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TITLE VI POLICY STATEMENT AND NOTICE OF NONDISCRIMINATION

It is the policy of the Greater Hickory Metropolitan Planning Organization, as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, Limited English Proficiency, sex, age, or disability, (and low-income, where applicable)**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, Executive Orders 12898 and 13166, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.

If you feel you have been subjected to discrimination, you may file a complaint. Allegations of discrimination should be promptly reported to our Title VI Coordinator.

Brian Horton
1880 2nd Avenue NW, Hickory, NC
28601 828-322-9191
brian.horton@wpcog.org

This policy is an expression of our commitment to nondiscrimination and support of the Title VI Program.

Brian Horton, GHMPO Director

Date

Implementation (Dissemination)

- This Policy Statement contains contact information for the Title Coordinator, and it will also serve as our notice to public.
- This statement will be signed by the Executive Director of the Greater Hickory MPO, and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, and disseminated within brochures and other written materials.
- The statement will be incorporated into Title VI training and acknowledgement activities.
- The statement will be posted or disseminated in languages other than English, when appropriate.
- Low-income will be applicable to our programs, policies and activities under Environmental Justice when determining if there will be disproportionately high and adverse effects.

STANDARD USDOT TITLE VI ASSURANCES

Please refer to **Appendix A** of this Plan for a copy of our completed, signed USDOT Title VI Assurances.

ORGANIZATION & STAFFING

The Metropolitan Planning Organization (MPO) is the policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all urbanized areas (UZAs) with populations over 50,000, as determined by the U.S. Census. MPOs are designated by agreement between the governor and local governments that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population) or in accordance with procedures established by applicable state or local law. When submitting a [Transportation Improvement Program](#) to the state for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of the U.S. Department of Transportation (DOT), is called a Transportation Management Area (TMA). As described in 49 U.S.C. 5303(k), and in recognition of the greater complexity of transportation issues in large urban areas, an MPO in a TMA has a stronger voice in setting priorities for implementing projects listed in the [transportation improvement program](#) and are responsible for additional planning products. The planning processes in MPOs in TMAs also [must be certified](#) by the Secretary of DOT as being in compliance with federal requirements.

The Greater Hickory MPO was established in 1983. Our Transportation Advisory Committee (TAC) has 16 members, and meets monthly. Our Technical Coordinating Committee (TCC) has 36 members, and meets monthly. Please refer to **Appendix B** for lists of current TAC and TCC members with race, gender, and affiliation included.

Title VI Coordinator

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT, FHWA or other federal agencies.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Making sure internal staff and officials are familiar and complying with their Title VI obligations.
- Disseminating Title VI information internally and to the public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Promptly processing (receiving, logging, investigating and/or forwarding) discrimination complaints.
- Providing information to NCDOT and cooperating during compliance reviews and investigations.
- Promptly resolving deficiencies to ensure compliance with Title VI nondiscrimination requirements.

If the Executive Director or Title VI Coordinator changes, the Title VI Policy Statement and USDOT Title VI Assurances, will immediately be updated, and an updated policy statement (and nondiscrimination agreement, if standalone) will be signed by the new Executive Director.

Staffing

We currently employ a staff of 11 for MPO activities, including the following job categories:

- Executive Director: Anthony Starr
- Community & Regional Planning Director: Alison Adams
- Administrative Assistant: Lori Dixon
- Senior Planner & Natural Resource Administrator: John Wear
- Senior Data Analyst: Taylor Dellinger
- Planner: Teresa Kinney
- Planner: Ashley Kale
- Planner: Hunter Nestor
- Transportation Planning Manager (and **Title VI Coordinator**): Brian Horton
- Transportation Planner: Averi Ritchie
- Transportation Planner/Data Analyst: Duncan Cavanaugh
- Head Code Enforcement Officer: Billy Rickles
- Code Enforcement Officer: Brad Moody

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix C**.

ENVIRONMENTAL JUSTICE

In 1994, President William Jefferson Clinton issued Executive Order (EO) 12898, Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations. To comply with the EO, federal agencies developed EJ guidelines for their funding recipients, including Federal Highway Administration (FHWA) Order 6640.23A. Accordingly, the Greater Hickory MPO will make achieving EJ part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low-income populations.

EJ is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies. The three fundamental EJ principles that guide USDOT (affiliated) actions are:

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

To achieve EJ, our programs will be administered so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations by:

- (1) Identifying and evaluating environmental, public health, and interrelated social and economic effects of our programs, policies and activities;
- (2) Proposing measures to avoid, minimize and/or mitigate disproportionately high and adverse environmental and public health effects, and interrelated social and economic effects, and providing offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by our programs, policies and activities, where permitted by law;
- (3) Considering alternatives to proposed programs, policies, and activities, where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts to minority and/or low-income populations; and
- (4) Eliciting public involvement opportunities and considering the results thereof, including soliciting input from affected minority and low-income populations in considering alternatives.
- (5) Adding an EJ section to plans and studies, such as Metropolitan Transportation Plans, Public Involvement Plans, and Corridor Studies.

EJ analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our policies, such as where public meetings will be held, and our projects, such as when we plan to construct or expand a facility. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document public involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations. (See **Appendix D** – Tables for Race/Ethnicity and Poverty)

DATA COLLECTION/ANALYSIS/REPORTING

Data collection, analysis and reporting are key elements of a successful Title VI enforcement strategy. To ensure that Title VI reporting requirements are met, the Greater Hickory MPO will collect and maintain data on potential and actual beneficiaries of our programs and services. This section contains relevant population data for our overall service area. The data provides context for the Title VI Nondiscrimination Program and will be used to ensure nondiscrimination in public outreach and delivery of our programs. Please refer to **Appendix D** for demographic tables on Race & Ethnicity, Age & Sex, Disability, Poverty, and Household Income.

Population Locations

Recipients of FHWA funds are required to identify the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. We will document this narratively or through maps that overlay boundaries and demographic features on specific communities, and provide this information to NCDOT, upon request. (See **Appendix E** – Demographic Maps)

LIMITED ENGLISH PROFICIENCY (LEP)

Limited English Proficient (LEP) persons are individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. These individuals reported to the U.S. Census Bureau that they speak English less than very well.

To comply with USDOT's LEP Policy Guidance and Executive Order 13166, this section of our Title VI Plan outlines the steps the Greater Hickory MPO will take to ensure meaningful access by LEP persons to all benefits, services and information provided under our programs and activities. A four factor analysis was conducted to determine the LEP language groups present in our planning area and the specific language services that are needed.

Four Factor Analysis

This 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 a program, activity, or service of the recipient or grantee;
- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.

The following table displays Limited English Proficiency (LEP) data for the Greater Hickory MPO planning area:

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):	343,511	+/-180	100%	(X)
Speak only English	314,031	+/-1,112	91.4%	+/-0.3
Spanish or Spanish Creole:	19,390	+/-869	5.6%	+/-0.3
Speak English "very well"	10,127	+/-856	52.2%	+/-3.3
Speak English less than "very well"	9,263	+/-686	47.7%	+/-3.3
Hmong:	4,954	+/-589	1.4%	+/-0.1
Speak English "very well"	2,920	+/-393	58.9%	+/-4.8
Speak English less than "very well"	2,034	+/-381	41.0%	+/-4.8
Vietnamese:	624	+/-285	0.2%	+/-0.1
Speak English "very well"	138	+/-95	22.1%	+/-4.8
Speak English less than "very well"	486	+/-253	77.8%	+/-4.8
Laotian	578	+/-358	0.2%	+/-0.1
Speak English "very well"	414	+/-322	71.6%	+/-4.8
Speak English less than "very well"	164	+/-106	28.3%	+/-4.8

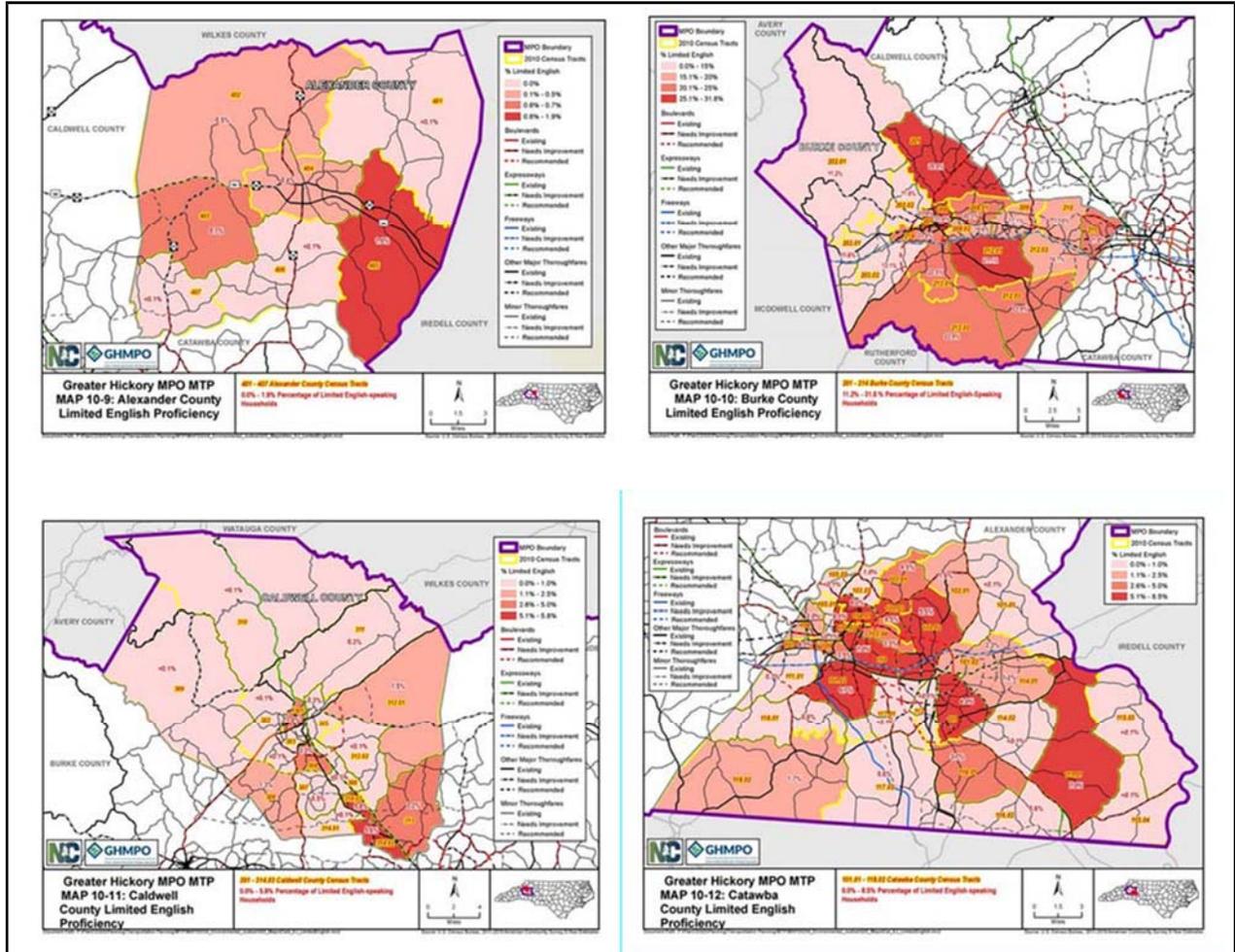
Source: 2011-2015 American Community Survey 5-Year Estimates.

Larger versions of the following maps are included in Appendix E. All maps were adopted in the Environmental Justice and Title VI Chapters of the 2045 Metropolitan Transportation Plan.

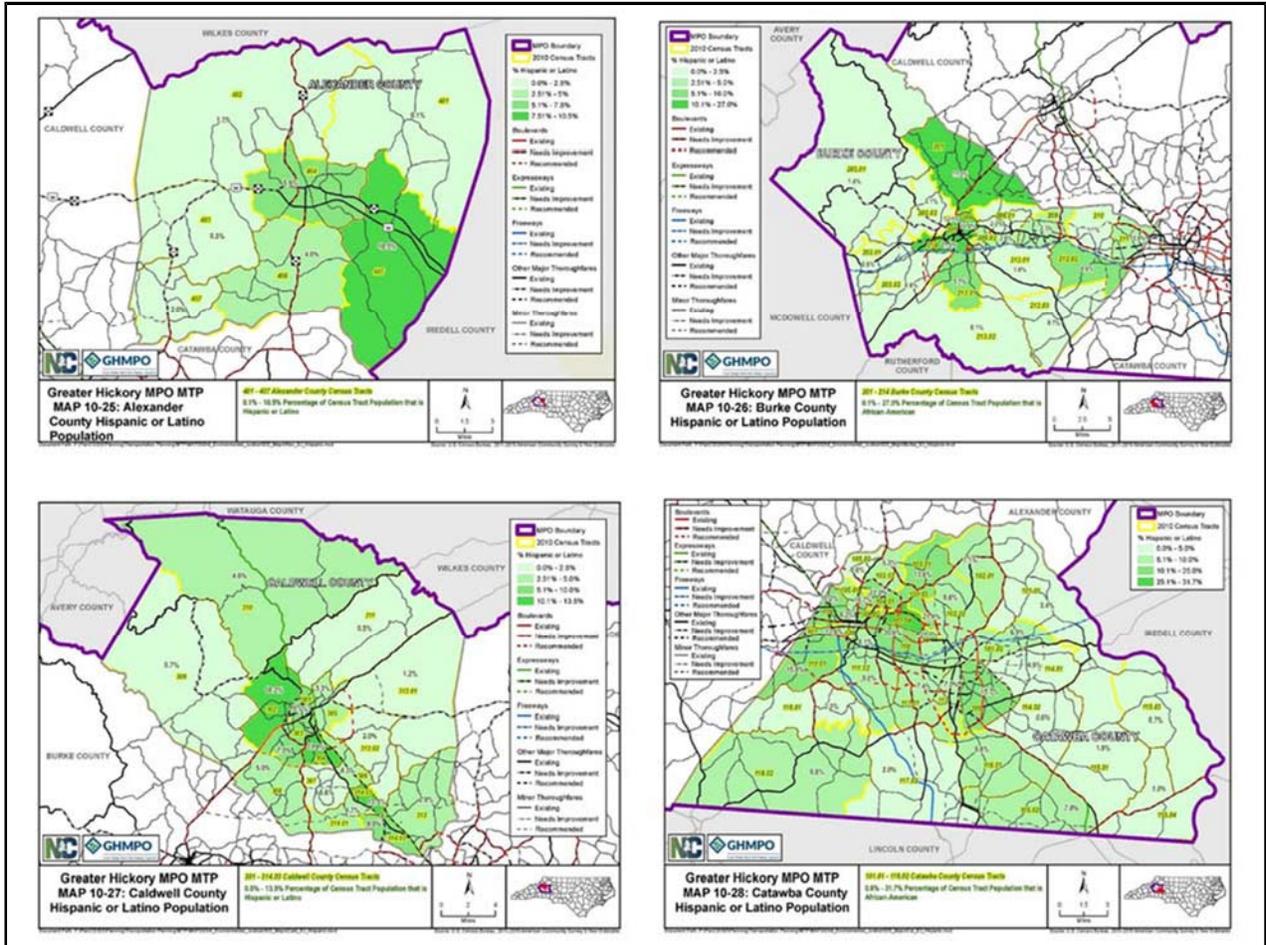
From these maps, transportation planners and the general public can clearly understand which populations are impacted by existing and planned transportation projects. Data from each map can also be used by impacted or potentially impacted communities during public meetings, planning workshops, and throughout the plan development phase.

To determine potential impacts, the GHMPO used 2011-2015 American Community Survey 5-Year Estimates data to identify Environmental Justice communities across the four county region. Maps 10-21 through 10-28 were used to identify individuals or households that may experience disproportionately high levels of adverse effects in the transportation planning process.

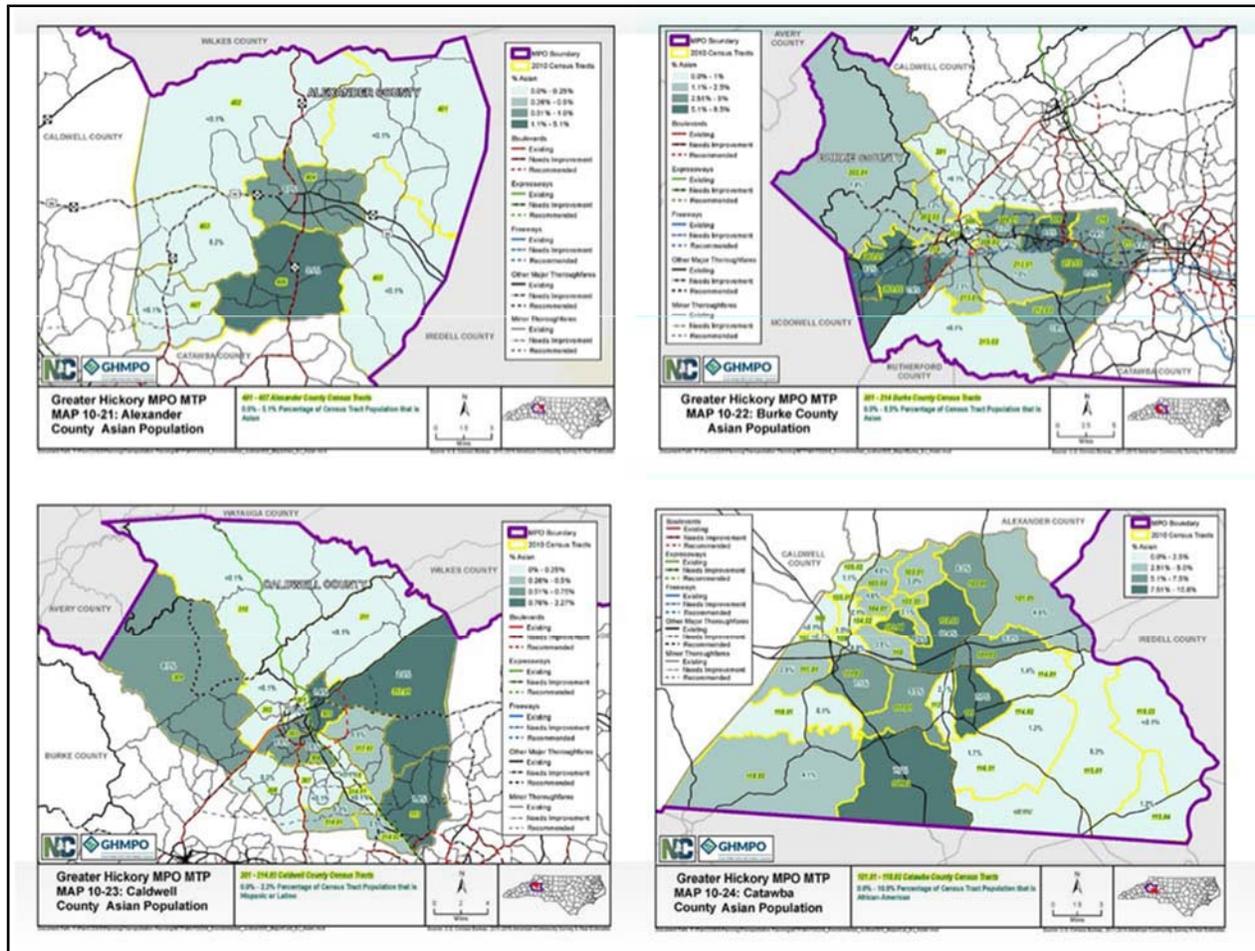
For maps 1-1 through 1-4, “Limited English Proficiency” includes individuals who are not fluent in the English language.



Maps 1-5 through 1-8 show the distribution of Hispanic or Latino descent.



Maps 1-9 through 1-12 show the distribution of Asian descent.



According to American Community Survey data, of the five language groups displayed in the table above, two meet the safe harbor threshold when compared to the overall population of the area covered by the Greater Hickory MPO. For this area, the safe harbor threshold is met whenever language groups have at least 5% or 1,000 people who speak English less than very well. As shown in the table above, English is the most spoken language while Vietnamese and Laotian are the least spoken languages for the area. Data suggests that there are significant Spanish and Hmong speaking groups within the region. These language groups meet the safe harbor threshold. When the geographic distribution of Limited English Proficiency (LEP) populations are compared to the geographic distribution of Hispanic or Latino populations in the maps above, the most concentrated populations of each are found in Hiddenite and Southeast Alexander in Alexander County; Morganton, Drexel, Northeast Burke, and Eastern Burke in Burke County; Southeast Lenoir in Caldwell County; and Southwest Catawba, Hickory, Long View, Fairgrove, Conover, Newton, and select Census Tracts in Northwest and Southeast Catawba County. When the geographic distribution of LEP populations are compared to the geographic distribution of Asian populations, the most concentrated populations of each are found in Taylorsville in Alexander County; Hildebran, Valdese, Drexel, and Southeastern Tracts in Burke County; Lenoir, Western and Southeastern Tracts in Caldwell County; and Hickory, Long View, Fairgrove, Conover, Newton, and select Tracts in Southwestern and Northwestern Catawba County. Targeted outreach efforts for Spanish and Hmong speaking communities must be considered in heavily concentrated Tracts. Targeted efforts are discussed in the factors section below.

Factor #2: *The frequency with which LEP individuals come in contact with the program.*

In a survey recently released by the Greater Hickory MPO, approximately 50 responses were completed in Spanish. The GHMPO has received several requests for the translation of marketing and instructional materials for public transit services. GHMPO staff come into contact with LEP individuals while surveying individuals utilizing public transit and through other survey methods. GHMPO is encouraging more LEP participation through public input meetings held in LEP concentrated Tracts. Several public meetings were held before the adoption of the 2045 Metropolitan Transportation Plan. Public meetings in Catawba County saw increased minority and LEP input.

Factor #3: *The nature and importance of the program, activity, or service provided by the recipient to people's lives.*

Public transit services are often utilized by LEP persons. GHMPO assists with marketing and informational materials for all routes and conducts passenger surveys. GHMPO and Western Piedmont Regional Transit Authority (WPRTA) plan to make materials more accessible to LEP persons through direct mailings and the provision of marketing and informational meetings on transit vehicles.

