steps need to be taken. The steps are, but not limited to, the following:
 - a. If the need is a document translated, the supervisor will have the document translated as soon as possible, without jeopardizing his/her duties as a supervisor.
 - b. If the need is oral language services, the supervisor will take appropriate actions to provide the assistance as soon as possible through a translation service, without jeopardizing his/her duties as a supervisor.
 - c. The supervisor has the obligation to the safety of his/her employees as well as to the citizens of the LAMTPO study area to assist the need of all persons. This includes not leaving his/her work place unless it is an emergency.
4. If the need is urgent or life threatening, employees will use, to the best of their ability, any resource available to accommodate the individual.

Any person who thinks that there has been discrimination against him/her because of LEP should contact Rich DesGroseilliers, MTPO Coordinator, Title VI Coordinator.

SECTION II. FEDERAL REQUIREMENTS

A. TITLE VI (Civil Rights Act of 1964, 42 USC 2000(d)-2000(d)(1))

General

This title declares it to be the policy of the United States that discrimination on the grounds of race, color, or national origin shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments and agencies to take action to carry out this policy.

Section 601 -- This section states the general principle that no person in the United States shall be excluded from participation in or otherwise discriminated against on the grounds of race, color, or national origin under any program or activity receiving Federal financial assistance.

Section 602 -- Directs each Federal agency administering a program of Federal financial assistance by way of grant, contract, or loan to take action pursuant to rule, regulation, or order of general applicability to effectuate the principle of section 601 in a manner consistent with the achievement of the objectives of the statute authorizing the assistance. In seeking the effect compliance with its requirements imposed under this section, an agency is authorized to terminate or to refuse to grant or to continue assistance under a program to any recipient as to whom there has been an express finding pursuant to a hearing of a failure to comply with the requirements under that program, and it may also employ any other means authorized by law. However, each agency is directed first to seek compliance with its requirements by voluntary means.

Section 603 -- Provides that any agency action taken pursuant to section 602 shall be subject to such judicial review as would be available for similar actions by that agency on other grounds. Where the agency action consists of terminating or refusing to grant or to continue financial assistance because of a finding of a failure of the recipient to comply with the agency's requirements imposed under section 602, and the agency action would not otherwise be subject to judicial review under existing law, judicial review shall nevertheless be available to any person aggrieved as provided in section 10 of the Administrative Procedure Act (5 USC 1009). The section also states explicitly that in the latter situation such agency action shall not be deemed committed to unreviewable agency discretion within the meaning of section 10. The purpose of this provision is to obviate the possible argument that although section 603 provides for review in accordance with section 10, section 10 itself has an exception for action "committed to agency discretion," which might otherwise be carried over into section 603. It is not the purpose of this provision of section 603, however, otherwise to alter the scope of judicial review as presently provided in section 10(e) of the Administrative Procedure Act.

Title VI Assessment

All state agencies that receive federal money to develop and implement plans are required to follow the Title VI regulations of the Civil rights Act of 1964. The Act ensures that no person, on the grounds of race, color, or national origin, be excluded in the participation in, be denied the