Surveys serve as a useful public input tool for the GHMPO. The GHMPO frequently uses Survey Monkey to gather input, gauge the public's general interest in potential projects and determine public sentiment regarding transportation issues. GHMPO receives significant LEP input from community surveys. The GHMPO already translates community-wide surveys. We are working to utilize more translation resources. WPRTA recently hired a bilingual Mobility specialist. In addition, we are working with Western Piedmont Council of Government's Housing Authority Specialist, Kala Guido, as a translator for more targeted outreach to teach communities about available transit services.

GHMPO seeks to improve communication with LEP communities. Determining optimal meeting locations, times and meeting notification methods are all crucial factors considered by the GHMPO when planning a meeting or an event. The GHMPO has found that attendance at meetings by LEP community members can be substantially improved by ensuring that leaders of these groups are not only clearly informed about events, but are also involved in identifying the most effective community outreach methods.

Factor #4: *The resources available to the recipient and costs.*

As mentioned in Factor #3, GHMPO staff have received requests for the translation of public transit materials. GHMPO plans to work with Western Piedmont Regional Transit Authority (WPRTA) to translate marketing and informational brochures. WPRTA recently hired a bilingual Mobility Specialist who plans to assist with Spanish translations and overall communication.

The GHMPO uses the Western Piedmont Council of Governments (WPCOG) website as a communication tool for important updates and public meeting announcements. Public involvement and awareness is further improved by cross posting these items on WPCOG's Facebook and Twitter pages. The effectiveness of GHMPOs social media outreach is monitored by using analytics software to determine how many people have been reached. On average, each post typically reaches anywhere from 300 to 1,000 people.

To reach as many segments of the public as possible, GHMPO also distributes informational flyers about upcoming public meetings and workshops. These flyers explain the importance of public participation in developing inclusive and relevant plans.

Do you want to help decide the future of bicycling in the Western Piedmont? Then...

WE NEED YOU AT OUR PUBLIC WORKSHOPS!



Learn to help shape bicycling in the region and provide comments on Community-Based Needs and Improvement Initiatives, Safety and Education, and Infrastructure Improvements.

WORKSHOP DATES AND LOCATIONS

All times are local. Time and date to be confirmed.

Swain County Tuesday, April 3, 2018 1000 Swain County Courthouse Waynesville, NC 28786	Caldwell County Tuesday, April 10, 2018 Caldwell County Courthouse 100 Raleigh Avenue Lenoir, NC 28755
Watauga County Tuesday, April 10, 2018 Watauga Public Center 210 E. Main Street Waynesville, NC 28786	Catawba County Tuesday, April 10, 2018 Western Piedmont Center 1000 Park Ave. Asheville, NC 28801

For more information visit the following website:
<https://epi.hickory.nc.gov/news>

and "Like" us on Facebook:
<https://www.facebook.com/epi.western-piedmont>



¿Quieres ayudar a decidir el futuro del ciclismo en la región Western Piedmont? ¡Necesitamos en nuestra TALLER PÚBLICA!



Accompáñanos para plantearnos de ciclismo y darnos consejos de Mejoras en la Infraestructura, Seguridad y Educación.

FECHAS Y DIRECCIONES

Todos los horarios son locales. Tiempo y fecha por confirmar.

Alexander County Tuesday, April 3, 2018 1000 Alexander County Courthouse Waynesville, NC 28786	Caldwell County Tuesday, April 10, 2018 Caldwell County Courthouse 100 Raleigh Avenue Lenoir, NC 28755
Watauga County Tuesday, April 10, 2018 Watauga Public Center 210 E. Main Street Waynesville, NC 28786	Catawba County Tuesday, April 10, 2018 Western Piedmont Center 1000 Park Ave. Asheville, NC 28801

For more information visit:
<https://epi.hickory.nc.gov/news>

and "Like" us on Facebook:
<https://www.facebook.com/epi.western-piedmont>



PARA PUBLICACION INMEDIATA

EL CONSEJO DE GOBIERNOS DE WESTERN PIEDMONT Y LA AUTORIDAD DE TRANSITO REGIONAL DE WESTERN PIEDMONT (GREENWAY PUBLIC TRANSPORTATION) LLEVARA A CABO UNA REUNION PUBLICA PARA OBTENER LA OPINION DEL PUBLICO SOBRE UN PLAN LOCAL DE TRANSPORTE PUBLICO PARA LOS CONDADOS DE ALEXANDER, BURKE, CALDWELL Y CATAWBA.

Se invita al público a participar en un taller público para ayudar a mejorar la coordinación de los servicios de transporte y aumentar la eficiencia de los recursos públicos en el servicio del transporte de transporte en los cuatro condados de Alexander, Burke, Caldwell y Catawba.

Este proyecto tiene dos objetivos: el primero es para responder a la legislación federal que requiere el desarrollo de un plan de transporte local coordinado público de servicios de transporte público con el fin de recibir fondos federales aplicables para hacer posible la entrega de servicios para las personas con discapacidad. Los objetivos y el personal de Greenway Public Transportation, Western Piedmont Authority Regional del transporte (WPTA) que opera como Greenway transporte público está interesado en identificar las posibles estrategias para mejorar la prestación del servicio en el área de servicio de los cuatro condados.

El taller está programado para el 27 de enero en las oficinas gubernamentales del consejo Western Piedmont localizadas en 1202 2nd Ave SW, Hickory, Carolina del Norte.

El taller se llevará a cabo de 2:00 pm a 6:00 pm.

El personal de la Autoridad de Transporte Regional de Western Piedmont (WPTA) y el Consejo Western Piedmont (GHMPO) estará presente para proporcionar información y responder a preguntas sobre temas de transporte público.

Para obtener más información, comuníquese con John Marshall en el consejo de gobiernos de Western Piedmont al 828-481-4232.

GHMPO release agendas for monthly public MPO meetings and public meeting notices to the following outlets and agencies:

- Area Newspapers
 - Hickory Daily Record
 - Observer News Enterprise
 - Lenoir News Topic
 - Taylorsville Times
 - The News Herald
 - Charlotte Observer
- Community-Based Organizations
 - Centro Latino of Hickory
 - Hmong Carolinas, Inc.
 - Hmong Southeast Puavpheej
- Area Libraries
 - Alexander County Main Library
 - Alexander County Library – Bethlehem Branch
 - C.B. Hildebrand Public Library
 - Lenoir Library
 - Granite Falls Library
 - Hudson Library

- Maiden Branch Library
- Morganton Public Library
- Ridgeview Branch Library
- Southwest Branch Library
- St. Stephens Branch Library
- Valdese Public Library

LANGUAGE ASSISTANCE PLAN

As a result of the above four factor analysis, a Language Assistance Plan (Plan) was required. This Plan represents our commitment to ensuring nondiscrimination and meaningful access by persons who are Limited English Proficient (LEP). This Plan also details the mechanisms we will use to reach LEP persons and the language assistance services we provide. We will provide services to any person, upon request. If an individual is LEP, we will work with the individual to ensure they receive the needed transportation service. Our employees will be routinely oriented on the principles and practices of Title VI and LEP to ensure fairness in the administration of this Plan.

Language Assistance Measures

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into **any languages that meet the safe harbor threshold in Factor 1**.
- Vital documents—such as brochures with service times and routes—are translated into Spanish and Hmong across the entire service area, and available in our facilities.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.
- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- Where possible, utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
 - Note: We will not ask community-based organizations (CBO) to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethical concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we will not object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

Specific Measures by Language Group

- Spanish: Contact church leaders directly/reach out to community leaders via Centro Latino, translate more surveys and materials, utilize bilingual coworkers in partnering organizations when conducting targeted outreach in LEP communities, host meetings in places accessible to LEP communities
- Hmong: Reach out to community leaders via Hmong Southeast Puavpheej, translate more surveys and materials, host meetings in places accessible to LEP communities

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and 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. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with LEP community contacts.

Staff Support for Language Assistance

- Our staff (including receptionists) will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Coordinator and consultants contracted to provide LEP services. This list will be updated as needed to remain current.
- All main offices will have available language assistance flashcards and materials translated into the languages that meet the safe harbor threshold. When encountering an LEP person, staff should present the individual with an iSpeak flashcard and let them choose the language. Do not assume their preferred language. Assistance may be sought from bilingual staff fluent in the identified language before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements and basic Title VI trainings.

Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

Monitoring and Updating the Language Assistance Plan

Monitoring of daily interactions with LEP persons will be continuous, thus language assistance techniques may be refined at any time. This Plan will be periodically reviewed—at least annually—to determine if our assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

DISSEMINATION OF TITLE VI INFORMATION

In accordance with 23 CFR 200.9(b)(12) and 49 CFR 21.9(d), the Greater Hickory MPO will utilize community outreach and public education to disseminate Title VI information to our employees, contractors, sub-recipients and the general public. Reasonable steps will be taken to make the public aware of their rights and our obligations under Title VI through, including, but not limited to:

- Visibly posting our Title VI Policy Statement in public areas at our facilities, on our website, at our meetings, and prominently in any documents and reports we distribute;
- Placing notices in newspapers and publications with a large circulation among minority groups in the general vicinity of projects and activities. Ads in newspapers and other publications shall include the following:

“The Greater Hickory MPO operates without regard to **race, color, national origin, limited English proficiency, sex, age or disability**. For more information on our Title VI program, or how to file a discrimination complaint, please contact Brian Horton at 828-322-9191; brian.horton@wpcog.org.”
- Translating information into languages other than English that meet the LEP safe harbor threshold;
- Incorporating Title VI language into our contracts and agreements (See Appendix C for Title VI Contract Language); and
- Ensuring any contractors and sub-recipients we have also disseminate Title VI information.

PUBLIC INVOLVEMENT

Please refer to our Public Involvement Plan (PIP) for additional outreach methods we employ to comply with Title VI. Our PIP can be found here: <http://www.wpcog.org/transportation-documents> or on pages 17- 27 of this update.

Effective public involvement is a key element in addressing Title VI in decision-making. This **Public Participation Plan** describes how the Greater Hickory MPO (GHMPO) will disseminate vital agency information and engage the public. We will seek out and consider the input and needs of interested parties and groups traditionally underserved by transportation systems who may face challenges accessing our services, such as minority and limited English proficient (LEP) persons. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

General public involvement practices will include:

- Expanding traditional outreach methods. Think outside the box: Go to hair salons, barbershops, street fairs, etc.
- Providing for early, frequent and continuous engagement by the public.
- Use of social media and other resources as a way to gain public involvement.
- Coordinating with community- and faith-based organizations such as the Hispanic Liaison, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- 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.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.

Public Notification

We will inform people of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice. Additional measures may include verbally announcing our obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

Dissemination of Information

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and sub-recipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching designs and locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including nondiscrimination notices in meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Project-related information and our most current Title VI-related information will be maintained online.

Meetings and Outreach

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives will be avoided in meeting announcements. Specific "attention-grabbing" reasons to attend will be used, such as "Help us figure out how to relieve congestion on [corridor name]" or "How much should it cost to ride the bus? Let us know on [date]."
- Efforts will be made to show how the input of participants can, or did, influence final decisions.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

**Greater Hickory
Metropolitan Planning Organization**

Public Involvement Policy

March, 2014

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1. Introduction

Overview

The Greater Hickory Metropolitan Planning Organization's (GHMPO's) Public Involvement Policy is an umbrella policy, encompassing the plans and programs of the Urban Area's transportation planning process. Public involvement is an integral part of the GHMPO's planning efforts. The Public Involvement Policy is comprised of the public involvement programs for all the major planning activities, including the Long Range Transportation Plan, the Priority Needs List (PNL), the Metropolitan Transportation Improvement Program (MTIP), the Air Quality Conformity Determination, the Planning Work Program (PWP), the MPO's provisions for the American with Disabilities Act (ADA), the Title VI Implementation Plan, and the Limited English Proficiency Plan (LEP).

The GHMPO will seek public input through a menu of techniques, including public notices, comment periods, workshops, charrettes, public hearings, newsletters, surveys, media relations, and the use of committees and work groups with citizen representatives as appointed. The techniques employed will vary, depending on the specific planning task. The MPO will hold a forty five (45) day public comment period for amendments to the Public Involvement Policy and will seek input and feedback on the MPO's public involvement efforts. The GHMPO's Public Involvement Policy will be consistent with the requirements of the following:

- MAP-21 (effective October 1, 2012)
- SAFETEA-LU;
- National Environmental Policy Act (NEPA);
- Interim FTA/FHWA Guidance on Public Participation;
- Title VI of the Civil Rights Act of 1964.

Purpose

The purpose of the GHMPO and Public Involvement Policy is to create an open decision making process whereby citizens have the opportunity to be involved in all stages of the transportation planning process. This Policy is designed to ensure that transportation decisions will reflect public priorities.

Objectives

1. Bring a broad cross-section of the public into the public policy and transportation planning decision-making process.
2. Maintain public involvement from the early stages of the planning process through detailed project development.
3. Use different combinations of public involvement techniques to meet the diverse needs of the general public.
4. Determine the public's knowledge of the metropolitan transportation system and the public's values and attitudes concerning transportation.
5. Educate citizens and elected officials in order to increase general understanding of transportation issues.
6. Make technical and other information available to the public.
7. Establish a channel for an effective feedback process.

8. Evaluate the public involvement process and procedures to assess their success at meeting requirements specified in SAFETEA-LU and MAP-21, NEPA and the Interim FTA/FHWA Guidance on Public Participation, and Title VI of the Civil Rights Act of 1964.

Policy Elements

The Public Involvement Policy is comprised of a number of sub-policies. All planning programs and activities are required to go through the Metropolitan Transportation Advisory Committee's public process. In addition, the MPO will initiate public involvement programs for the Long Range Transportation Plan, the Priority Needs List (PNL), the Metropolitan Transportation Improvement Program (MTIP), the Air Quality Conformity Determination (if needed), the Planning Work Program (PWP) and the provisions for American with Disabilities Act (ADA), the Title VI Implementation Plan, and the Limited English Proficiency Plan (LEP). The final component of the Public Involvement Policy is the policy review element designed to ensure that the programs are meeting their goals.

Regular Public Involvement Opportunities

The MTAC's regularly scheduled meetings are advertised on the WPCOG's Transportation Website. These meetings are open to members of the public and upon request anyone can be placed on the MTAC mailing list. The MPO will collect information (home address, nation of origin, age) of new attendees and contact persons to monitor participation rates of traditionally underserved groups.

Public Involvement for Specific Planning Items

For particular planning issues (i.e. plan development & updates, studies, amendments to planning documents, etc.), the MTAC will open a public comment period (3-6 weeks depending on the item) and hold a public hearing. The notice for the public comment period and the public hearing are advertised using the following resources:

- Charlotte Observer – Catawba Valley Edition
- WPCOG Transportation Website: <http://trans.wpcog.org/>

The notices will include an announcement that states that persons with disabilities will be accommodated and translations can be provided. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, or other provisions as requested). Both written and oral comments received are compiled by the planning staff and reviewed by the MTAC.

In addition, press releases will be provided to the following print media:

- Hickory Daily Record
- Newton Observer News Enterprise
- Morganton News Herald
- Lenoir News Topic
- Taylorsville Times

The press releases will also be distributed to radio and television stations in Alexander, Burke, Caldwell and Catawba Counties.

The WPCOG advertises transportation items on Facebook, Twitter, and LinkedIn and at times requests county and municipal Public Information Officers to share the posts on their social media accounts and publicize on local-access TV channels.

The MPO may publicize events and press releases to Citizen Advisory Committees. It also places flyers in area libraries-particularly in low-income neighborhoods.

The MPO will document every method of outreach. The MPO will analyze past successes to replicate and refine those methods of outreach.

Response to Public Comment

The MTAC typically acknowledges public comments in one of the following two ways: The MTAC may incorporate a summary of public comments and the MPO's response, as an appendix, into the specific planning document. Or depending on the number of comments, the MTAC may instruct the planning staff to respond directly by letter. Acknowledging public comments is a way to let the public know that its comments are being addressed and is part of the public involvement feedback process.

Types of Modifications

Amendment – a revision to the Long-Range Transportation Plan (LRTP) or Metropolitan Transportation Improvement Program (MTIP) that is significant enough to require public review and comment, demonstration of fiscal constraint, and/or an air quality conformity determination. Examples include the addition or deletion of a regionally significant project or a substantial change in the cost, design concept, or design scope of a project included in the plan or program.

Administrative modification – a revision to the LRTP or MTIP that is not significant enough to be classified as an amendment (see above). Examples include minor changes in the cost or initiation date of included projects.

2. Transportation Plan

Minimum Transportation Plan Public Involvement Procedure

The MPO will provide opportunity for meaningful public involvement in the development and update of a Long Range Transportation Plan. The public comment period will be for a minimum 30-day period, effective from the date of the public notice publication. Written comments will be received during the comment period and will be directed to the MPO. The MPO contact person, phone number and e-mail address will be included in the public notice. The MPO will assemble all comments and forward comments to the MTAC and/or RTAC. The MTAC shall hold at least one public hearing for the Transportation Plan.

The availability of the Plan will be publicized using the resources listed in Section 1 Public Involvement for Specific Planning Items.

Optional Public Involvement Techniques (Long Range Transportation Plan)

As a method for increasing public involvement and participation in the process, the public involvement for the LRTP may also include any or all of the following techniques:

1. Information dissemination, notification of meeting, publication of proposed plans will be integral elements of the public involvement process.
2. The Metropolitan Technical Coordinating Committee (MTCC) will initiate a major LRTP update process as required by federal regulations (as a minimum, once every five years for air quality attainment areas). Elements of the Plan, and/or amendments will meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Environmental Protection Agency (EPA), and the North Carolina Department of Transportation (NCDOT) requirements.

A work program and schedule for the LRTP update process will be developed by the MTCC and provided to the MTAC for approval. It will be made available to the public for their information. The work program will detail the strategy for the Plan update process including work elements and a tentative schedule. The MTCC and MTAC may elect to receive public comment and involvement on the work program.

3. Proactive participation techniques may be employed to involve citizens and provide fuller access to information and technical data on the Transportation Plan. The technique may include, but not be limited to; public meetings/hearings, surveys, focus groups, newsletters, public service announcements, charrette, citizens advisory committee, transit advisory board (TAB), mass media, etc. The MPO will identify representatives to advise the MPO of the best mediums to reach traditionally underserved populations.
4. Public meeting's may be held to: formulate a vision for the Transportation Plan development; provide the public background information on the metropolitan transportation system and other issues as well as the proposed framework of the Transportation Plan update process; and to receive citizen input.
5. Public meetings (forums) designed to solicit public comment may be held at various locations around the metropolitan area, preferably in areas with low-income or minority concentrations as identified in the Environmental Justice Chapter of the LRTP. Public meetings will be held at a location which is accessible to persons with disabilities and preferably located on a transit route. The MPO will document attendees' demographic information for purposes of increasing future participation rates of traditionally underserved peoples.
6. Copies of the draft Transportation Plan will be distributed to the member jurisdictions, citizen groups and agencies, and will also be placed in the local libraries and community centers in low-income and limited-english-proficient neighborhoods. Notification of the draft Transportation Plan may be provided via resources listed in Section 1 Public Involvement for Specific Planning Items.

The notification will inform the public of the availability of the draft Long Range Transportation Plan for review and comment where to send written comments, and addresses and phone numbers of contact persons. The notices also will include an announcement that states that persons with disabilities and persons needing translations will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, or other provisions as requested).

7. The public comment period will be for a minimum 30-day period, effective from the date of the public notice publication. Written comments will be received during the comment

period and will be directed to the MPO. The MPO's contact person, phone number and e-mail address will be included in the public notice.

8. Any significant revisions to the Long Range Transportation Plan will also be subject to public comment process as described in this policy.
9. Involvement of the public at key decision points may be desirable. Decision points are those stages where the TAC may consider endorsement of the work in progress or take action on particular work elements. These may include some of the following:
 - Formulation of vision, goals and objectives
 - Review of multi-modal goals and elements
 - Review and approval of socio-economic and demographic projections
 - Review and determination of transportation deficiencies
 - Evaluation of alternatives and selection of preferred option

3. Priority Needs List (PNL)

Introduction

A citizen or local government can submit new transportation projects for consideration through the MPO's Priority Needs List which is the best means of local input for state transportation funding. The MPO issues a "call for projects" approximately every two years-at which point local governments and citizens may lobby for transportation projects to be submitted to the STIP, through the MPO.

Public Involvement Process

The MPO advertises the "call for projects" by communicating directly with local government officials, posting on the MPO's website, emailing certain (especially the limited-english-proficiency) interest groups, issuing a press release to area newspapers. The MPO allows a 30-day comment period for project solicitation.

4. Metropolitan Transportation Improvement Program

Introduction

The MTIP and STIP are on a two-year cycle. In the first year, the Greater Hickory Metropolitan Planning Organization (GHMPO) will prepare a Transportation Projects Priority Needs List (PNL) which lays out the projects desired to be included in the last years of the program. Further, should the MPO desire to consider a change in the schedule or scope of a project, this should be clearly communicated at this time. As the MTIP and STIP are fiscally constrained documents, any moving forward of, or increases in current projects must identify a corresponding desired delay in projects also within the area.

The Transportation Projects Priority Needs List shall be provided to the State for consideration in inclusion in the draft STIP. The GHMPO shall coordinate with the State as to project changes and additions desired by the MPO. Upon development of the draft STIP, the State shall provide a

sub-set of the STIP which covers the GHMPO area to the MPO. It is anticipated that the resulting document be appropriate to be released as the draft MTIP for public input.

Should there be substantial problems with the draft STIP in the eyes of GHMPO, the MPO shall immediately open discussions with the State on the discrepancies. The TCC shall recommend to the TAC what should be used for the MTIP, and the public involvement process.

Public Involvement Process

1. The GHMPO TCC will develop a draft Transportation Priority Needs List from the Local Project Priorities of the MPO jurisdictions. Each MPO municipality and county should provide to the MPO their priorities for consideration. These may be developed as each governing agency sees fit (from example, they may come from staff, the elected boards, or the elected boards with public involvement). Local priorities should be developed and coordinated with local public involvement policies.
2. The Transportation Advisory Committee (TAC) will hold a public meeting on the draft Priority Needs List. The public meeting will be held at a location which is accessible to persons with disabilities. The TAC will approve a final Transportation Priority List after considering the public comments received. The Priority Needs List shall be submitted to the NCDOT at or before the NCDOT public hearings for input into the STIP. The TAC may elect to open a dialogue with the State on the priorities.
3. The State shall produce a draft STIP and provide a subset of that document to GHMPO. The MPO will map the subset, overlaying proposed transportation projects over demographic data to see how different socioeconomic and cultural groups are affected. TCC will review the document and recommend to the TAC if it is appropriate to be used as the draft MTIP. Should the TCC and TAC approve the document, it will become the draft MTIP.
4. The Transportation Advisory Committee will publish the draft MTIP for public review and comment. Copies of a draft MTIP will be distributed to TCC and TAC members. Each jurisdiction will also have copies available for public review. The draft MTIP will follow the same notification procedures as outlined above for the Regional Priority List, excepting that the minimum public comment period shall be 30 days, and that the TAC shall hold at least one public hearing for the MTIP.
5. The public comments will be assembled and presented to the GHMPO, TCC and TAC. The TAC will hold a public hearing on the draft MTIP. The public hearing will be held at a location which is accessible to persons with disabilities. Public comments will be addressed and considered in the adoption of the MTIP.
6. Amendments to MTIP will be available for public review and comment, if they make a substantial change to the MTIP. A substantial change is classified as the addition or deletion of a project with an implementation cost exceeding \$1 million. Public comment on project additions or deletions of less than \$1 million may be sought at the discretion of the TAC by majority vote. As long as a project's description, scope or expected environmental impact have not materially changed, the TAC may approve changes to project funding without a separate public meeting.

7. Administrative modifications made to the MTIP will not require a formal public involvement process outside the regular meeting structure of the MPO. Members of the TAC will represent residents in making decisions, and materials will be distributed to inform stakeholders and implementing agencies of changes. Residents may also attend and speak at each TAC meeting upon recognition by the TAC Chair, who may impose a reasonable time limit for speakers.
8. Written public comments and their responses will be published as an appendix to the final MTIP.

5. Air Quality Conformity Determination

Introduction

The North Carolina Department of Transportation (NCDOT) assists the MPO in making a conformity determination by performing a systems level conformity analysis on the highway portion of the Financial Element of the MPO's Transportation Plan. The Metropolitan Transportation Improvement Program is a subset of the Transportation Plan and is therefore covered by the conformity analysis.

Public Involvement Procedure for the Air Quality Determination

1. The GHMPO in conjunction and cooperation with the North Carolina Department of Transportation will prepare an air quality conformity analysis for the GHMPO.
2. The GHMPO Technical Coordinating Committee will receive the draft Conformity Report from NCDOT, review it, and forward it to the Transportation Advisory Committee (TAC). The Transportation Advisory Committee will then publish the draft Conformity Report for public review and comment.
3. Copies of a draft Conformity Report will be distributed to TAC members. Each jurisdiction will also have copies available for public review. Notices regarding the draft Air Quality Conformity Report will be publicized using the resources listed in Section 1 Public Involvement for Specific Planning Items.

The notice will inform the public that a draft Conformity Report has been published by the GHMPO and that copies are available for review at the Western Piedmont Council of Governments' offices and available in a PDF format for downloading from the WPCOG Transportation Website. The notices will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, or other provisions as requested).

4. The public review period will be for a minimum three week (21-day) period, effective from the date of public notice publication. Written comment will be received during the public review period, and will be directed to the GHMPO. The GHMPO contact person, phone number and e-mail will be included in the public notice.
5. The public comments will be assembled and presented to the GHMPO TAC. The TAC will hold a public hearing on the draft Air Quality Conformity Report. The public hearing will be

held at a location which is accessible to persons with disabilities, preferably on a transit route. Public comments will be addressed and considered in the Air Quality Conformity Determination.

6. The GHMPO will provide additional opportunity for public comment on any revisions to the draft Conformity Report (if the final Conformity Report is significantly different than the one which was made available for public comment by the MPO, and raises new material issues, which interested parties could not reasonably have foreseen for the public review notifications).
7. The Air Quality Determination is valid for three years, unless changes are made to the Transportation Plan (or MTIP) that would have an impact on the air quality analysis. If such changes are made a new analysis needs to be conducted, including the public involvement procedure outlined above.

6. Planning Work Program

Introduction

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires that each Metropolitan Planning Organization (MPO) prepare an annual work program known as the Planning Work Program (PWP). The PWP must identify the MPO planning tasks to be undertaken with the use of federal transportation funds, including highway and transit.

Purpose

The purpose of public involvement in the PWP process is to keep the public apprised of and to receive input on the planning activities to be undertaken by the Metropolitan Planning Organization.

Public Involvement Process

1. FTA Section 5303 and FHWA Planning Funds for the appropriate federal fiscal year are submitted to the Transportation Advisory Committee (TAC) for approval. The TAC meetings are open to the public and comments on the Distribution Formula may be received at this time.
2. The local jurisdictions will assist in preparing a list of tasks and funding for the federal fiscal year. These lists are submitted to the MPO for compilation into a draft Planning Work Program
3. The draft Planning Work Program is reviewed by the Technical Coordinating Committee (TCC). The TCC meetings are open to the public. The TCC then endorses a draft PWP and forwards the document to the TAC.
4. The draft PWP is then reviewed by the TAC. Public comments may be provided at this time. The draft is sent to the Public Transportation Division for comments.
5. The final PWP comes back again to the TAC for approval. Upon TAC approval, the PWP is then forwarded on to the State and FHWA/FTA.

7. Americans with Disabilities Act (ADA) Provisions

All notices for planning activities of the Metropolitan Planning Organization will include an announcement that states that persons with disabilities will be accommodated. Special provisions will be made if notified 48 hours in advance (i.e. having available large print documents, audio material, someone proficient in sign language, a translator or other provisions requested).

Notices for the public comment period and the public hearing will be advertised using the resources listed in Section 1 Public Involvement for Specific Planning Items. Public meetings will be held in locations accessible to persons with disabilities and will be located near or on a transit route if possible.

8. Title VI Implementation Plan

Introduction

The Title VI Implementation Plan is developed to guide the GHMPO in its administration and management of Title VI-related activities conducted by the MPO. Title VI of the Civil Rights Act of 1964 provides 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” (42 U.S.C. Section 2000d).

Minimum Public Involvement Procedure

An NCDOT Title VI Specialist will review the draft Title VI Plan. The MPO TCC and TAC will review and adopt the plan before the NCDOT and the FHWA approve it.

Additional Public Involvement

Before the Title VI Implementation Plan is sent to the TAC and TCC for review the MPO will open a 30-day comment period on its website and on social media sites, to the Transit Advisory Board, and to members of any applicable Citizen Advisory Committees. At this time the MPO will distribute a “Title VI Notice to the Public”/“Know Your Rights” Flyer through the same outlets.

9. Limited English Proficiency (LEP) Plan

Introduction

The LEP Plan details how the MPO will accommodate and include people who speak English “less than very well”; as a recipient of federal funding the MPO is required to provide meaningful access to LEP individuals.

Public Involvement Process

In the MPO’s planning area the Hmong and Spanish-speaking populations reach thresholds that sometimes warrant translation and other accommodations. MPO representatives will contact Hispanic and Hmong interest group leaders to solicit their help in writing the LEP Plan. MPO staff will then distribute a draft plan for review to those same leaders. The MPO will open a 30-day comment period on its website and on social media sites, to the Transit Advisory Board, and to members of any applicable Citizen Advisory Committees.

EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by the Greater Hickory MPO (GHMPO) to process complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to the GHMPO programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

FILING OF COMPLAINTS

1. **Applicability** – These procedures apply to the beneficiaries of our programs, activities, and services, such as the members of the public and any consultants/contractors we hire.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, national origin, sex, age, or disability, may file a written complaint. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative, and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Complaints may be submitted to the following entities:

- **The Greater Hickory MPO**, Transportation Planning, P.O. Box 9026, Hickory, NC 28603; 828- 322-5991
 - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522- 0453
 - **Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
 - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.

5. Complaint Basis – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200. <i>(Executive Order 13166)</i>
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin (<i>LEP</i>)	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	1973 Federal-Aid Highway Act; Title IX of the Education Amendments of 1972.
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990

Complaint Processing

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, we will notify the complainant and respondent of whether the complaint has sufficient merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of our jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

Complaint Log

1. When a complaint is received, the complaint will be entered into the Discrimination Complaints Log with other pertinent information, and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT’s Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also request the complaints log during pre-grant approval processes).
3. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

Please refer to **Appendix F** for a copy of our Discrimination Complaint Form, Complaints Log, and Sample Investigation Template.

REVIEW OF ORGANIZATIONAL DIRECTIVES

It is the responsibility of every official who develops policies, procedures, manuals, guidelines, and other directives to ensure they have been reviewed for Title VI compliance. All staff members will assist in carrying out this requirement by making sure drafts of these documents are submitted to the Title VI Coordinator to ensure Title VI requirements are included.

TITLE VI TRAINING

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 15 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on how Title VI applies to their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings, such as agendas, sign-in sheets, copies of calendars, and certificates, will remain on file for at least three years (and in personnel files).

COMPLIANCE AND ENFORCEMENT PROCEDURES

FHWA recipients must have mechanisms in place to enforce compliance with Title VI. The Greater Hickory MPO utilizes internal training, meetings, monitoring contractors, technical assistance, and findings from periodic NCDOT reviews to identify deficiencies and potential discrimination. If NCDOT identifies deficiencies, The Greater Hickory MPO will correct all deficiencies within 90 days based on a Corrective Action Plan (CAP). If attempts by NCDOT to resolve a compliance issue are unsuccessful, NCDOT may take any or all of the following steps with FHWA's concurrence:

- a. Canceling, terminating, or suspending the contract or agreement in whole or in part;
- b. Refraining from extending any further assistance to the recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.

- c. Taking such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
- d. Referring the case to the FHWA for appropriate administrative or legal proceedings.
- e. Other means authorized by law.

To ensure compliance with Title VI, The Greater Hickory MPO will take proactive steps to prevent discrimination in our programs and activities, including the following:

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Conduct periodic Title VI training; <input type="checkbox"/> Address Title VI issues at staff meetings; <input type="checkbox"/> Participate or cooperate during compliance reviews conducted by NCDOT; <input type="checkbox"/> Inform and monitor any consultants/contractors regarding their Title VI obligations, including review of contracts for nondiscrimination language; <input type="checkbox"/> Customize public outreach according to the situation or community at hand; | <ul style="list-style-type: none"> <input type="checkbox"/> Build a system of mutual trust and two-way communication with the public; <input type="checkbox"/> Maintain pertinent demographic data (statistical); <input type="checkbox"/> Ensure policies and procedures support and comply with Title VI; <input type="checkbox"/> Document processes & activities related to Title VI. |
|--|---|

If the Greater Hickory MPO identifies compliance issues with our consultants/contractors, we will also take corrective action. If attempts at corrective action are unsuccessful, any or all of the following steps may be taken with NCDOT's concurrence:

- a. Canceling, terminating, or suspending the contract or agreement with the consultant/contractor in whole or in part.
- b. Taking such other action that may be deemed appropriate under the circumstances.
- c. Referring the case to the NCDOT for appropriate administrative or legal proceedings.

Appendix A.

United States Department of Transportation STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES DOT Order No. 1050.2A

The *Greater Hickory Metropolitan Planning Organization* (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Federal-Aid Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Greater Hickory Metropolitan Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a

- covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will 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-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the *Greater Hickory Metropolitan Planning Organization* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The *Greater Hickory Metropolitan Planning Organization* gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal-Aid Highway Program**. This ASSURANCE is binding on the *State of North Carolina*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal-Aid Highway Program**. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Greater Hickory Metropolitan Planning Organization
(GHMPO)

By _____
Bruce Eckard, Chair
Greater Hickory MPO TAC

DATED _____

Attachments:
Appendices A-1, B-1, C-1, D-1, E-1

Appendix A-1.

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, 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, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. canceling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B-1.

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the *Greater Hickory Metropolitan Planning Organization (GHMPO)* will accept title to the lands and maintain the project constructed thereon in accordance with the *North Carolina General Assembly*, the Regulations for the Administration of the Federal-Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *GHMPO* all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the *Greater Hickory Metropolitan Planning Organization (GHMPO)* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the *GHMPO*, its successors and assigns.

The *GHMPO*, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the *GHMPO* will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix C-1.

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *Greater Hickory Metropolitan Planning Organization (GHMPO)* pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the *GHMPO* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the *GHMPO* will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the *GHMPO* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix D-1.

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER
THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the *Greater Hickory Metropolitan Planning Organization (GHMPO)* pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non discrimination covenants, the *GHMPO* will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

- C. With respect to deeds, in the event of breach of any of the above Nondiscrimination covenants, the *NCDOT* will there upon revert to and vest in and become the absolute property of the *GHMPO* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E-1.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix B
TAC Members and Responsibilities

The responsibilities of the Transportation Advisory Committee (TAC) shall include:

1. Establishment of goals and objectives for the transportation planning process;
2. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for various agencies participating in the transportation planning process;
3. Review and approval of changes to the Urbanized Area Boundary and the Metropolitan Area Boundary, as well as review and recommendations for changes to the National Highway System;
4. Review and approval of the Greater Hickory Metropolitan Planning Organization (GHMPO) Planning Work Program (PWP);
5. Review and approval of changes to the adopted GHMPO Long-Range Comprehensive Transportation Plan (as required by General Statutes Section 136-66.2 (d), revisions to the area's Comprehensive Transportation Plan must be jointly approved by the GHMPO and the North Carolina Department of Transportation); and
6. Review and approval of the GHMPO Metropolitan Transportation Improvement Program (MTIP) for multimodal capital and operating expenditures to ensure coordination between local and State capital and operating improvement programs.

TAC Member	Area Represented	Gender	Race	Affiliation
Bruce Eckard	City of Newton	Male	Caucasian	TAC Chair
Barbara Beatty	Catawba County	Female	Caucasian	TAC Vice Chair
Jeff Branch	Caldwell County	Male	Caucasian	TAC Member
Wendy Cato	City of Morganton	Female	Caucasian	TAC Member
John Greer	Town of Hudson	Male	Caucasian	TAC Member
Hank Guess	City of Hickory**	Male	Caucasian	TAC Member
Jerry Hodge	City of Newton	Male	Caucasian	TAC Member
Joe Kirby	Town of Rhodhiss	Male	Caucasian	TAC Member
Les Morrow	City of Claremont	Male	Caucasian	TAC Member
John Pope	State Board of Transportation	Male	Caucasian	TAC Member
Camille Sterling	Greenway Public Transportation	Female	Native Hawaiian/ Pacific Islander	TAC Member
Maynard Taylor	Burke County	Male	Caucasian	TAC Member
Martin Townsend	Town of Granite Falls	Male	Caucasian	TAC Member
Thurman VanHorn	Town of Long View	Male	Caucasian	TAC Member
David Zagaroli	City of Hickory**	Male	Caucasian	TAC Member
Loretta Barren	FHWA	Female	African American	TAC Member

**Per our bylaws, the City of Hickory has two votes, while all others each have one vote.

The purpose and goals of the Technical Coordinating Committee (TCC) shall include:

1. To provide general review, guidance and coordination of the continuing, cooperative, comprehensive transportation planning process for the Hickory Urban Area.
2. To prepare and make recommendations to the Greater Hickory Metropolitan Planning Organization (UMPO) regarding matters related to transportation planning.
3. To facilitate coordination and communication between policy boards and agencies represented on the UMPO and TCC
4. To facilitate coordination of transportation planning with other planning efforts such as those concerning land use, public utilities, and maintenance of air quality.
5. To facilitate public involvement regarding transportation planning issues.

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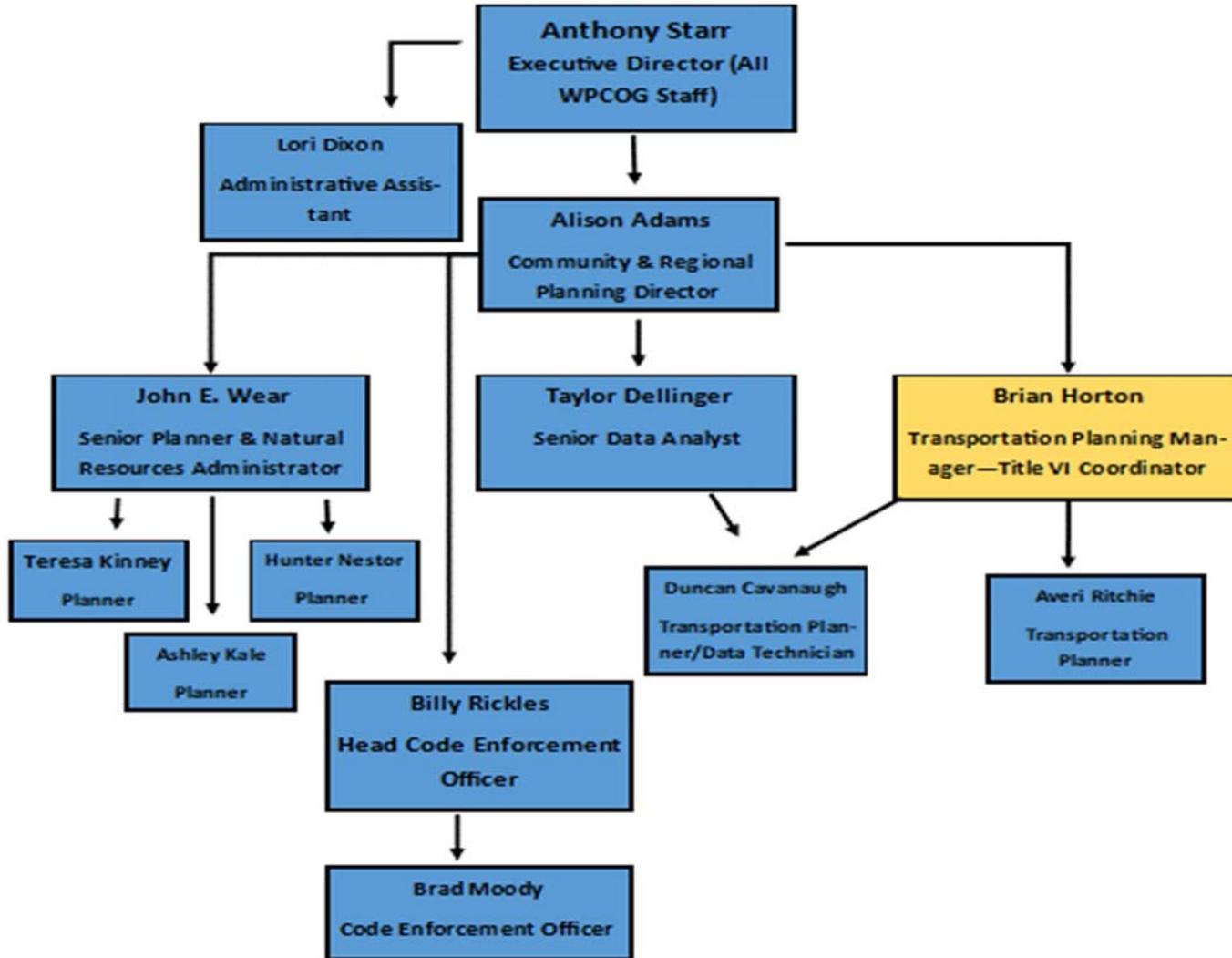
TCC Members and Responsibilities

TCC Member	Area Represented	Gender	Race	Affiliation
John Marshall	City of Hickory**	Male	Caucasian	TCC Chair
Donald Duncan	City of Conover	Male	Caucasian	TCC Vice Chair
Blake Wright	Town of Maiden	Male	Caucasian	TCC Member
Caroline Kone	City of Hickory	Female	Caucasian	TCC Member
Chuck Mullis	Town of Long View	Male	Caucasian	TCC Member
Greg Wilson	Town of Granite Falls	Male	Caucasian	TCC Member
Jerry Church	Town of Granite Falls	Male	Caucasian	TCC Member
Chelsey Brooks	City of Hickory**	Female	Caucasian	TCC Member
Phillip Lookadoo	City of Morganton	Male	Caucasian	TCC Member
Stan Kiser	Caldwell County	Male	Caucasian	TCC Member
Russell Greene	Alexander County	Male	Caucasian	TCC Member
Shelley Stevens	Caldwell County	Female	Caucasian	TCC Member
Steve Miller	City of Hickory	Male	Caucasian	TCC Member
Jenny Wheelock	City of Lenoir	Female	Caucasian	TCC Member
Mick Berry	Catawba County	Male	Caucasian	TCC Member
Logan Shook	Town of Cahaj's Mountain	Male	Caucasian	TCC Member
Bryan Steen	Burke County	Male	Caucasian	TCC Member
Christopher Todd	Town of Sawmills	Male	Caucasian	TCC Member
David Draughn	Town of Long View	Male	Caucasian	TCC Member
George Robinson	Village of Cedar Rock	Male	Caucasian	TCC Member
Jacky Eubanks	Catawba County	Male	Caucasian	TCC Member
Jeff Blalock	Greenway Public Transportation	Male	Caucasian	TCC Member
Kenneth B. Geathers, Jr.	Town of Rutherford College	Male	African American	TCC Member
Randy Williams	City of Newton	Male	Caucasian	TCC Member
Mary Carter	Town of Gamewell	Female	Caucasian	TCC Member
Rebecca Bentley	Town of Hudson	Female	Caucasian	TCC Member
Rick French	Alexander County	Male	Caucasian	TCC Member

Scott Carpenter	Burke County	Male	Caucasian	TCC Member
Seth Eckard	Town of Valdese	Male	Caucasian	TCC Member
Sherri Bradshaw	Town of Drexel	Female	Caucasian	TCC Member
Todd Clark	City of Newton	Male	Caucasian	TCC Member
Tom Drum	Town of Hildebran	Male	Caucasian	TCC Member
Pam Cook	NCDOT TPD	Female	Caucasian	TCC Member
Mark Gibbs	NCDOT Division 13	Male	Caucasian	TCC Member
Mark Stafford	NCDOT Division 12	Male	Caucasian	TCC Member
Michael Pettyjohn	NCDOT Division 11	Male	Caucasian	TCC Member

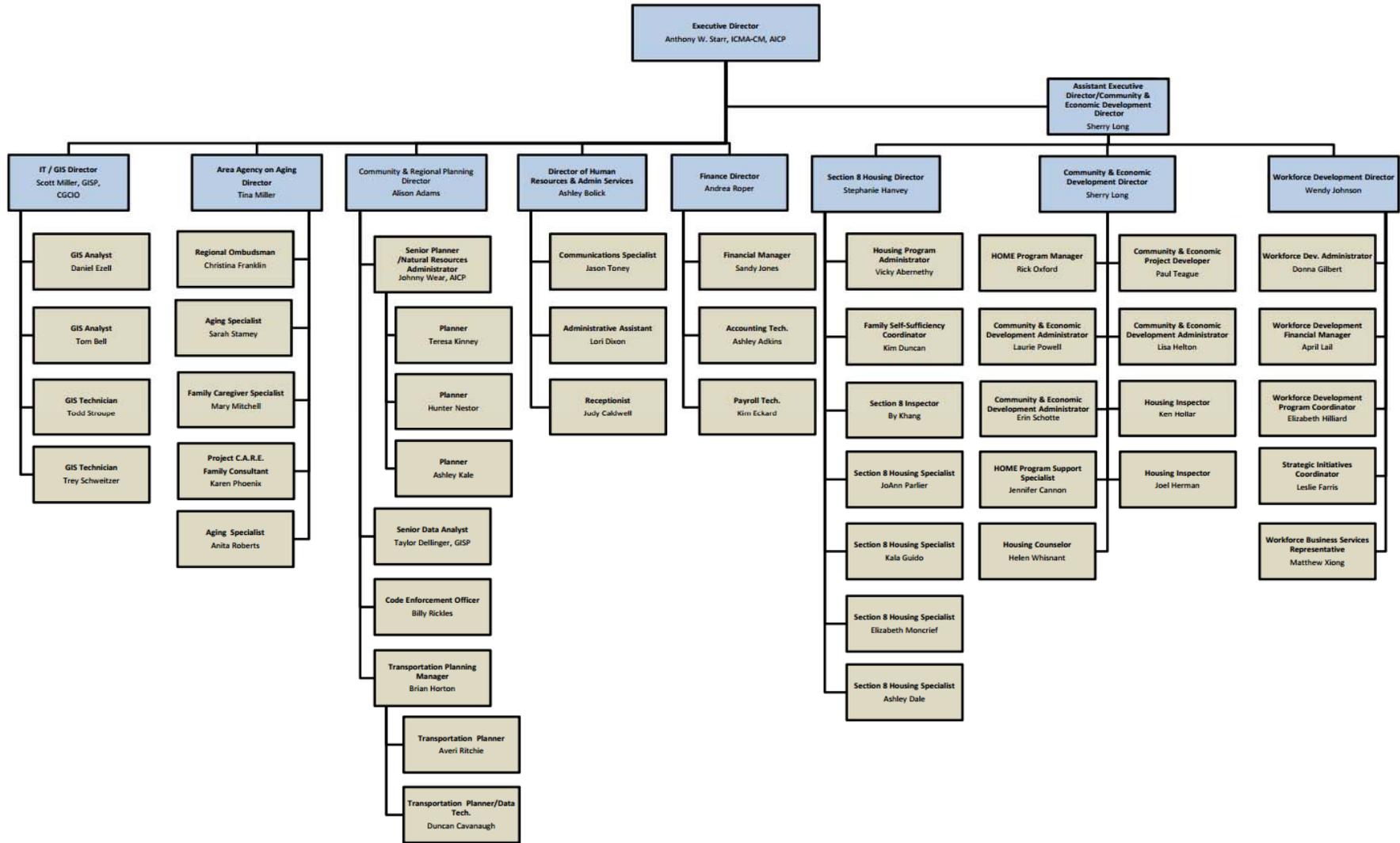
**Per our bylaws, the City of Hickory has two votes, while all others each have one vote.