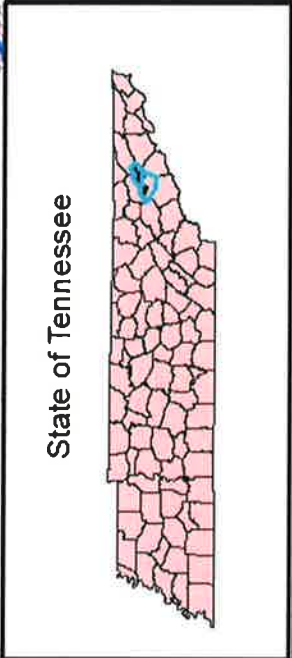
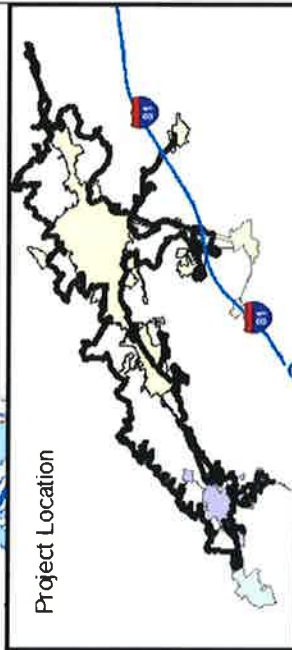
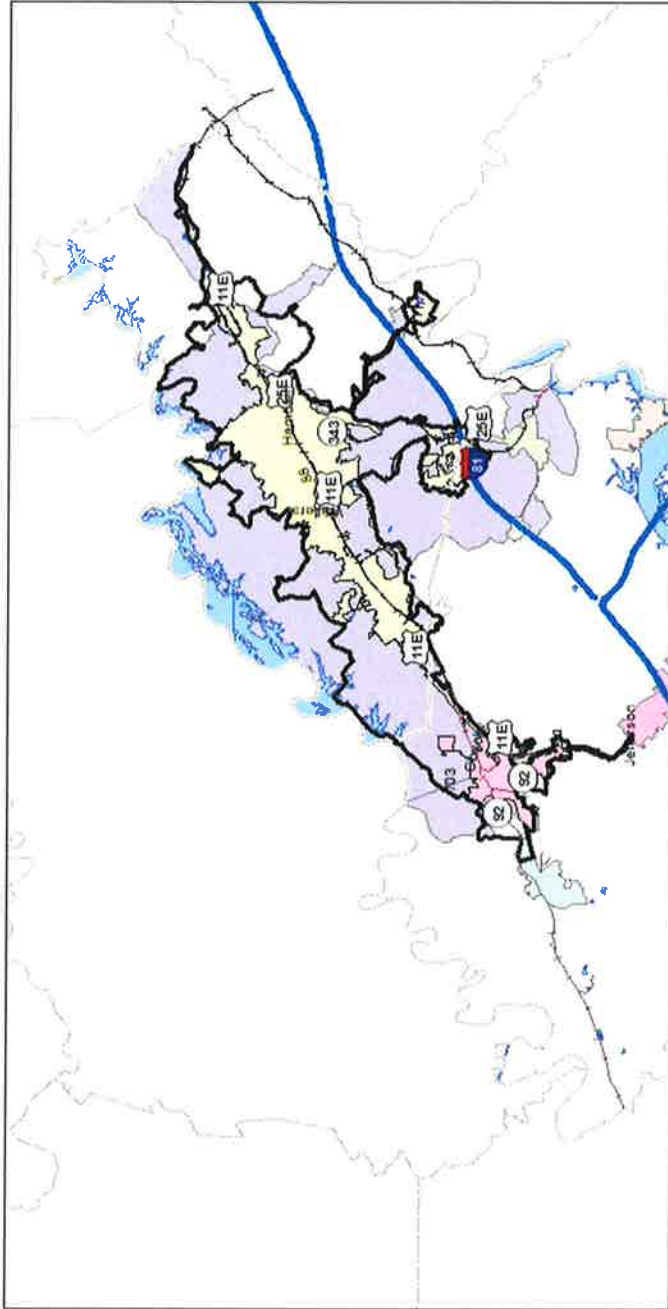
benefits of, or be subjected to discrimination under any program receiving federal financial assistance.