Appendix C
Organizational Chart



** Yellow Box: Title VI Coordinator

Organizational Chart of Western Piedmont Council of Governments



Appendix D Demographic Tables

Race and Ethnicity

The following table was completed using data from the US Census 2012-2016 American Community Survey 5-Year Estimate:

Race and Ethnicity	Number	Percent
Total Population	363,377	100%
White	305,092	84.8%
Black or African American	24,927	6.9%
American Indian or Alaska Native	1,458	0.4%
Asian	10,259	2.8%
Native Hawaiian and Other Pacific Islander	83	0.0%
Some other Race	15,829	4.4%
Two or More Races	5,729	1.6%
HISPANIC OR LATINO (of any race)	24,786	100.0%
Mexican	13,934	3.8%
Puerto Rican	2,305	0.6%
Cuban	595	0.2%
Other Hispanic or Latino	7,952	2.2%

Age and Sex

The following table was completed using data from the US Census 2017 American Community Survey 1-Year Estimate:

Age	Number			Percent	
	Both sexes	Male	Female	Male	Female
Total Population	366,534	179,239	187,295	100%	100%
Under 5 years	18,398	8,850	9,548	4.9%	5.1%
Under 18 years	77,001	38,864	38,137	21.7%	20.4%
18 years and over	289,533	140,375	149,158	78.3%	79.6%
65 years and over	68,844	30,267	38,577	16.9%	20.6%
Median Age	42.9	41.7	44.5		

Disability

The following table was completed using data from the US Census 2017 American Community Survey 1-Year Disability Estimate:

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	360,633	+/-1,640	60,206	+/-4,142	16.7%	+/-1.2
Population under 5 years	18,398	+/-844	0	+/-207	0.0%	+/-1.0
Population 5 to 17 years	58,320	+/-1,503	2,778	+/-759	4.8%	+/-1.3
Population 18 to 34 years	69,481	+/-2,142	6,274	+/-1,474	9.0%	+/-2.1
Population 35 to 64 years	147,297	+/-2,295	25,515	+/-3,075	17.3%	+/-2.1
Population 65 to 74 years	40,347	+/-754	11,571	+/-1,679	28.7%	+/-4.1
Population 75 years and over	26,790	+/-828	14,068	+/-1,230	52.5%	+/-4.4
SEX						
Male	174,894	+/-2,382	30,489	+/-2,885	17.4%	+/-1.7
Female	185,739	+/-2,131	29,717	+/-3,037	16.0%	+/-1.6
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	303,080	+/-2,246	54,061	+/-4,075	17.8%	+/-1.4
Black or African American alone	20,470	+/-1,699	3,331	+/-833	16.3%	+/-4.0
American Indian and Alaska Native	N	N	N	N	N	N
Asian alone	11,135	+/-802	590	+/-519	5.3%	+/-4.5
Native Hawaiian & Other Pacific Islander	N	N	N	N	N	N
Some other Race alone	17,515	+/-2,270	1,508	+/-642	8.6%	+/-3.7
Two or more races	N	N	N	N	N	N
Hispanic or Latino (of any race)	27,344	+/-138	1,872	+/-669	6.8%	+/-2.5

An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

Poverty

The following table was completed using data from the US Census 2017 American Community Survey 1-Year Poverty Estimate:

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined						
AGE						
Under 18	74,695	+/-1,415	13,966	+/-3,014	18.7%	+/-4.0
18 to 64	216,212	+/-2,175	29,754	+/-3,677	13.8%	+/-1.7
65 years and over	67,137	+/-1,056	7,634	+/-1,375	11.4%	+/-2.0
SEX						
Male	174,161	+/-2,409	22,997	+/-3,389	13.2%	+/-1.9
Female	183,883	+/-2,145	28,357	+/-3,512	15.4%	+/-1.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	300,953	+/-2,389	36,220	+/-4,80	12.0%	+/-1.6
Black or African American	20,238	+/-1,714	5,424	+/-1,487	26.8%	+/-6.8
American Indian and Alaska Native	N	N	N	N	N	N

Asian	N	N	N	N	N	N
Native Hawaiian and Other Pacific Islander	N	N	N	N	N	N
Some other Race	17,515	+/-2,270	6,829	+/-2,302	39.0%	+/-13.7
Two or more races	6,534	+/-1,482	1,643	+/-828	25.1%	+/-12.3
Hispanic or Latino	27,217	+/-190	8,171	+/-2,533	30.0%	+/-9.3
All individuals below:						
50 percent of poverty level	18,143	+/-3,267	(X)	(X)	(X)	(X)
125 percent of poverty level	67,315	+/-6,221	(X)	(X)	(X)	(X)
150 percent of poverty level	87,929	+/-6,460	(X)	(X)	(X)	(X)
185 percent of poverty level	123,833	+/-7,740	(X)	(X)	(X)	(X)
200 percent of poverty level	138,073	+/-8,126	(X)	(X)	(X)	(X)

An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

An (X) means that the estimate is not applicable or not available.

Household Income:

The following table was completed using data from the US Census 2017 American Community Survey 1-Year Estimate of Income (In 2017 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	141,250	+/-2,821
Less than \$10,000	6.7%	+/-1.2
\$10,000 to \$14,999	6.5%	+/-1.1
\$15,000 to \$24,999	13.7%	+/-1.4
\$25,000 to \$34,999	10.7%	+/-1.5
\$35,000 to \$49,999	14.1%	+/-1.7
\$50,000 to \$74,999	20.3%	+/-1.8
\$75,000 to \$99,999	12.5%	+/-1.5
\$100,000 to \$149,999	8.9%	+/-1.2
\$150,000 to \$199,999	2.8%	+/-0.6
\$200,000 or more	3.8%	+/-0.8
Median income (dollars)	48,079	+/-1,990
Mean income (dollars)	65,388	+/-3,054

Appendix E
Demographic Maps (EJ) –
An excerpt from Chapter 10 of the 2018 MTP (for the full chapter, please visit
www.wpcog.org/metropolitan-trans-plan-mtp)

10-A. Title VI and Environmental Justice

Title VI

Title VI of the Civil Rights Act of 1964 is a statute that protects individuals from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. Compliance with provisions of Title VI extend to all transportation investments and planning processes. Title VI compliance needs to be considered in metropolitan and statewide planning.

To determine potential impacts of transportation projects, the GHMPO used 2016 Census data to identify Title VI communities across the four county region. By mapping Title IV populations, the GHMPO can identify areas that may experience, or currently are experiencing, disproportionately adverse or negative effects caused by transportation projects. These maps also help identify where the GHMPO should conduct public outreach efforts. Maps 10-1 through 10-16 show Title VI populations by concentration (density) using data provided by the U.S. Census.

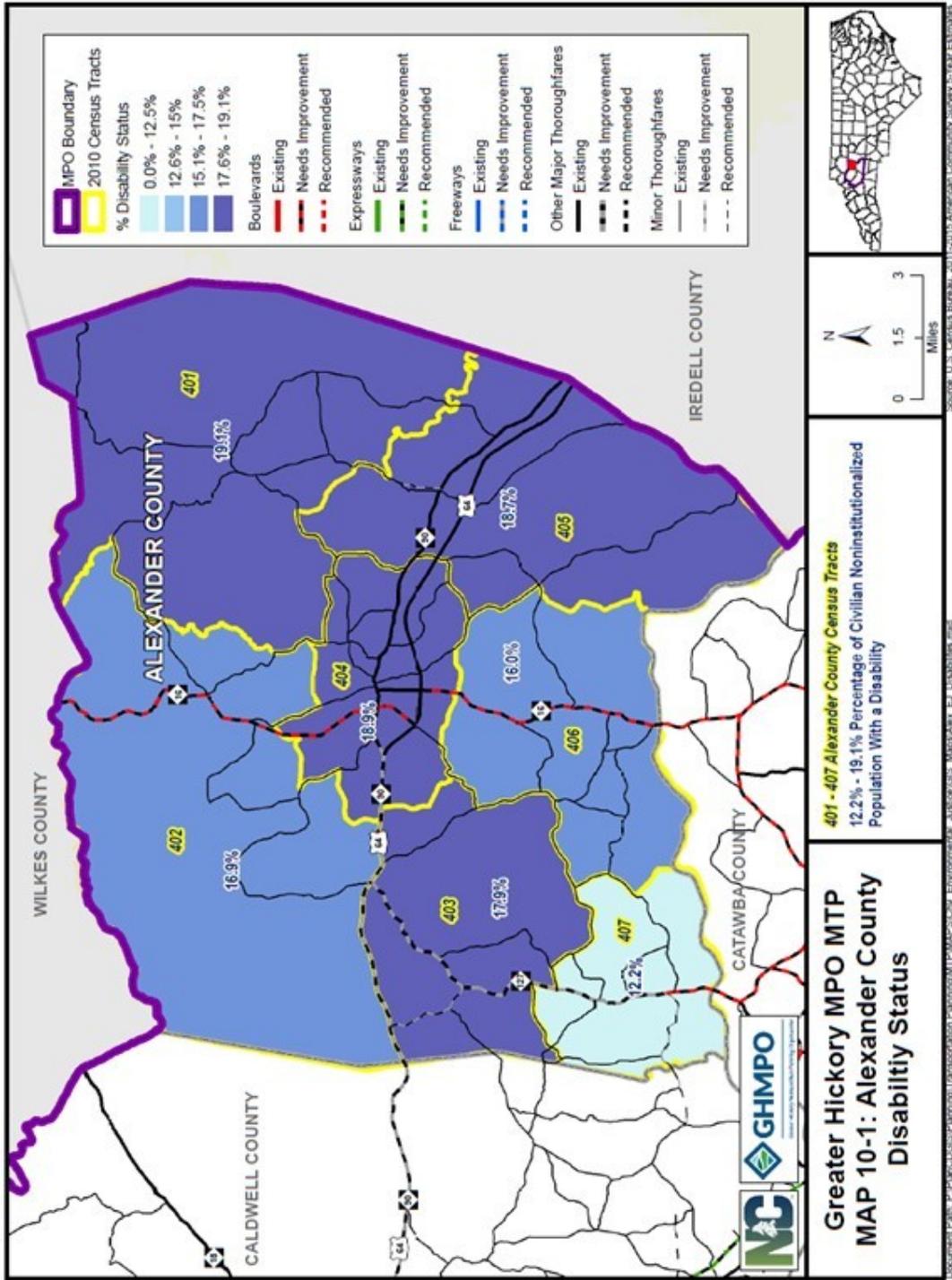
From these maps, transportation planners and the general public can clearly understand which populations are impacted by existing and planned transportation projects. Data from each map can also be used by impacted or potentially impacted communities during public meetings, planning workshops, and throughout the plan development process.

For maps 10-1 through 10-4, “Disability Status” includes individuals with physical or mental impairments that substantially limits one or more major life activity.

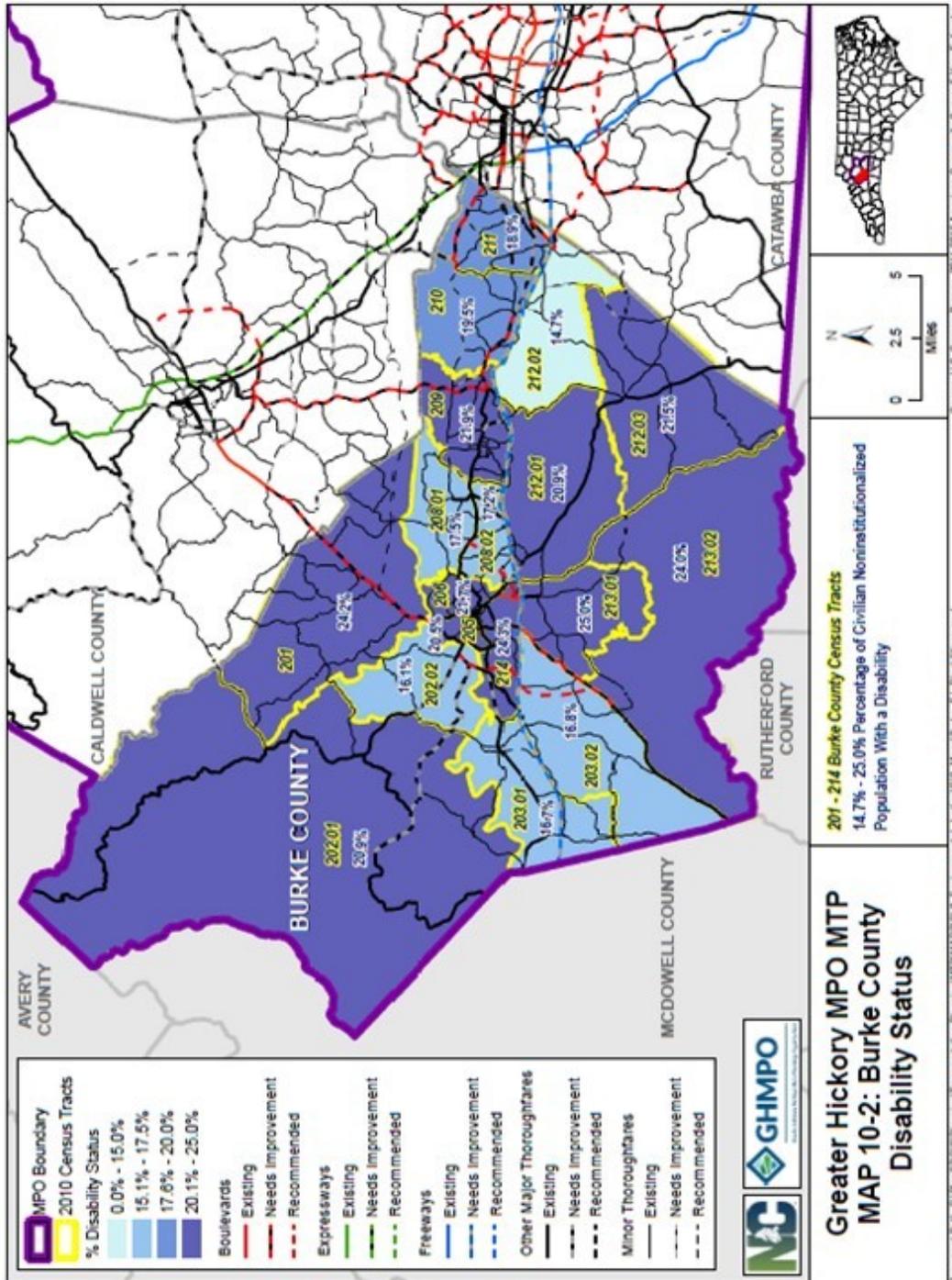
For maps 10-5 through 10-8, “Vehicle Availability” refers to the percentage of households without access to a vehicle.

For maps 10-9 through 10-12, “Limited English Proficiency” includes individuals who are not fluent in the English language.

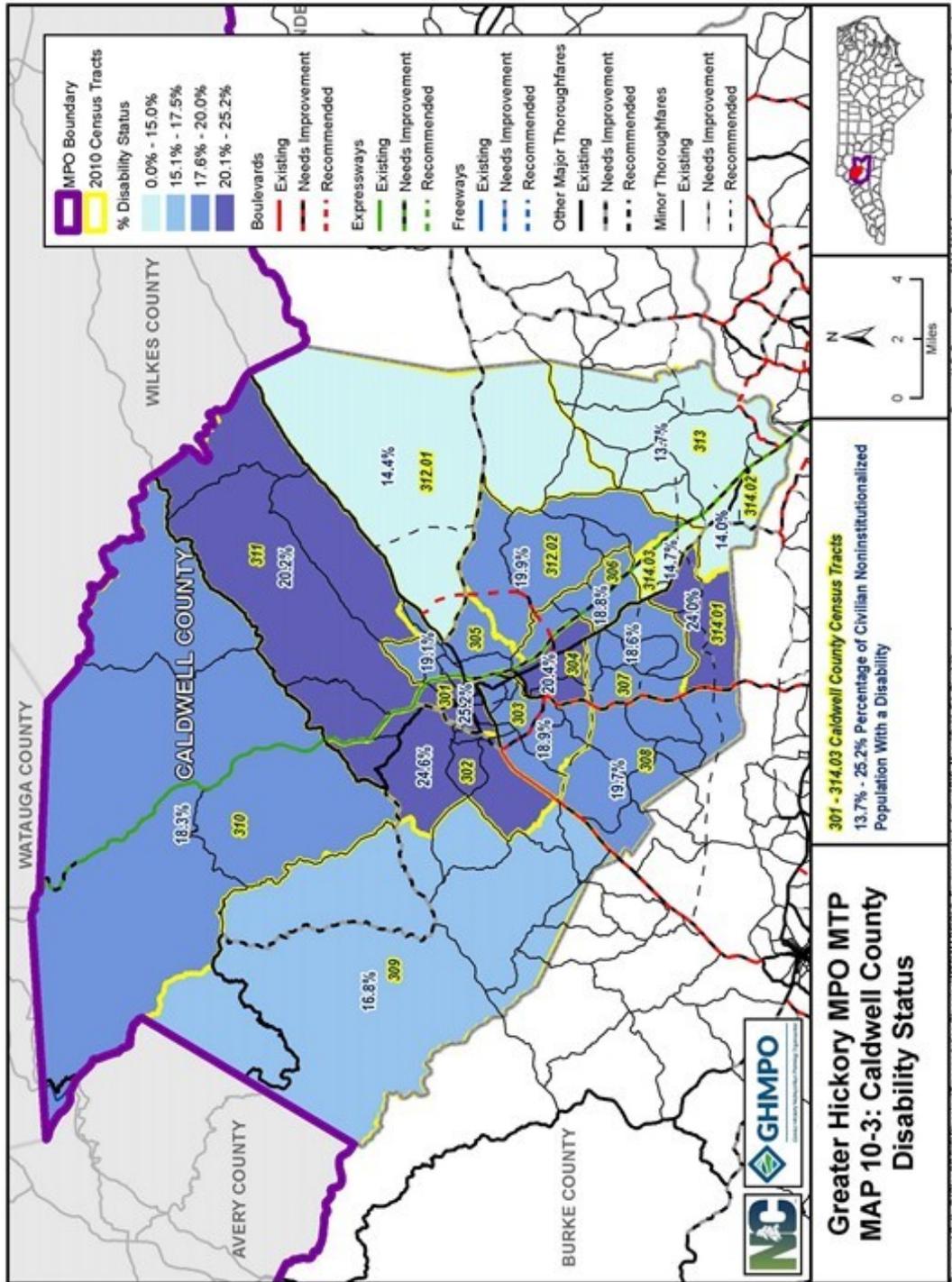
For maps 10-13 through 10-16, “Persons over 65” includes individuals aged 65 years and older.