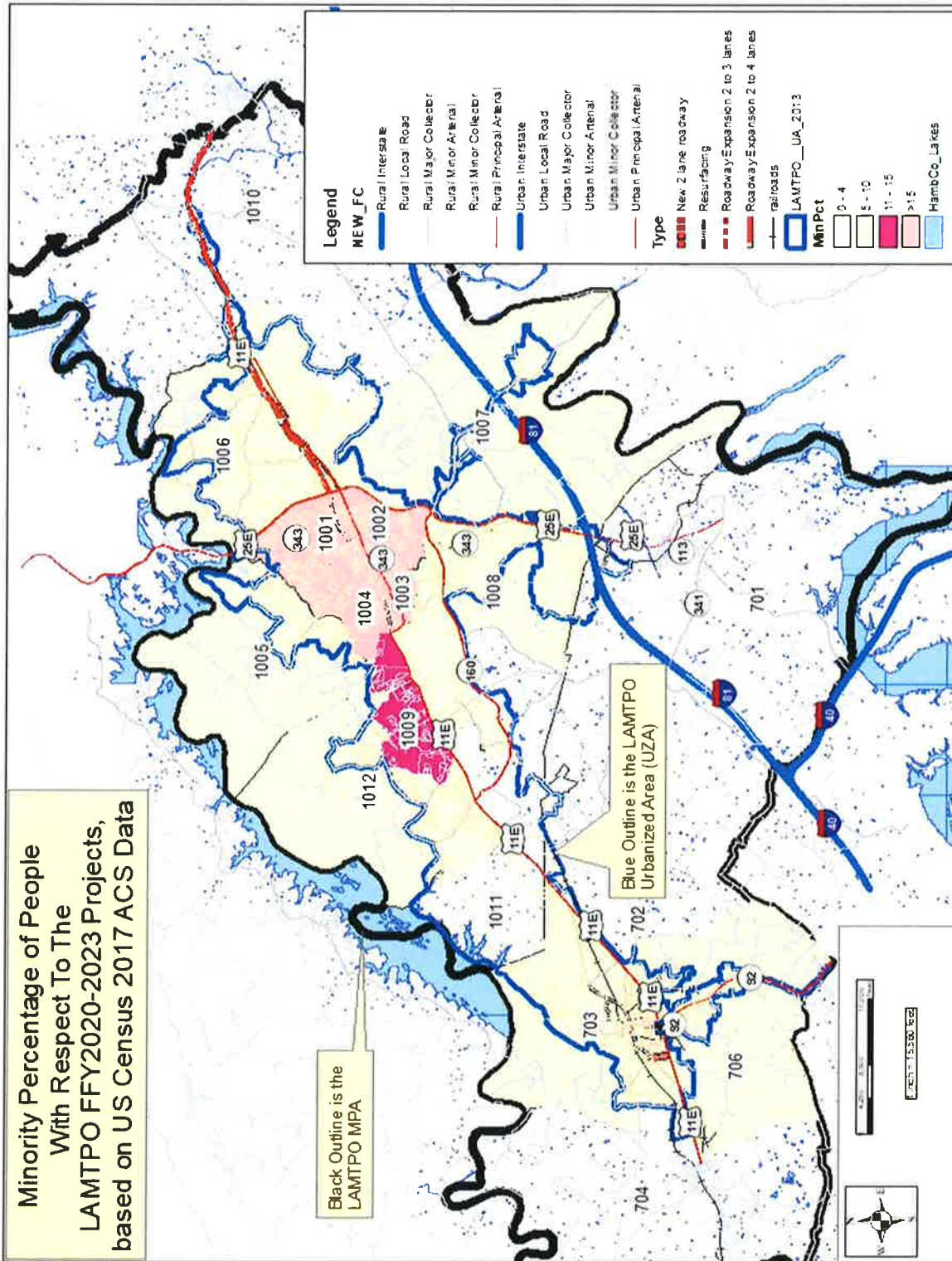
It is important to recognize the presence of the rising Hispanic population, and all minorities, in the LAMTPO study area. LAMTPO will comply with Executive Order 13166, which requires "improved access to services for persons Limited English Proficiency (LEP)." Federal departments and agencies are required to extend financial assistance to develop programs and provide oral and written services in languages other than English. The maps on the next two pages illustrate where there are concentrations of minorities (non-Caucasian), within the Hamblen and Jefferson Counties. LAMTPO uses an interpreter to translate documents from English to Spanish, and other languages when requested. LAMTPO also uses the US Census language flashcards to determine the language a person may be speaking, and uses the Open Communications International, Incorporated to have a translator in case an interpreter is not present. LAMTPO advertises in 4 newspapers, 2 of which are Hispanic newspapers, to inform the general public in the area of what transportation related issues are occurring in the LAMTPO study area.

Americans with Disabilities Act

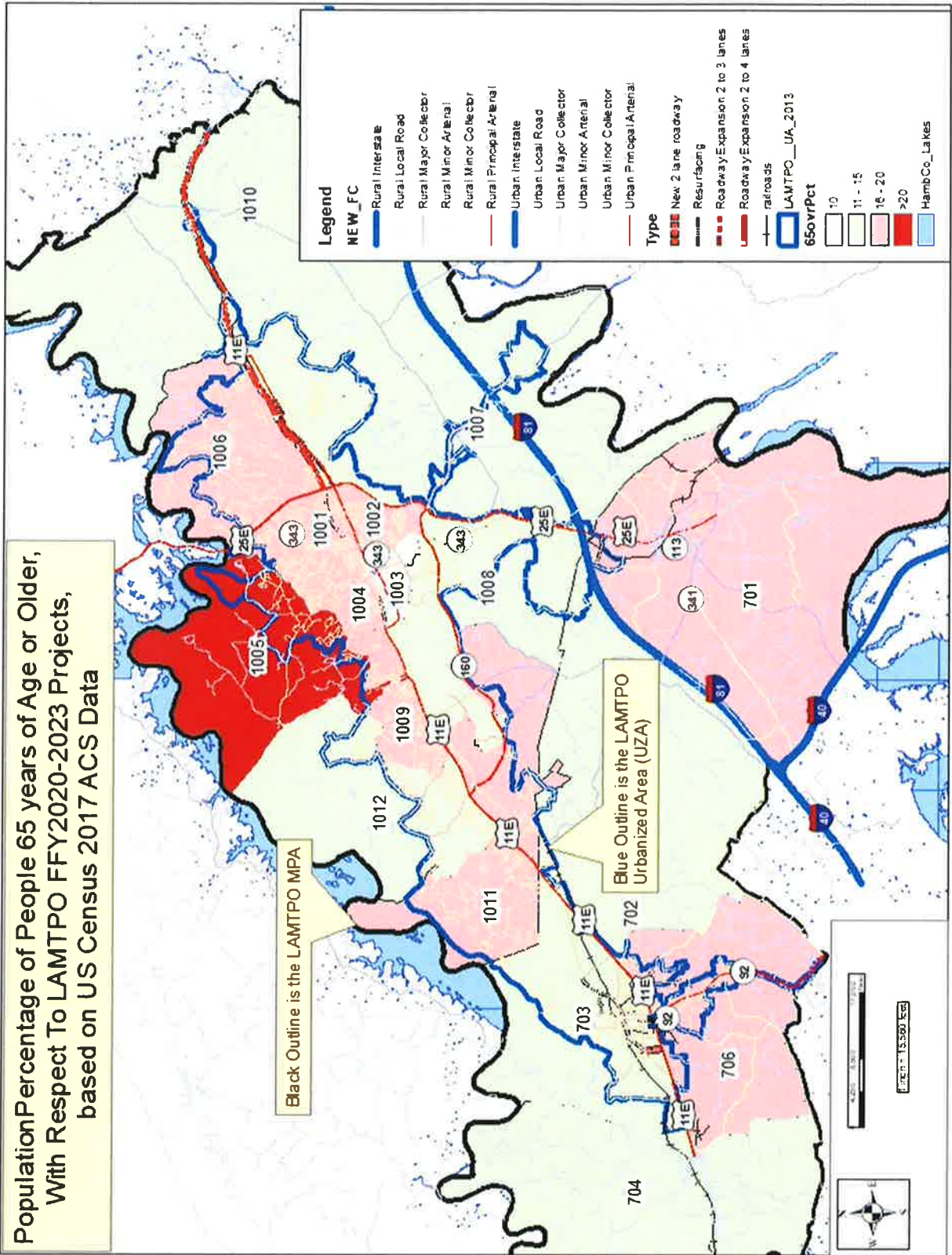
Title II of the ADA requires State and local governments to make their programs and services accessible to persons with disabilities. This requirement extends not only to physical access at government facilities, programs, and events -- but also to policy changes that governmental entities must make to ensure that all people with disabilities can take part in, and benefit from, the programs and services of State and local governments. In addition, governmental entities must ensure effective communication -- including the provision of necessary auxiliary aids and services -- so that individuals with disabilities can participate in civic life.