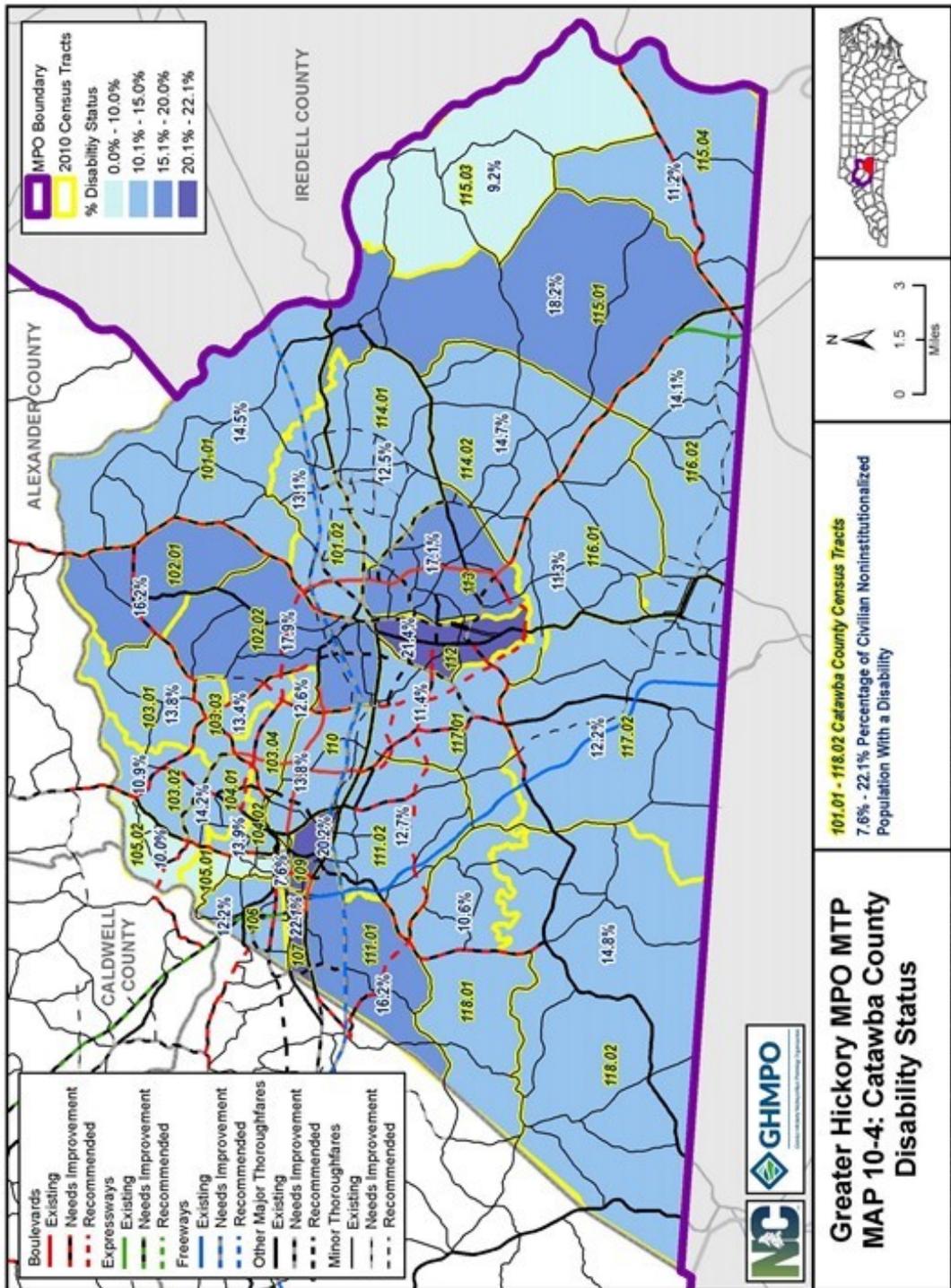
Data from the U.S. Census Bureau show that the highest percentages of Alexander County's disabled individuals were located in Census Tracts 401, 403, 404 and 405. The percentage of individuals with a disability in those Tracts ranged from 17.6% to 19.1%. At 12.2%, Tract 407 had the lowest percentage of disabled individuals in the County.



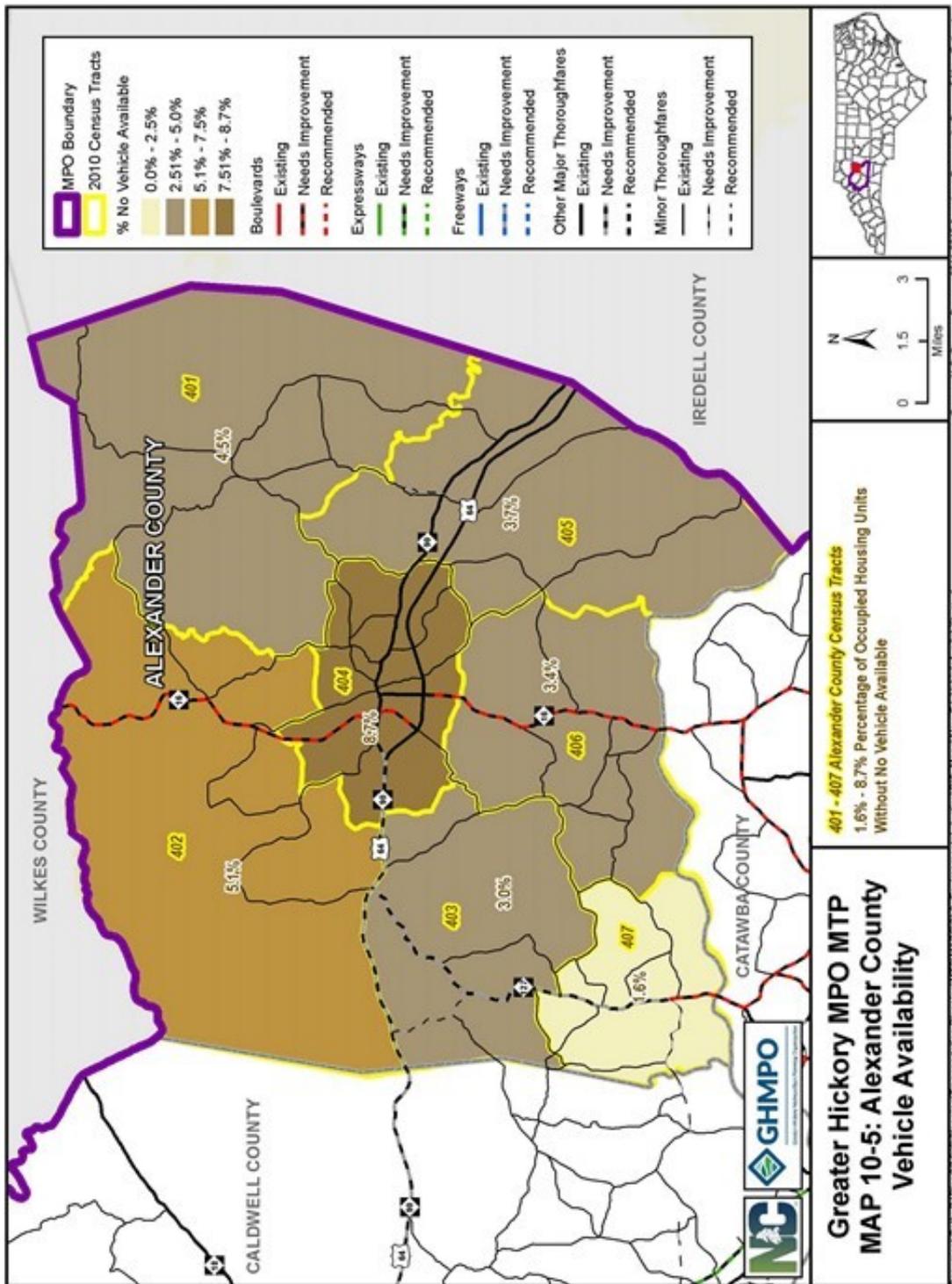
Data from the U.S. Census Bureau show that the highest percentages of Burke County's disabled individuals were located in Census Tracts 201, 202.01, 205, 206, 209, 212.01, 212.03, 213.01, 213.02, and 214. The percentage of individuals with a disability in those Tracts ranged from 20.1% to 25.0%. At 14.7%, Tract 212.02 had the lowest percentage of disabled individuals in the County.



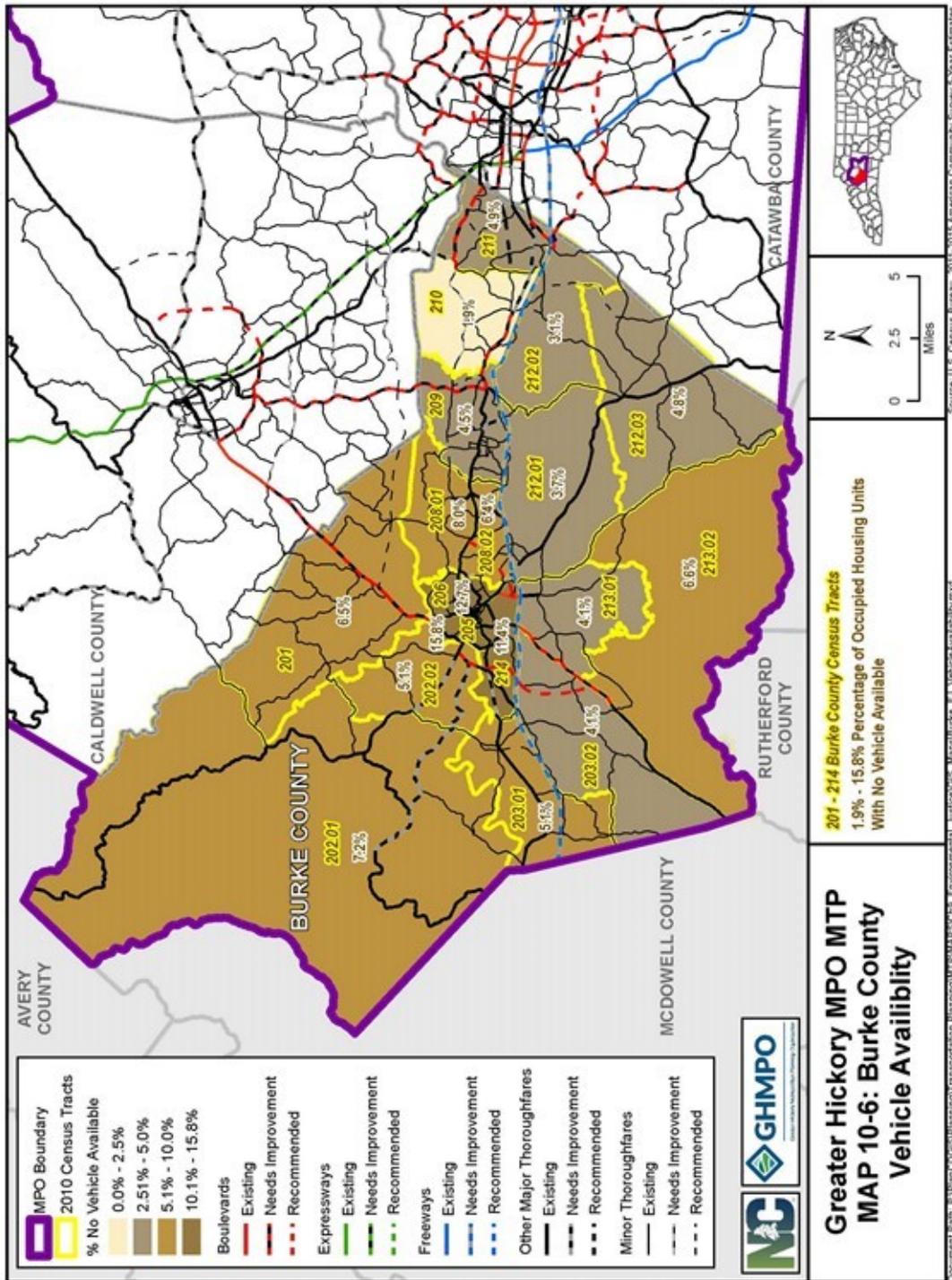
Data from the U.S. Census Bureau show that the highest percentages of Caldwell County's disabled individuals were located in Census Tracts 301, 302, 304, 311, and 314.01. The percentage of individuals with a disability in those Tracts ranged from 20.1% to 25.2%. At 13.7%, Tract 313 had the lowest percentage of disabled individuals in the County.



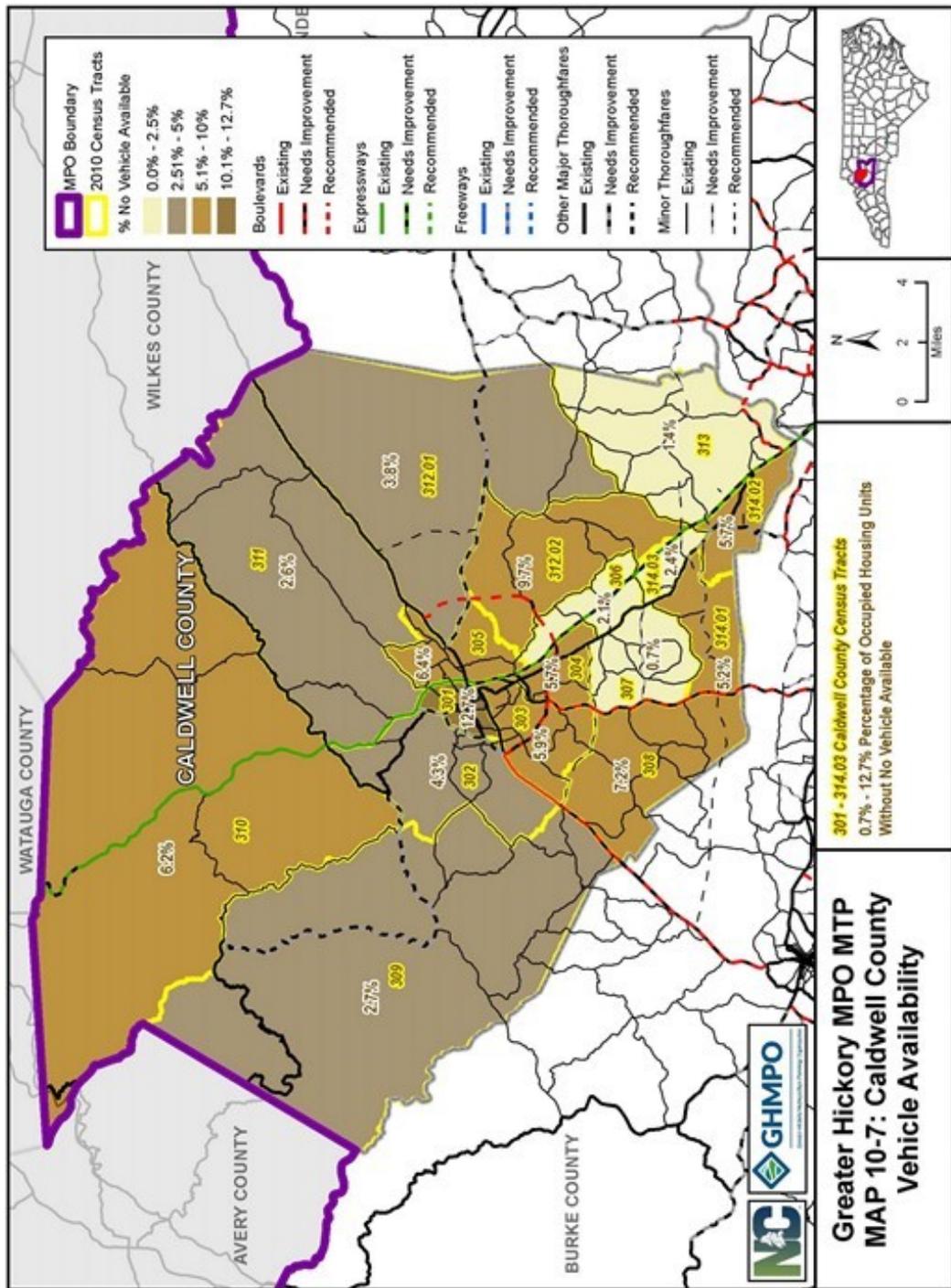
Data from the U.S. Census Bureau show that the highest percentages of Catawba County’s disabled individuals were located in Census Tracts 107, 109, and 112. The percentage of individuals with a disability in those Tracts ranged from 20.1% to 22.1%. At 7.6%, Tract 105.01 had the lowest percentage of disabled individuals in the County.



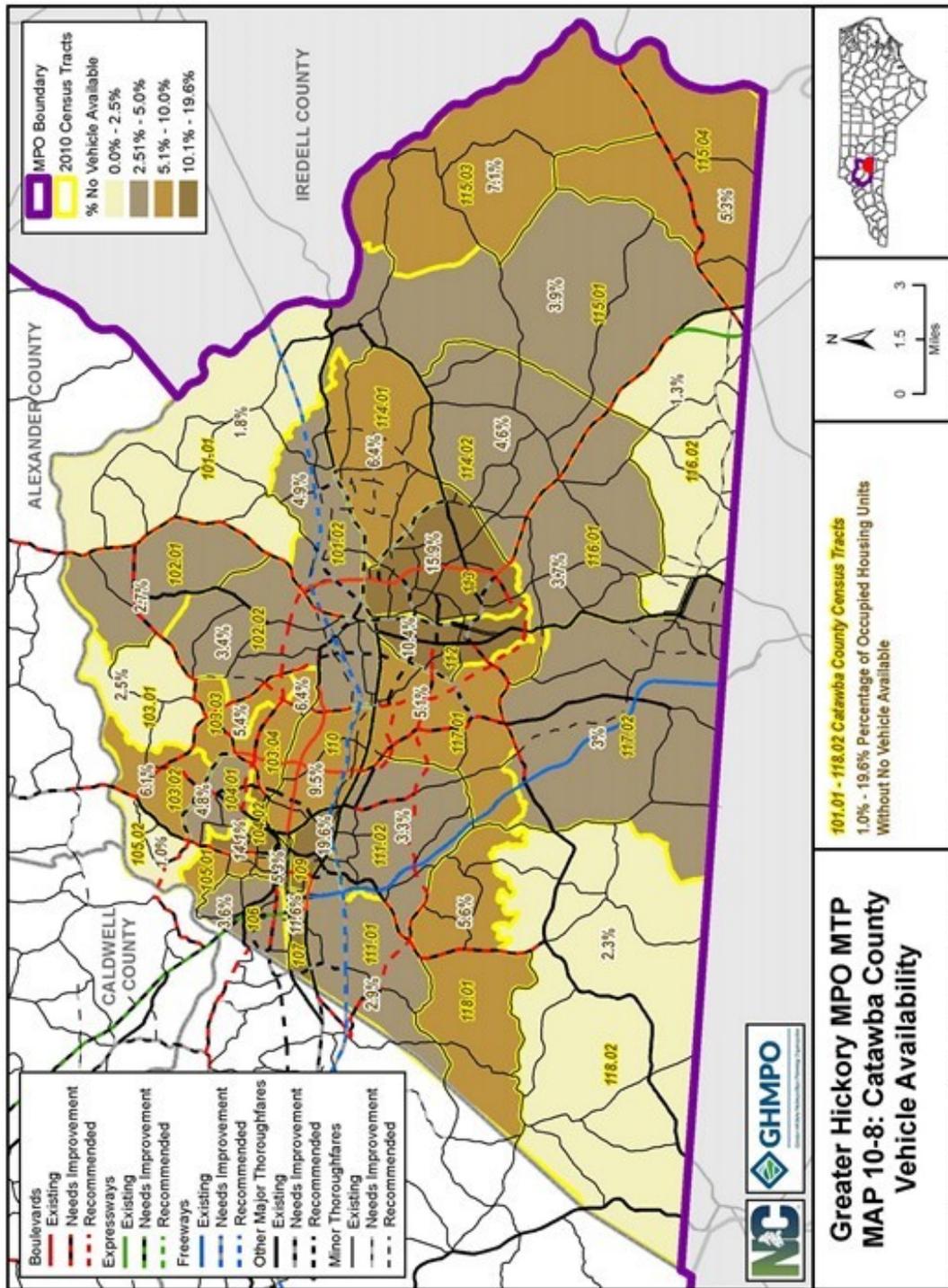
Data from the U.S. Census Bureau show that the most concentrated area in Alexander County without vehicle availability was in Census Tract 404 and encompassed 8.7% of the overall Tract population. Tract 407 had the lowest concentration of no vehicle availability at 1.6%.



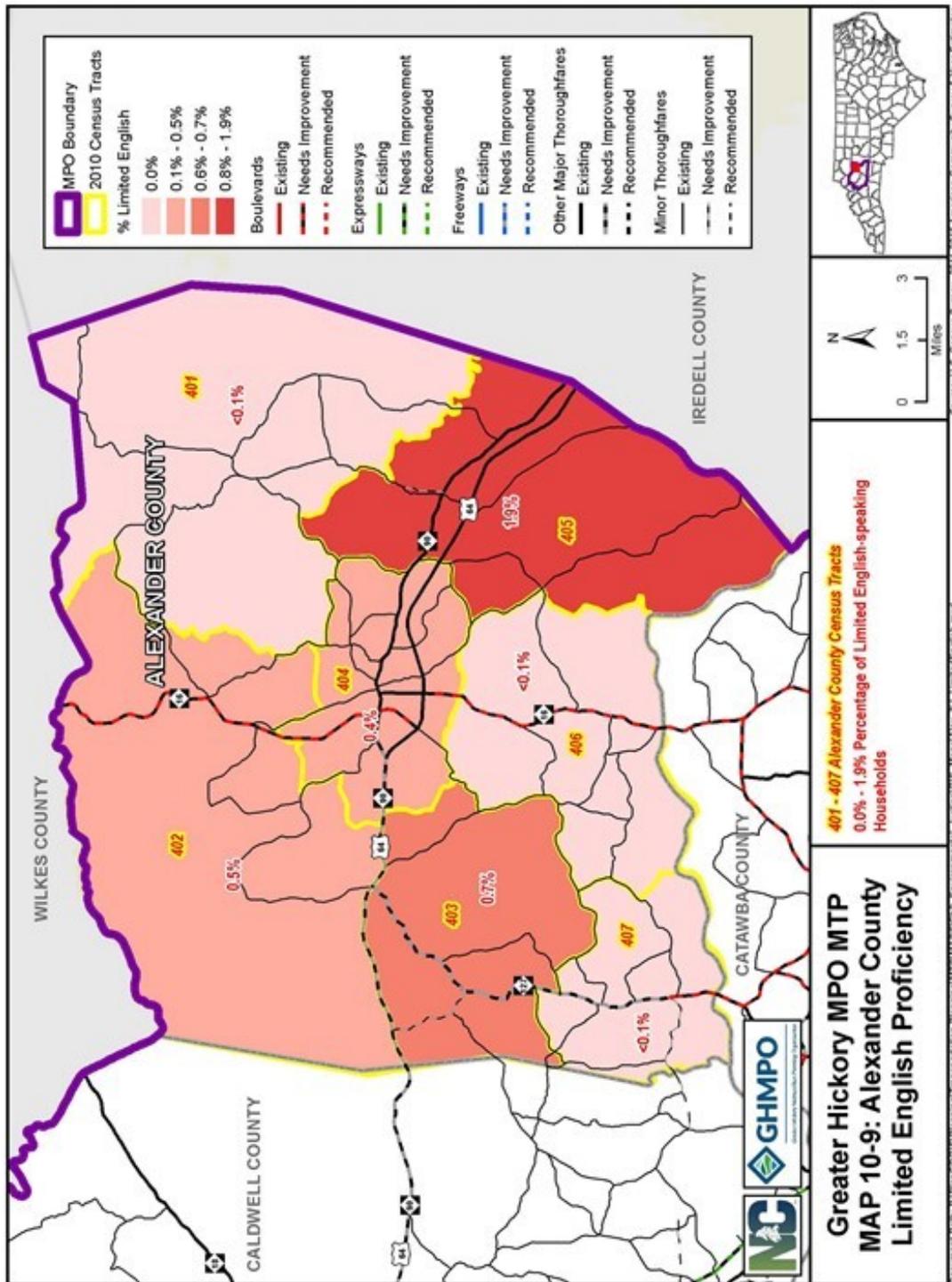
Data from the U.S. Census Bureau show that the most concentrated areas in Burke County without vehicle availability were in census tracts 205, 206, and 214 and encompassed between 10.1% and 15.8% of the overall census tract population. Tract 210 had the lowest concentration of no vehicle availability at 1.9%.