LAMTPO Region





**Population Percentage of People 65 years of Age or Older,
With Respect To LAMTPO FFY2020-2023 Projects,
based on US Census 2017 ACS Data**



Black Outline is the LAMTPO MPA

Blue Outline is the LAMTPO Urbanized Area (UA)

Legend

NEW_FC

- Rural Interstate
- Rural Local Road
- Rural Major Collector
- Rural Minor Arterial
- Rural Minor Collector
- Rural Principal Arterial
- Urban Interstate
- Urban Local Road
- Urban Major Collector
- Urban Minor Arterial
- Urban Minor Collector
- Urban Principal Arterial

Type

- New 2 lane roadway
- Resurfacing
- Roadway Expansion 2 to 3 lanes
- Roadway Expansion 2 to 4 lanes
- railroads

LAMTPO_UA_2013

65ovrPct

- 10
- 11 - 15
- 16 - 20
- >20
- HambCo_Lakes

Title VI Assessment

All state agencies that receive federal money to develop and implement plans are required to follow the Title VI regulations of the Civil rights Act of 1964. The Act ensures that no person, on the grounds of race, color, or national origin, be excluded in the participation in, be denied the benefits of, or be subjected to discrimination under any program receiving federal financial assistance.

It is important to recognize the presence of the rising Hispanic population, and all minorities, in the LAMTPO study area. LAMTPO will comply with Executive Order 13166, which requires “improved access to services for persons Limited English Proficiency (LEP).” Federal departments and agencies are required to extend financial assistance to develop programs and provide oral and written services in languages other than English. The map on pages III-100 illustrates where there are concentrations of minorities (non-Caucasian), within the Hamblen and Jefferson Counties. LAMTPO uses an interpreter to translate documents from English to Spanish, and other languages when requested. LAMTPO also uses the US Census language flashcards to determine the language a person may be speaking, and uses the Open Communications International, Incorporated to have a translator in case an interpreter is not present. LAMTPO advertises in 4 newspapers, 1 of which is a Hispanic newspaper, to inform the general public in the area of what transportation related issues are occurring in the LAMTPO study area.

The various proposed road projects that are within the Title VI areas are as follows:

Within Hamblen County:

TDOT Sponsored US Hwy 11E project (2 to 4 or 5 lane expansion)

E Morris Blvd resurfacing

E Andrew Johnson Hy resurfacing

W Andrew Johnson Hy resurfacing (underway for PE-Design process)

Central Church Rd expansion (2 to 3 lanes)

TDOT Sponsored US Hwy 11E resurfacing

Within Jefferson County only:

Old AJ Hwy/ SR 92 (widen from 2-lanes to 4-lanes) (Illustrative road project)

SR92 extension (Overlook Rd/ Mountcastle Av/ Old AJ Hy) new roadway

Russell Avenue Resurfacing

Branner Avenue Resurfacing

Municipal Drive Resurfacing

Fate Rankin Rd Resurfacing

Old AJ Hwy Resurfacing

Agricultural Park Blvd resurfacing

It should be noted that the resurfacing projects will be done in existing right-of-ways, thus there should not be any direct impact on personal property.

Table III.6. 2010 US Census Population Information, including race/ ethnic breakdown .

Geographic area	Total population	Race								Hispanic or Latino (of any race)	% Hispanic
		One race							Two or More Races		
	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race				
Hamblen County 2010	62,544	61,299	54,163	2,527	209	466	71	3,863	1,245	6,711	10.70%
Hamblen County 2000	58,128	57,553	52,732	2,396	130	335	33	1,927	575	3,299	5.67%
Jefferson County 2010	51,407	50,713	48,571	1,048	170	213	13	698	694	1,619	3.15%
Jefferson County 2000	44,294	43,951	42,370	1,027	138	118	18	280	343	588	1.32%

It should be noted that of the road projects that are scheduled to be developed within the next 25 years, most are improvements to the existing road network, such as intersection improvements, traffic signals, traffic signal coordination etc. The new road construction projects that are listed in the 25 year plan, not including the illustrative projects, the proposed roads would be developed along vacant land, which the right-of-ways had been donated for a road. The Merchants Greene Boulevard is one example of this situation. Thus there would not be any detrimental effect on anyone, and it will improve access throughout the LAMTPO study area, while reducing congestion in some areas, such as W. Andrew Johnson Highway. By doing extensive field research, and knowing where the different ethnic groups live, the minority population do not live near where the proposed roads will be going, thus there would not be any displacement of families. However, the proposed roads will be close enough for the various ethnic groups to have access and better mobility throughout the LAMTPO area.

Currently, LAMTPO has a contract with ETHRA to provide mass transit services. As part of the contract, ETHRA must meet all applicable Title VI, as well as any other federal requirements, in order to run the services in the LAMTPO study area. It is anticipated that mass transit service will continue in the LAMTPO study, whether it will be ETHRA or LAMTPO running its own transit service, all Title VI and other federal requirements will be in place. An example will be having brochures or pamphlets written in English and Spanish to tell of the various mass transit service, cost to ride mass transit, etc.

(EJ) Environmental Justice

Title VI of the Civil rights Act of 1964 protects persons from discrimination based on their race, color, or national origin in programs and activities that receive Federal financial assistance. LAMTPO is funded at the federal level, so all of our transportation planning processes must comply with this law.

Environmental Justice stems from Title VI, focusing on including low-income and minority populations in federally funded programs. Environmental justice has three general principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

By providing the opportunity for everyone to participate in the transportation planning process, we are ensuring that the needs of all people can be met and that their desires for how the whole community should function and develop will be considered. To accomplish this, LAMTPO staff will use Census data to determine where concentrations of the underserved or underrepresented reside. Using this data, staff will:

1. Hold public meetings that are convenient to these geographic concentrations in terms of walk-ability and available transit options, which tend to be used more by low-income individuals than other forms of transportation.
2. Make all draft documents available for public review at local libraries
3. Residents or organizations that express an interest by attending public meetings or notifying us by other means will be included in the direct mailing list to receive information about future events and plan development
4. Continue to research creative methods of reaching these populations with information, documents, and invitations other than the techniques listed within this document;
5. Seek out community leaders or representatives of these groups to participate in our planning processes as appropriate; and
Meet and make presentation

Environmental Mitigation.

LAMTPO is following TDOT's lead for the environmental consultation process. When developing the Social Service Coordination Plan and the Public Participation Plan, LAMTPO had sent the various documents to numerous local, state and federal agencies to review and ask for comments, and no comments were received.

LAMTPO staff is in the process of developing GIS maps that shows where future projects are to occur that are in relationship to flood boundaries and/or topographic concerns (mountainsides, sinkholes, historical preservation, etc.). Additional modeling will be done using TRANSCAD to determine traffic congestion, and what the future road projects may do to help alleviate the traffic congestion. Additional corridor studies will be done to help determine what multimodal and intermodal improvements are needed, and to determine the effects on the surrounding environment.

SAFETEA-LU required LAMTPO to consult with federal, state and tribal land management, wildlife, and regulatory agencies to develop a general discussion on possible environmental mitigation activities that should be incorporated into transportation projects identified in this plan. Since the transportation planning activities of LAMTPO are regional in scope, this environmental mitigation discussion does not focus on each individual project within the LRTP but rather offers a summary of environmental sensitive areas to be aware of, the analyses conducted by LAMTPO staff to identify potential conflicts of planned projects and mitigation strategies that could be considered in an effort to minimize any negative affect that a project may have on an environmentally sensitive area.