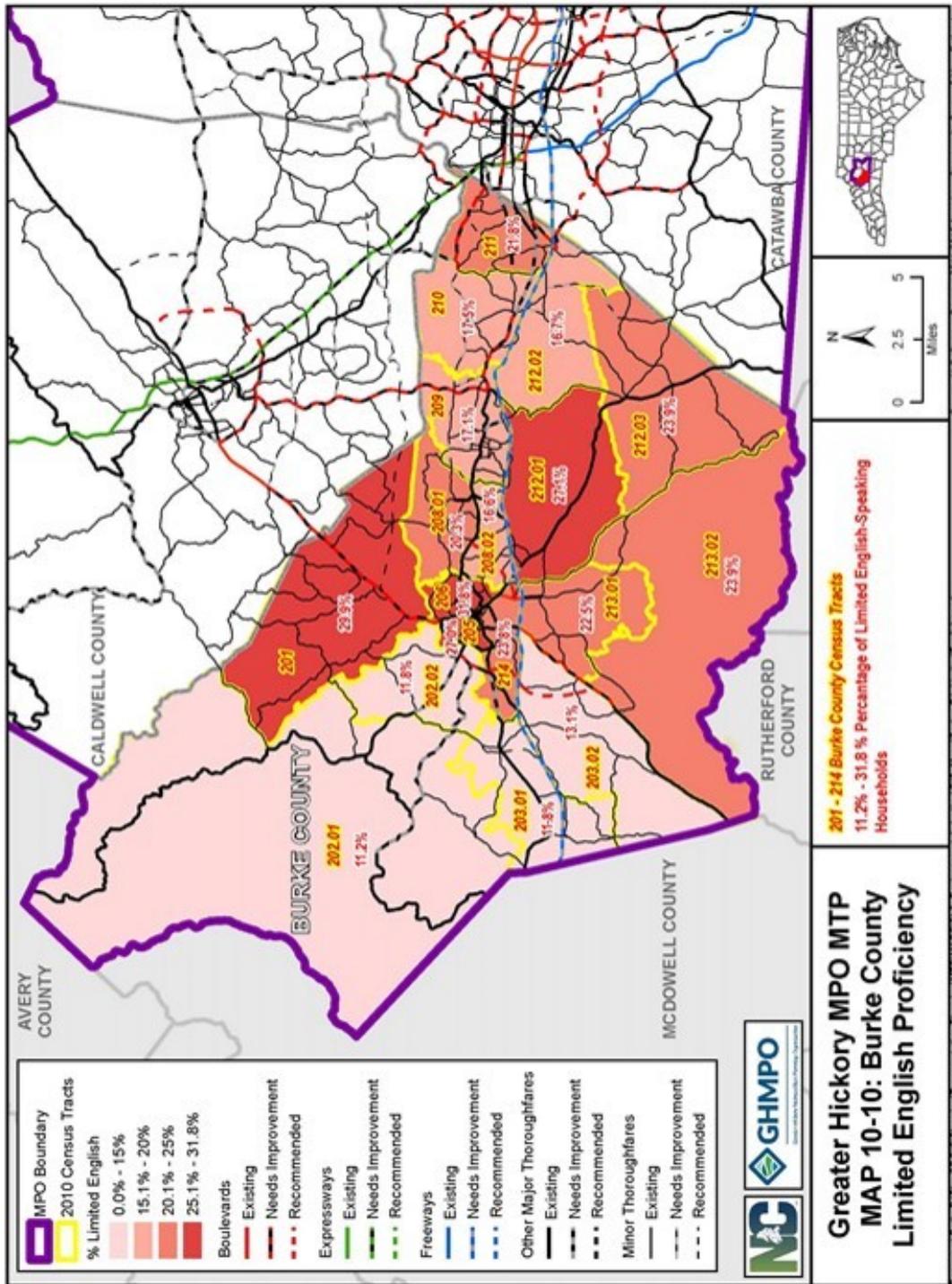
Data from the U.S. Census Bureau show the most concentrated area in Caldwell County without vehicle availability was in Census Tract 301 and encompassed 12.7% of the overall Tract population. It should also be noted that census tract 312.02 covers a large southern portion of the county and carless households encompassed 9.7% of the overall census tract population. Tract 307 had the lowest concentration of no vehicle availability at 0.7%.



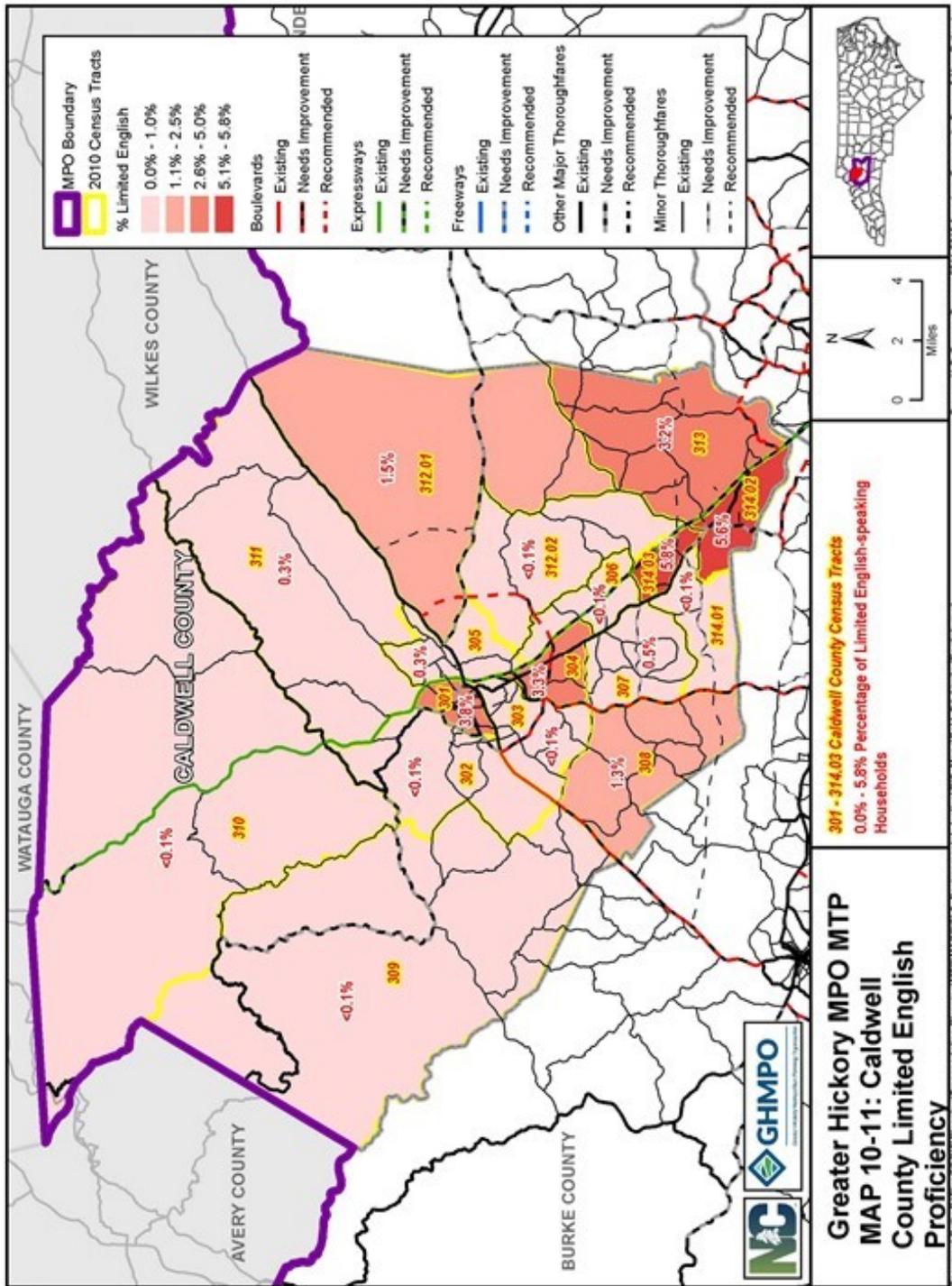
Data from the U.S. Census Bureau show the most concentrated areas in Catawba County without vehicle availability were in Census Tracts 104.02, 107, 109, 112, and 113 and encompassed between 10.1% and 19.6% of the overall Tract population. Tract 105.02 had the lowest concentration of no vehicle availability at 1.0%.



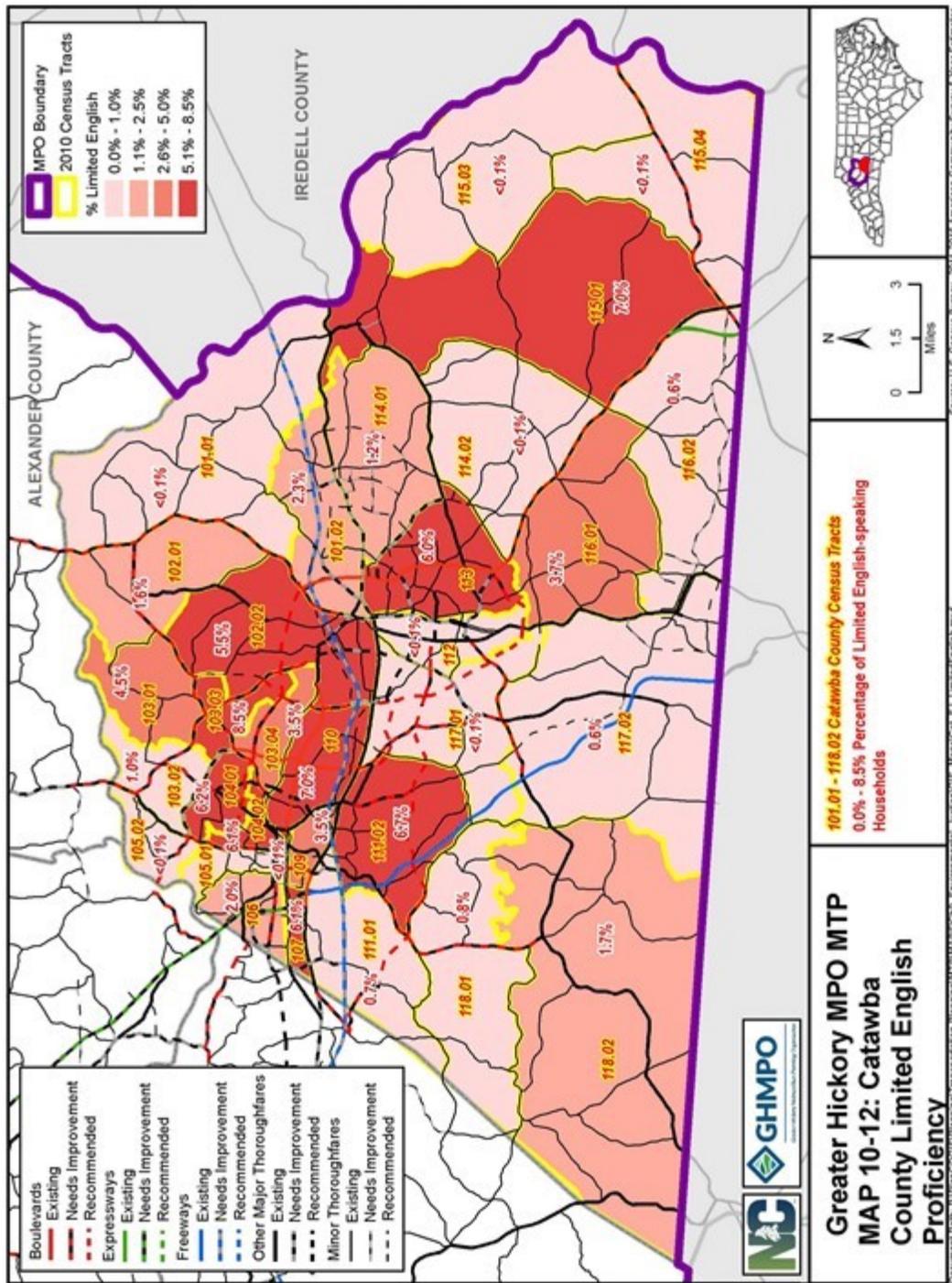
Data from the U.S. Census Bureau show the most concentrated area of limited English proficiency in Alexander County was in Census Tract 405 and encompassed 1.9% of the overall Tract population. Tracts 401, 406, and 407 had the lowest concentration of limited English proficiency at <0.1%.



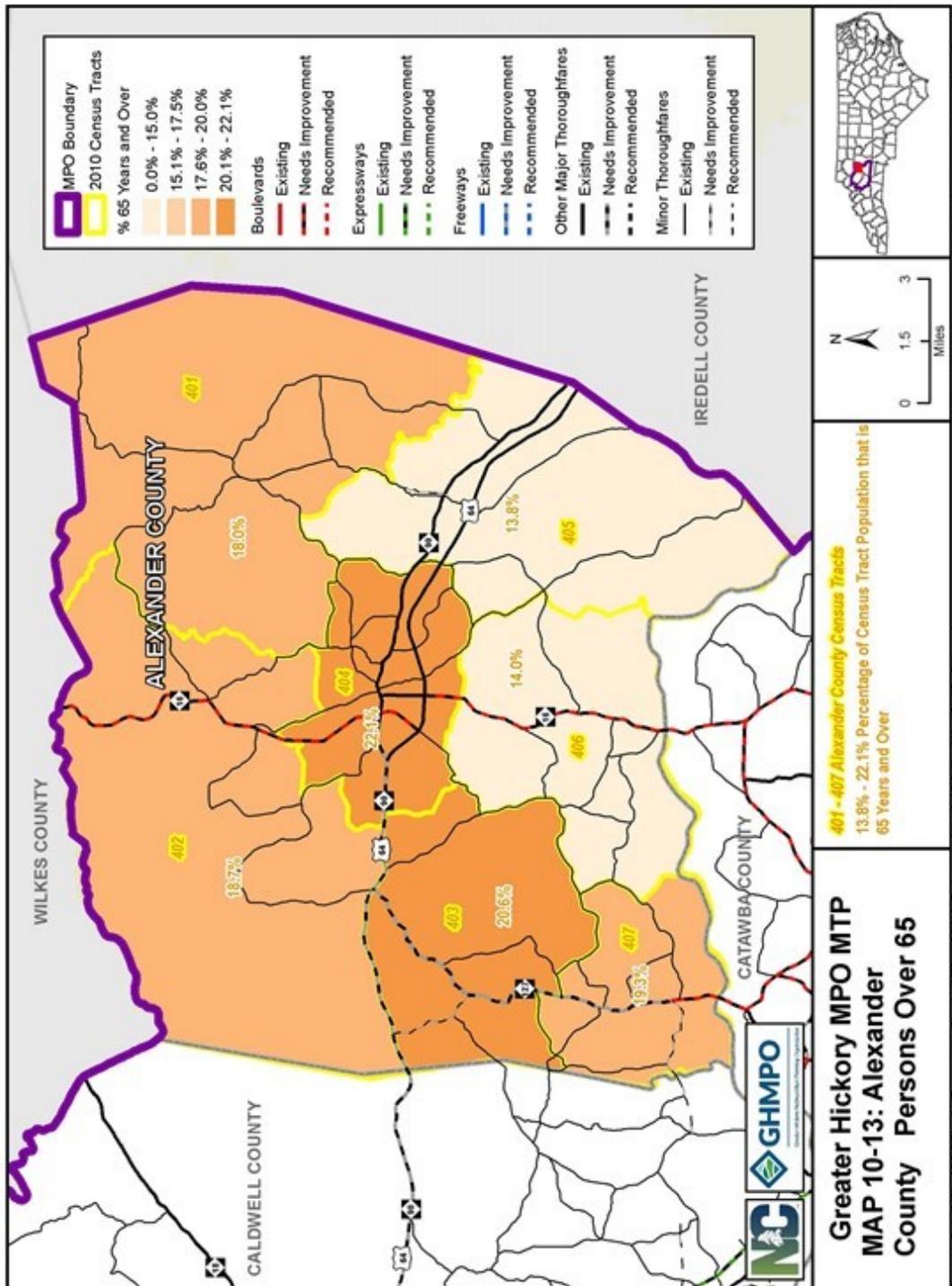
Data from the U.S. Census Bureau show the most concentrated areas of limited English proficiency in Burke County were in Census Tracts 201, 205, 206, and 212.01 and encompassed between 25.1% and 31.8% of the overall Tract population. Tract 202.01 had the lowest concentration of limited English proficiency at 11.2%.



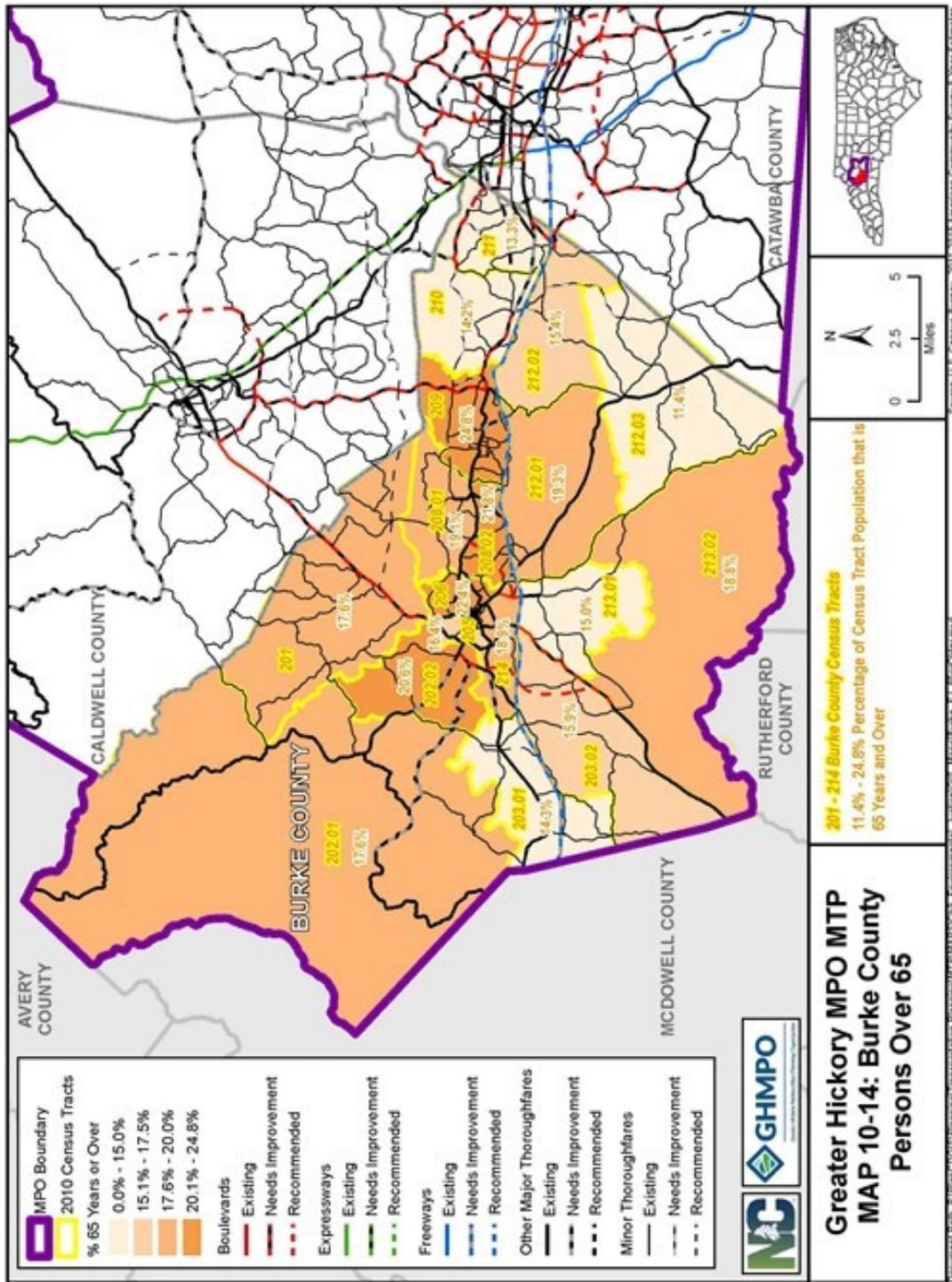
Data from the U.S. Census Bureau show the most concentrated areas of limited English proficiency in Caldwell County were in Census Tracts 314.02 and 314.03 and ranged from 5.1% to 5.8% of the overall Tract population. Tracts 302, 303, 306, 309, 310, 312.02, and 314.01 had the lowest concentration of limited English proficiency at <0.1%.



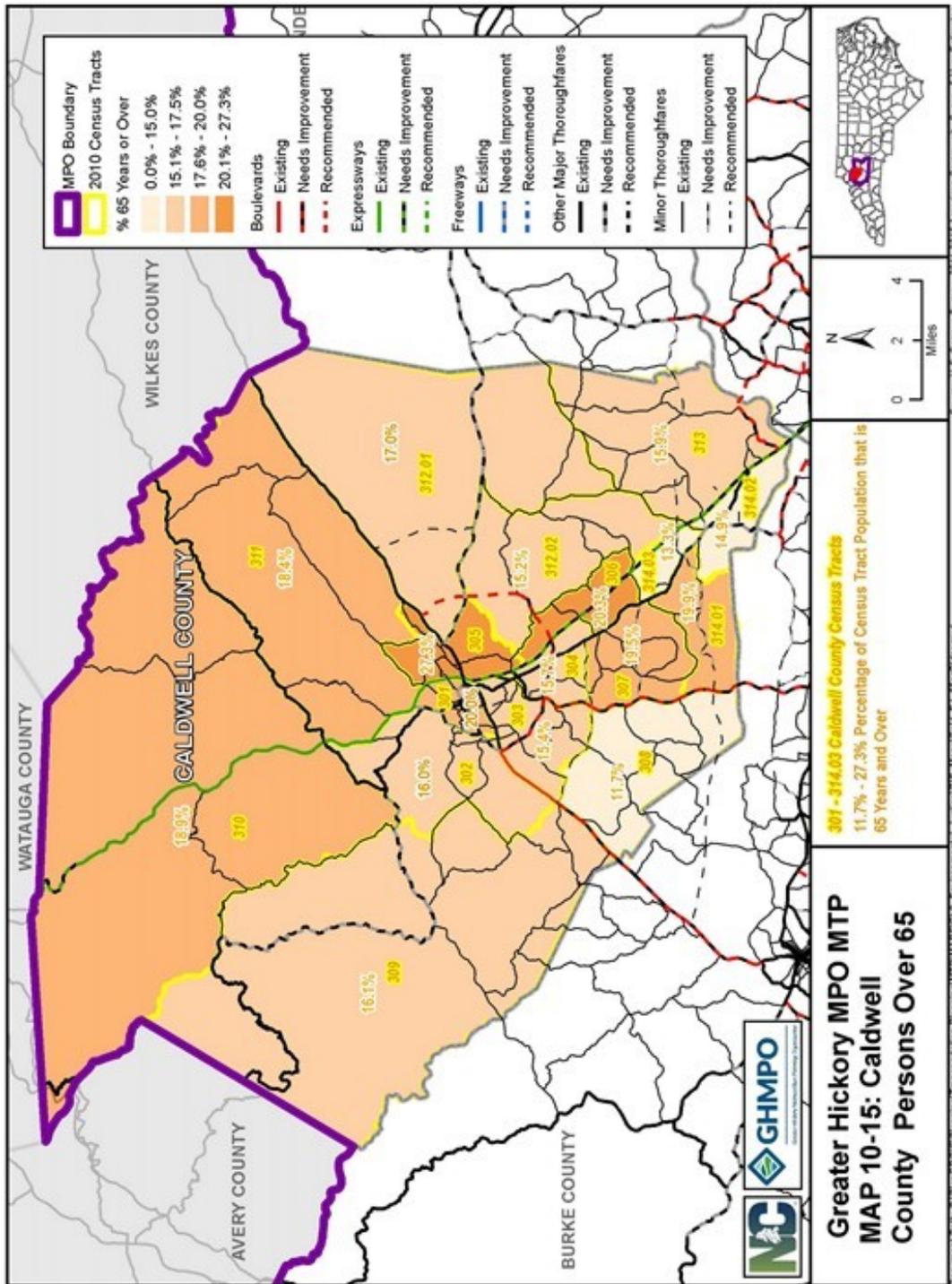
Data from the U.S. Census Bureau show the most concentrated areas of limited English proficiency in Catawba County were in Census Tracts 102.02, 103.03, 104.01, 104.02, 107, 110, 111.02, and 113 and ranged from 5.1% to 8.5% of the overall Tract population. Tracts 101.01, 105.01, 105.02, 112, 114.02, 115.03, 115.04, and 117.01 had the lowest concentration of limited English proficiency at <0.1%.



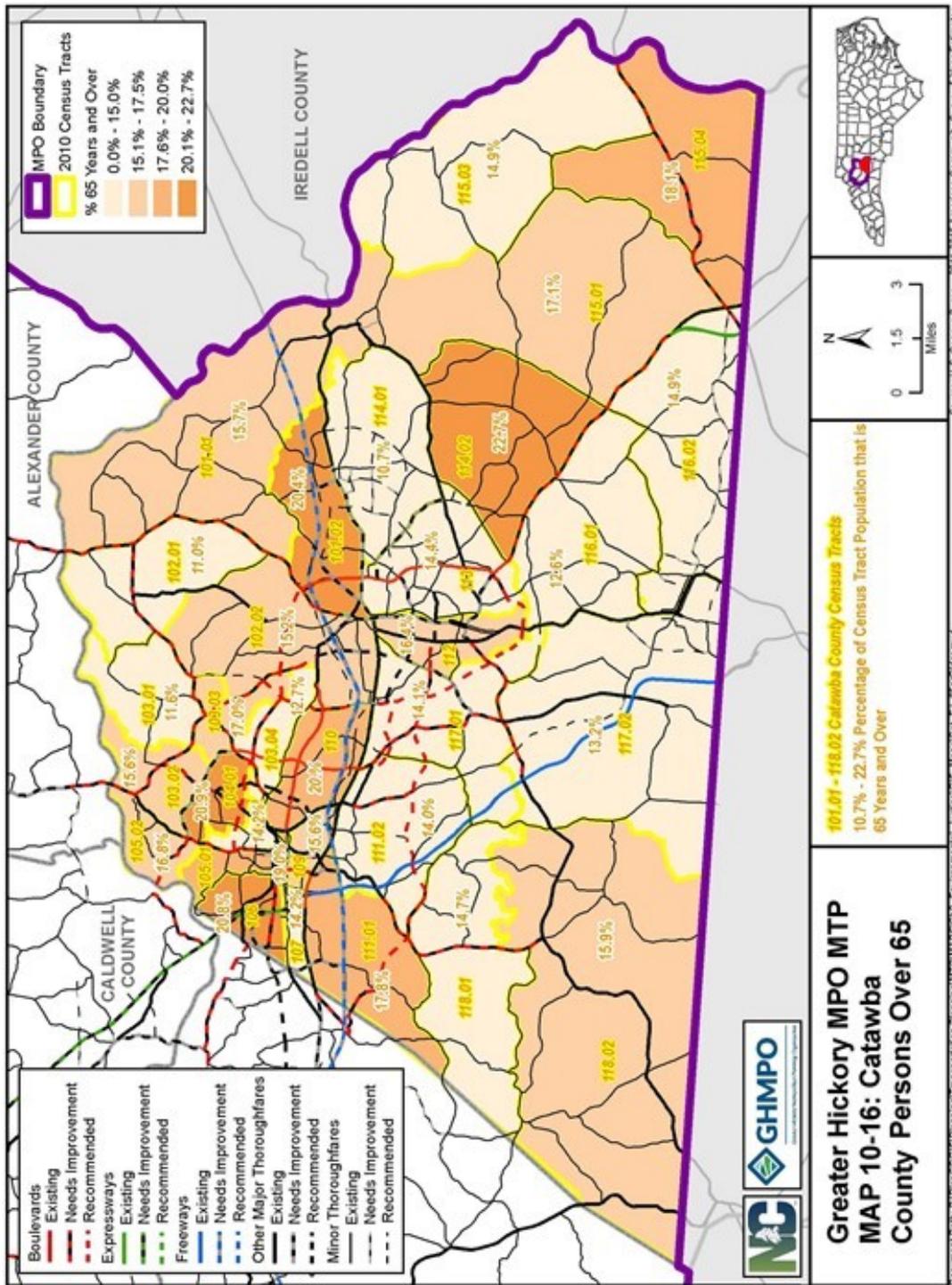
Data from the U.S. Census Bureau show the most concentrated areas of persons over the age of 65 in Alexander County were in Census Tracts 403 and 404 and ranged from 20.1% to 22.1% of the overall Tract population. Tract 405 had the lowest concentration of persons over the age of 65 at 13.8%.



Data from the U.S. Census Bureau show the most concentrated areas of persons over the age of 65 in Burke County were in Census Tracts 202.02, 206, 208.02, and 209 and ranged from 20.1% to 24.8% of the overall Tract population. Tract 212.04 had the lowest concentration of persons over the age of 65 at 11.4%.



Data from the U.S. Census Bureau show the most concentrated areas of persons over the age of 65 in Caldwell County were in Census Tracts 305 and 306 and ranged from 20.1% to 27.3% of the overall Tract population. Tract 308 had the lowest concentration of persons over the age of 65 at 11.7%.



Data from the U.S. Census Bureau show the most concentrated areas of persons over the age of

65 in Catawba County were in Census Tracts 101.02, 104.01, 106, and 114.02 and ranged from 20.1% to 22.7% of the overall Tract population. Tract 114.01 had the lowest concentration of persons over the age of 65 at 10.7%.

Conclusion

In Alexander County, the Census Tracts with the most Title VI population overlap are Tracts 403 and 404. This demonstrates the need for greater accessibility and outreach in the Little River and Taylorsville areas. Burke County has the most Title VI population overlap in Tracts 205 and 206. This demonstrates the need for greater accessibility and outreach in the Morganton area. Caldwell County has the most Title VI population overlap in Tract 301. This demonstrates the need for greater accessibility and outreach in the Lenoir area. Catawba County has the most Title VI population overlap in Tracts 107, 109, and 113. This demonstrates the need for greater accessibility and outreach in the Long View, Eastern Newton, and Southern Claremont areas.

10-B. Title VI and Environmental Justice

Environmental Justice

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental Justice helps to ensure that programs, policies and activities that have adverse effects on communities do not have disproportionately high and adverse effects on minority populations and low-income populations. Environmental Justice also helps ensure that minority and low-income populations share in the benefits provided by programs, policies and activities.

Environmental Justice Fundamental Principles

- To ensure minority and low-income populations have the same degree of protection from environmental, health, social, and economic hazards.
- To ensure equal access to the transportation decision-making process allowing for a healthy environment in which to live, learn, and work.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Adverse Effects

Adverse effects as described in Executive Order 12898 is the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

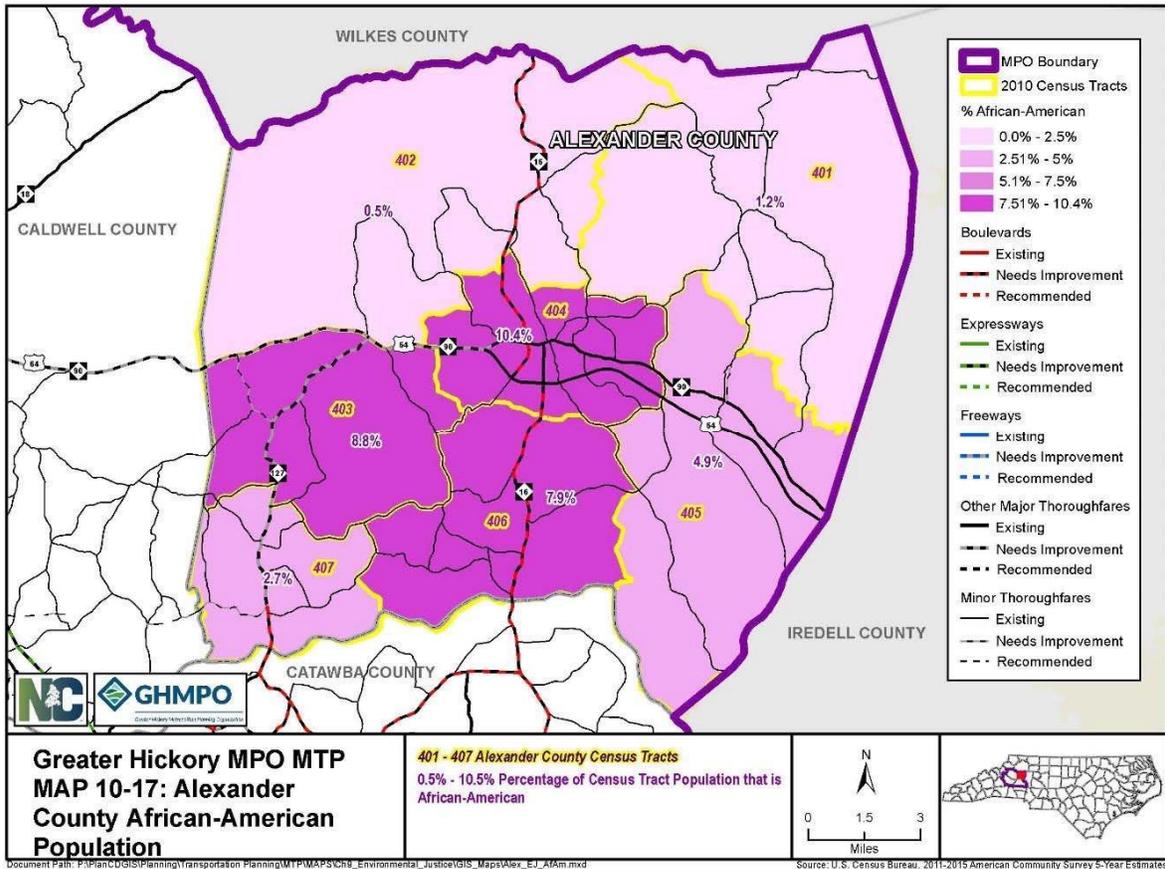
- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of:
 - Man-made or natural resources
 - Aesthetic values
 - Community cohesion or a community's economic vitality
 - Availability of public and private facilities and services
- Adverse employment effects
- Displacement of persons, businesses, farms or nonprofit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in or significant delay in the receipt of benefits of the GHMPO programs, policies or activities.

Environmental Justice Indicators

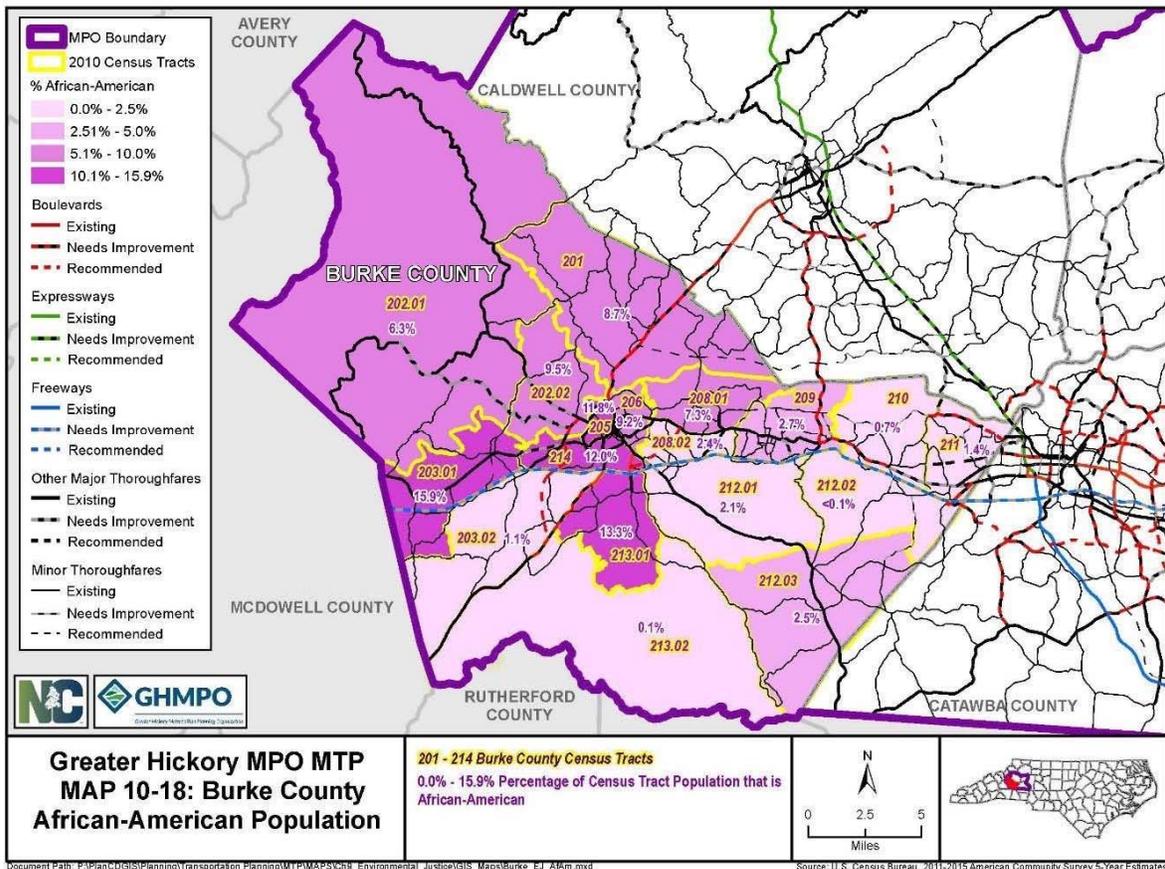
To determine potential impacts, the GHMPO used 2016 Census data to identify Environmental Justice Communities across the four county region. Maps 10-17 through 10-32 were used to identify individuals or households that may experience disproportionately high levels of adverse effects in the transportation planning process.

For maps 10-17 through 10-28, minority populations include persons of African American, Asian, and Hispanic or Latino descent.

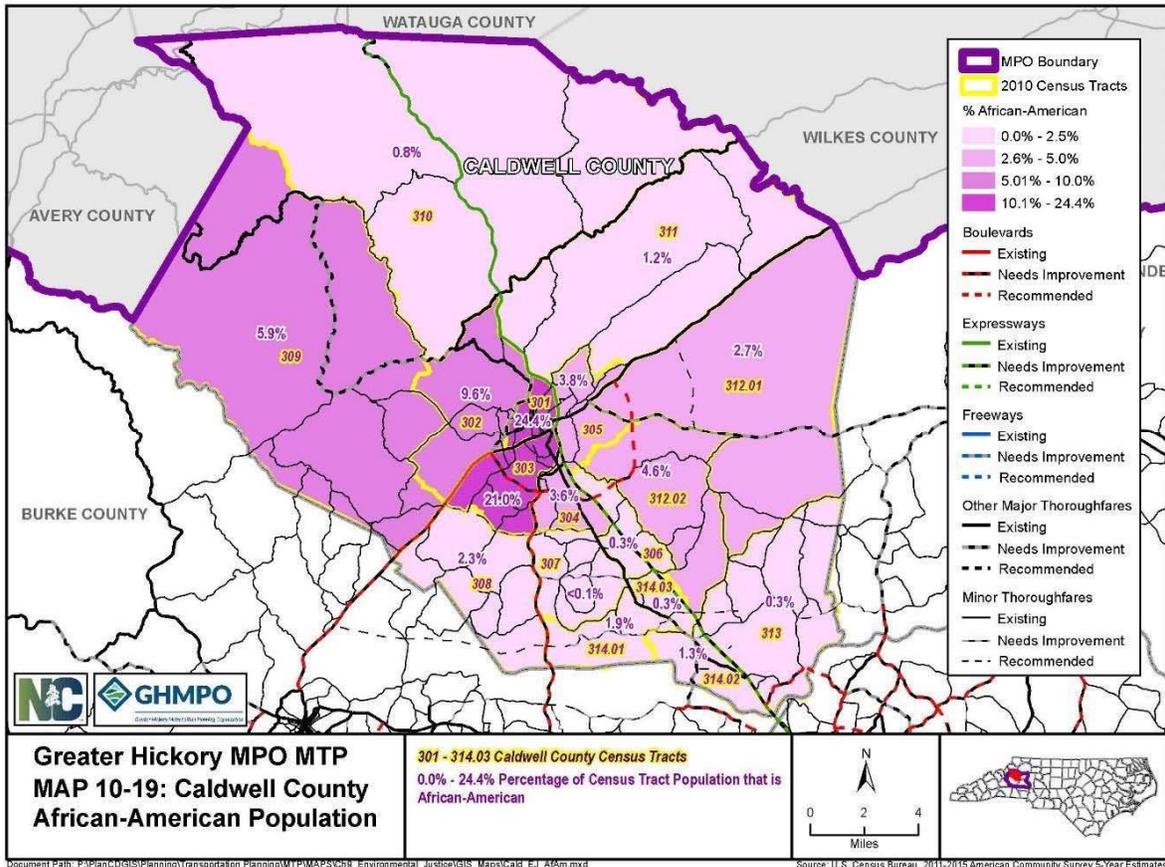
For maps 10-29 through 10-32, low income includes individuals or households whose median income is at or below the poverty level in the previous 12 months.