There are numerous environmentally sensitive areas found throughout the LAMTPO study area. Some areas are yet to be identified and will only become known once a project level analysis is completed, such as caves, sinkholes, and wetlands. More detailed information will be needed during the NEPA process of each project to make sure that the natural, historical, environmental, or endangered wildlife habitat will not be negatively impacted.

In developing projects lists for the LRTP, LAMTPO conducts top level analysis to determine the potential need for future environmental mitigation. Specifically, LAMTPO looks at proposed project locations throughout the region to determine their proximity to the following natural or socio-cultural resources datasets. That analysis provides early guidance to project sponsors to develop mitigation strategies.

- Cemetery surveys
- Regional water resources
- Endangered species habitat areas
- TDEC Terrestrial Habitat areas
- TDEC aquatic Habitat areas
- State Division of Archaeology properties
- TDEC designated state natural areas
- TDEC Endangered and rare species
- Historic properties, and
- Historic National Register Districts

Environmental Mitigation Activities

LAMTPO is committed to protecting and preserving environmentally sensitive areas. LAMTPO shall avoid environmentally sensitive areas as much as possible. In special cases which it cannot avoid environmentally sensitive areas, then the governing entities of LAMTPO shall minimize the amount of negative impact a project may have, and finally to mitigate any affected areas. In doing so, LAMTPO recognizes that not every project will require the same type and/or level of mitigation. Some projects such as new roadways and/or roadway widening involve major construction with considerable earth disturbance. Others like intersection improvements, street lighting, and resurfacing projects involve minor construction and minimal, if any, earth disturbance. The mitigation efforts used for a project should be dependent upon how severe the impact on environmentally sensitive areas is expected to be. The following three step process should be used to determine the type of mitigation strategy to apply for any given project:

- i. Identify environmentally sensitive areas throughout the project study area
- ii. Determine how and to what extent the project will impact these environmentally sensitive areas; and
- iii. Develop appropriate mitigation strategies to lessen the impact these project(s) have on the environmentally sensitive areas.

To the extent possible, transportation projects should minimize off-site disturbance in sensitive areas and develop strategies to preserve air and water quality, limit tree removal, minimize grading and other earth disturbance, provide erosion and sediment control, and limit noise and vibration. Where feasible, alternative designs or alignments should be developed that would lessen the project's impact on environmentally sensitive areas. The three (3) step mitigation planning process should solicit public input and offer alternative designs or alignments and mitigation strategies for comment by LAMTPO and local governments.

For major construction projects, such as new roadways, or for projects that may have a region wide environmental impact, a context sensitive solutions process should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of the project.

A context sensitive solutions process, for any project, should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of a project. The table below details mitigation activities that could be considered to deal with the primary areas of concern.

Table III.7. Environmental Mitigation Activities.

Environmental Concern	Potential Mitigation Activities
Wetlands or Water Resources	Mitigation sequencing requirements involving avoidance, minimization, compensation (could include preservation, creation, restoration, in lieu of fees, riparian buffers); design exceptions and variances; environmental compliance monitoring
Forested and other Natural Resources	Avoidance, minimization; Replacement property for open space easements to be of equal fair market value and of equivalent usefulness; design exceptions and variances; environmental compliance monitoring
Agricultural Areas	Avoidance, minimization; design exceptions and variances; environmental compliance monitoring
Endangered and Threatened Species	Avoidance, minimization time of year restrictions, construction sequencing; design exceptions and variances; species research; species fact sheets; Memoranda of Agreements for species management; environmental compliance monitoring
Ambient Air Quality	Transportation control measures, transportation emission reduction measures
Neighborhoods, Communities, Homes and Businesses	Impact avoidance or minimization; context sensitive solutions for communities (appropriate functional and/or esthetic design features).
Cultural Resources	Avoidance or minimization; landscaping for historic properties; preservation in place or excavation for archeological sites; Memoranda of Agreement with the Department of Historic Resources; design exceptions and variances; environmental compliance monitoring
Parks and Recreational Areas	Avoidance, minimization, mitigation; design exceptions and variances; environmental compliance monitoring