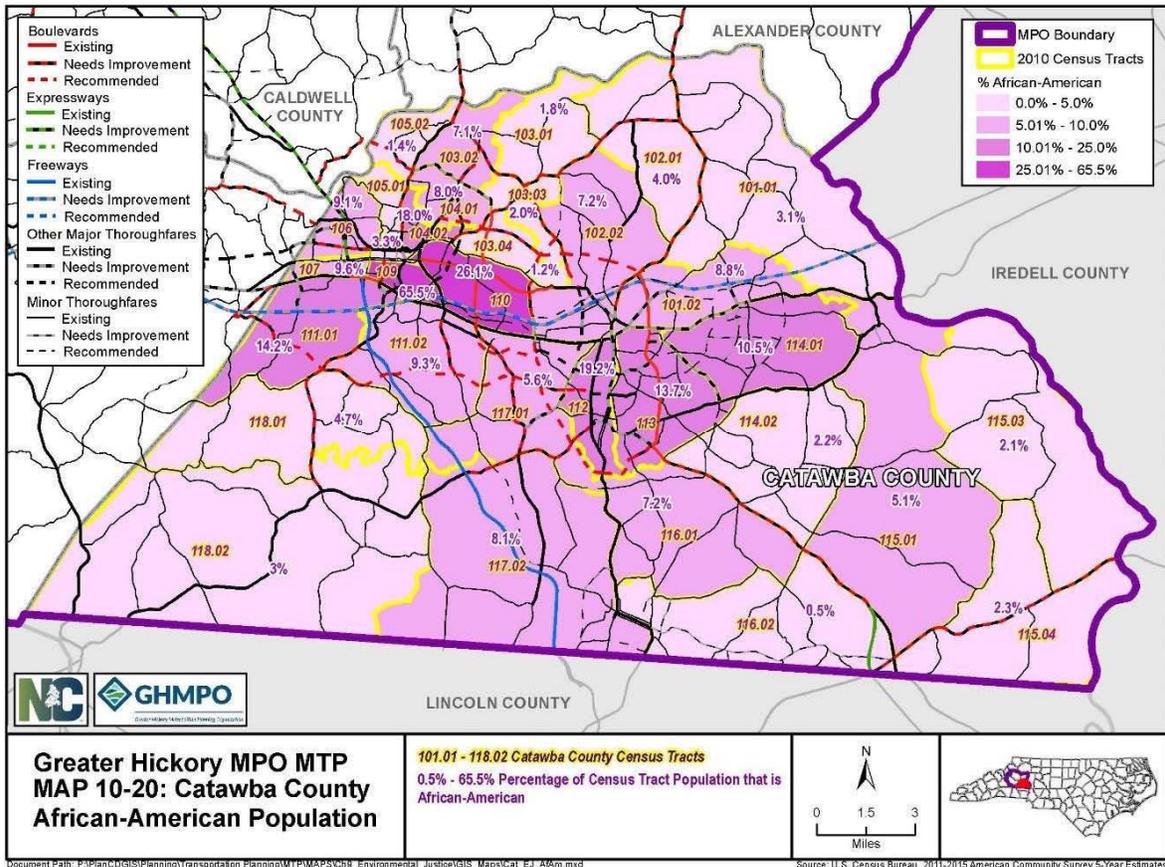
Data from the U.S. Census Bureau show the most concentrated African American populations in Alexander County were in Census Tracts 403, 404, and 406 and ranged from 7.51% to 10.4% of the overall Tract population. Tract 402 had the lowest African American population at 0.5%.



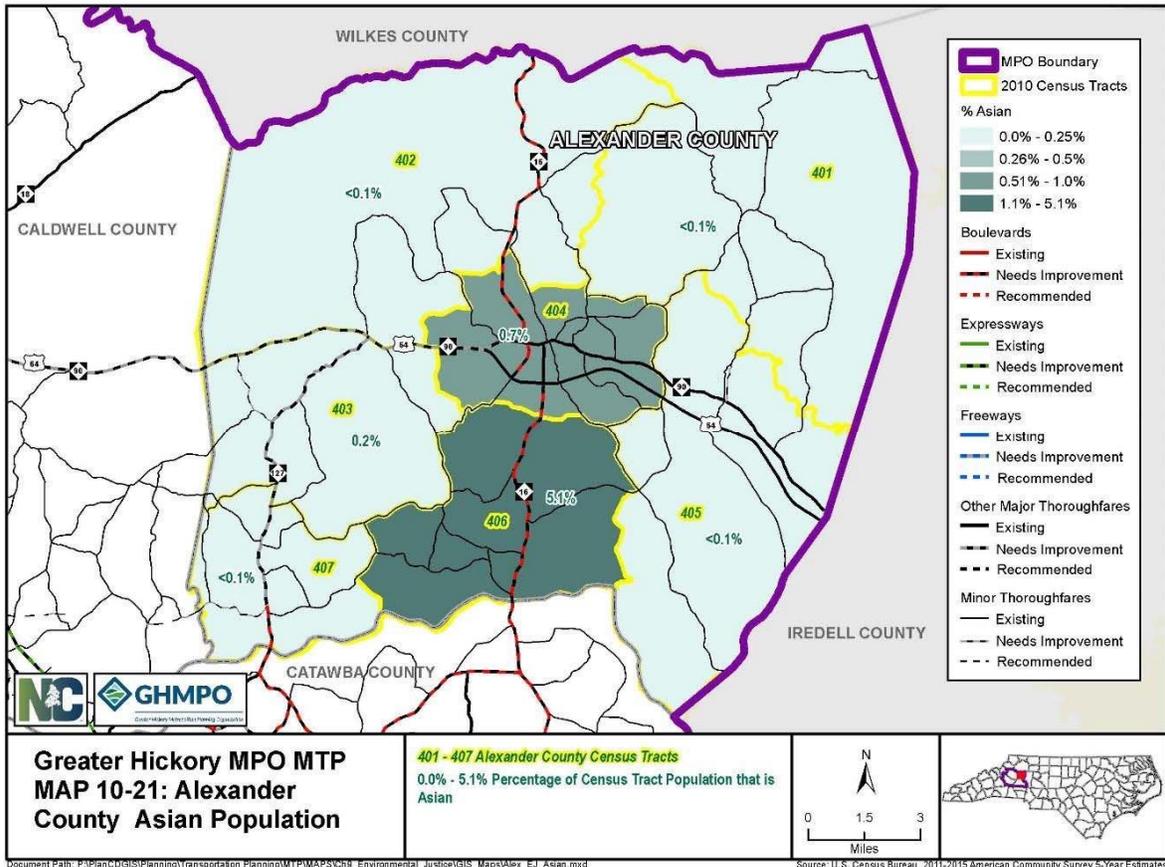
Data from the U.S. Census Bureau show the most concentrated African American populations in Burke County were in Census Tracts 203.01, 205, 213.01, and 214 and ranged from 10.1% to 15.9% of the overall Tract population. Tract 212.02 had the lowest African American population at <0.1%.



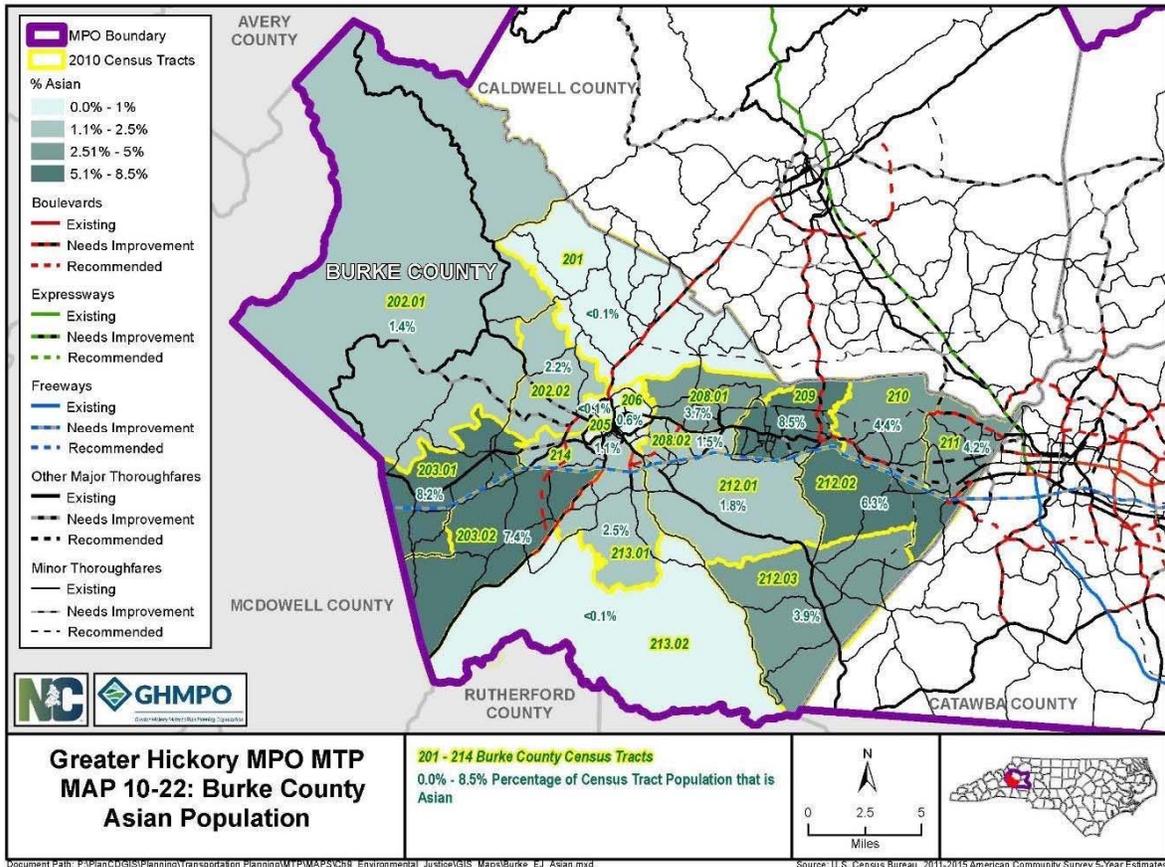
Data from the U.S. Census Bureau show the most concentrated African American populations in Caldwell County were in Census Tracts 301 and 303 and ranged from 10.1% to 24.4% of the overall Tract population. Tract 307 had the lowest African American population at <0.1%.



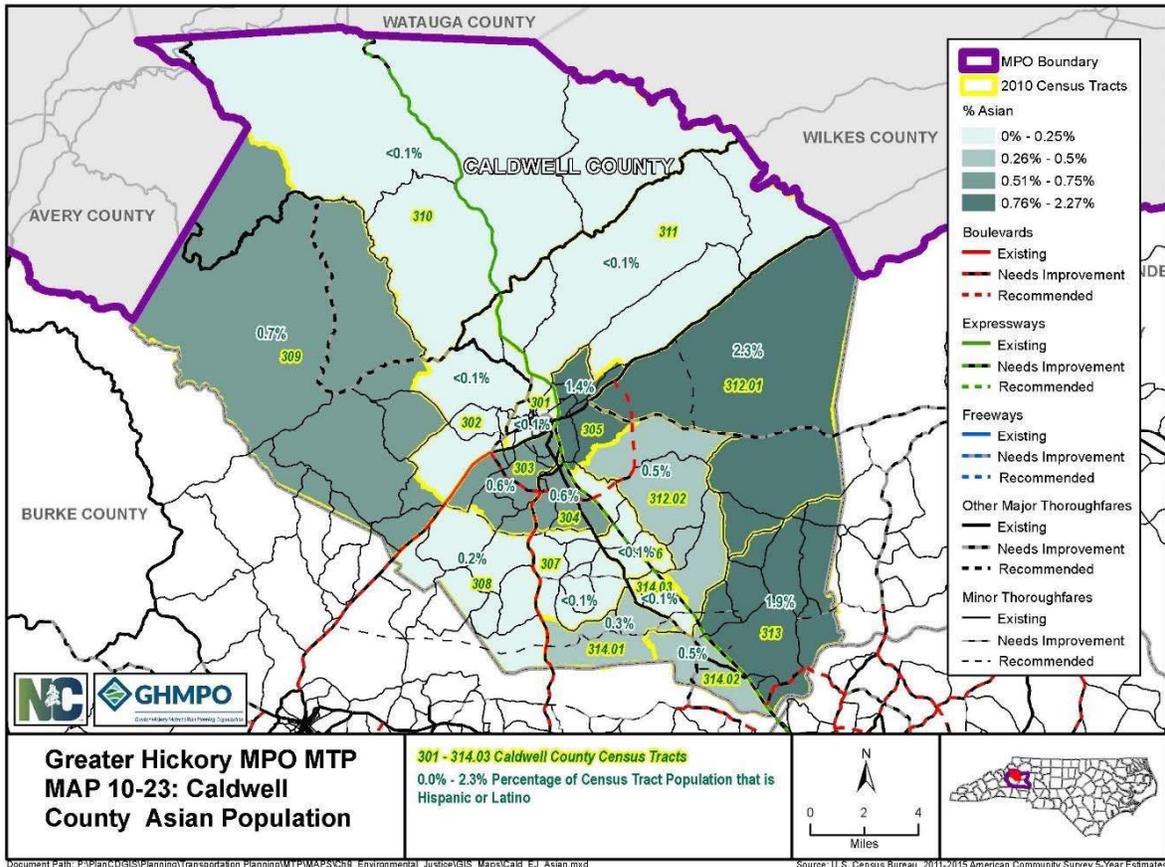
Data from the U.S. Census Bureau show the most concentrated African American populations in Catawba County were in Census Tracts 109 and 110 and ranged from 25.01% to 65.5% of the overall Tract population. Tract 116.02 had the lowest African American population at 0.5%.



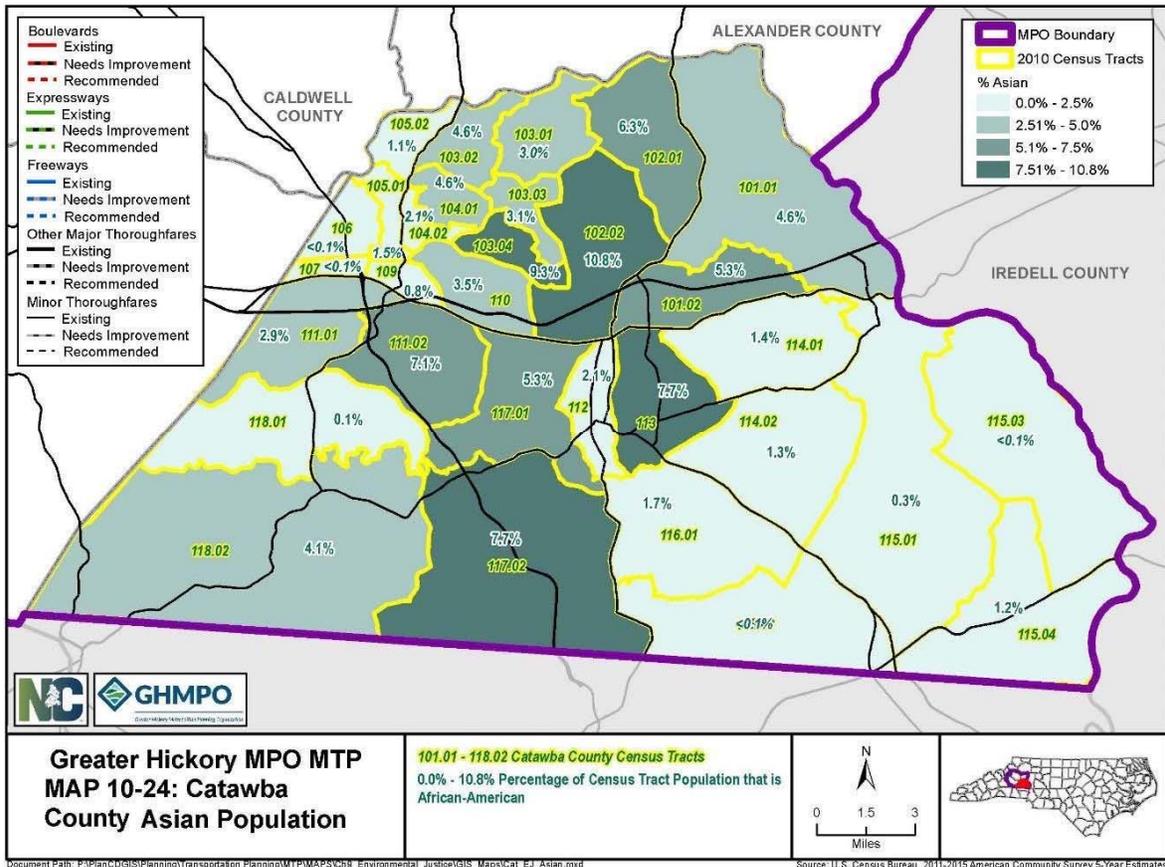
Data from the U.S. Census Bureau show the most concentrated Asian populations in Alexander County were in Census Tract 406 and encompassed 5.1% of the overall Tract population. Tracts 401, 402, 405, and 407 had the lowest Asian populations at <0.1%.



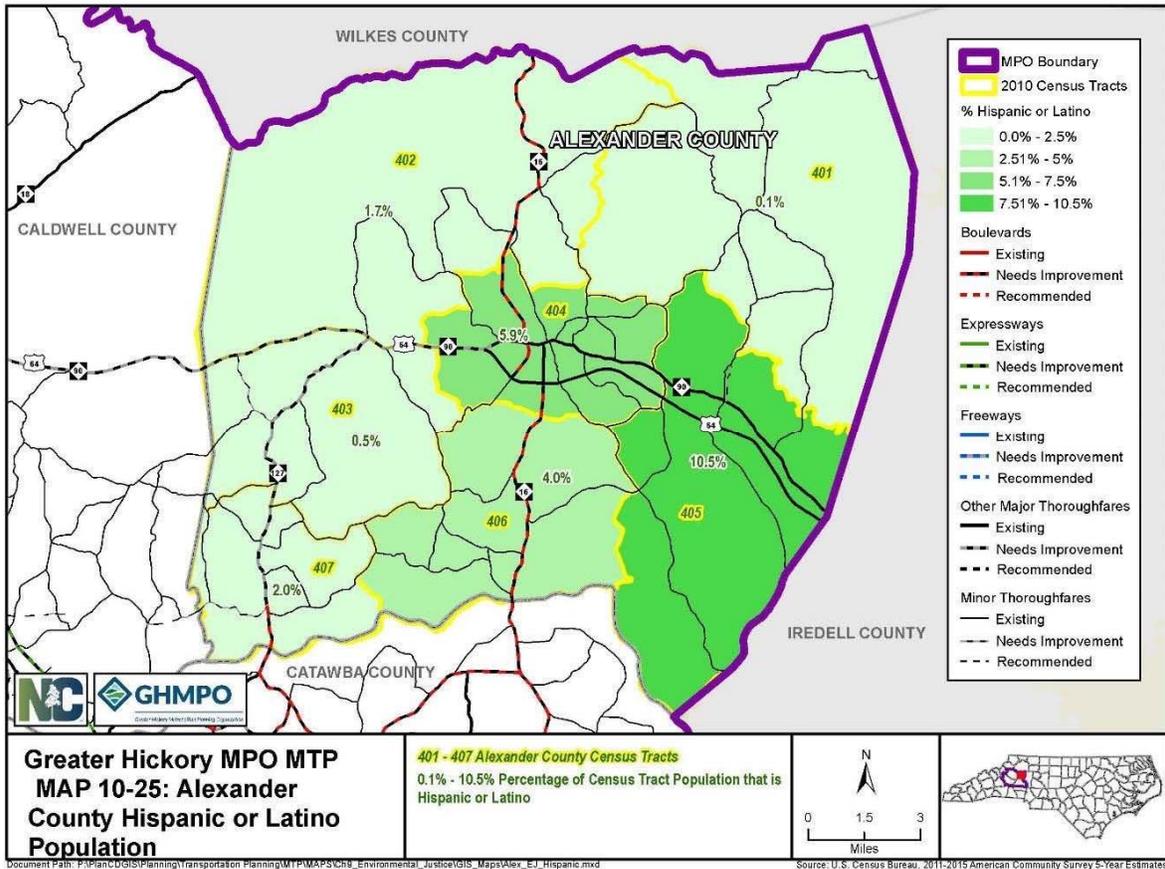
Data from the U.S. Census Bureau show the most concentrated Asian populations in Burke County were in Census Tracts 203.01, 203.02, 209, and 212.02 and ranged from 5.1% to 8.5% of the overall Tract population. Tracts 201, 205, and 213.02 had the lowest Asian populations at <0.1%.



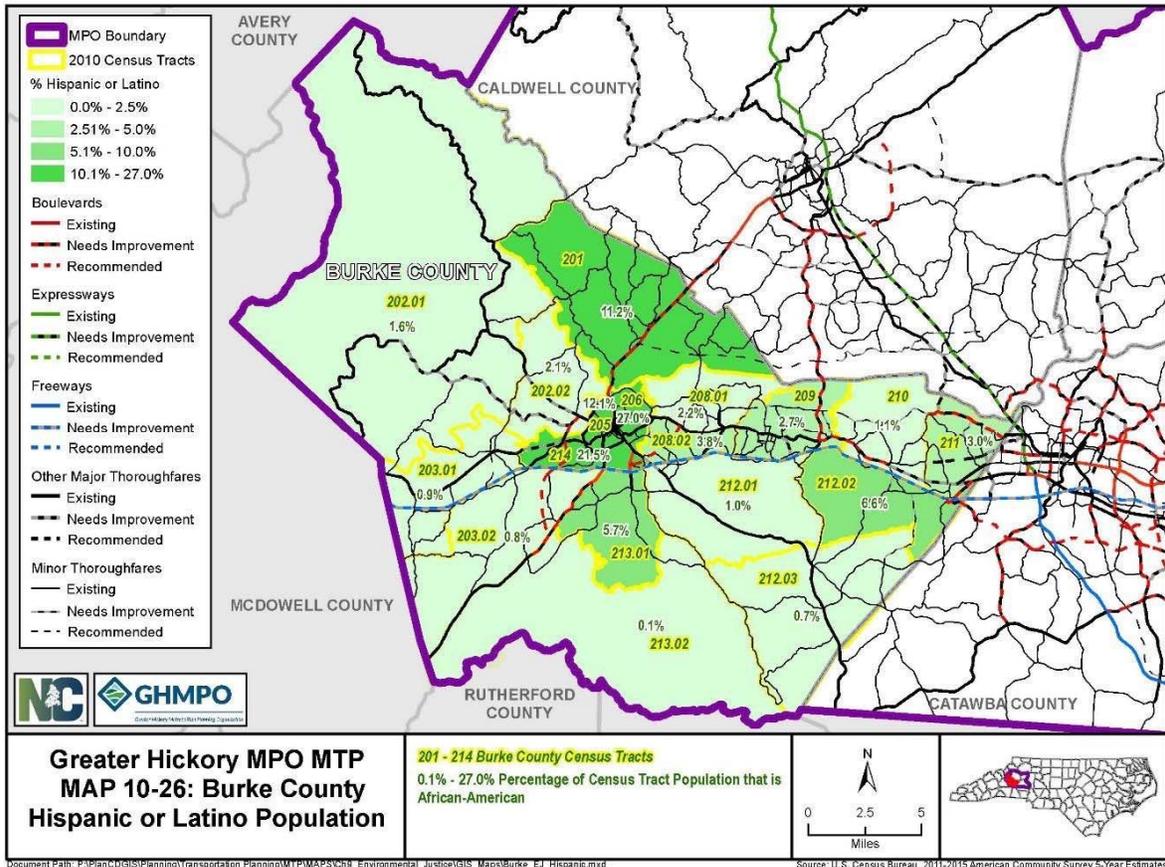
Data from the U.S. Census Bureau show the most concentrated Asian populations in Caldwell County were in Census Tracts 305, 312.01, and 313 and ranged from 0.76% to 2.27% of the overall Tract population. Tracts 301, 302, 306, 307, 310, 311, and 314.03 had the lowest Asian populations at <math><0.1\%</math>.



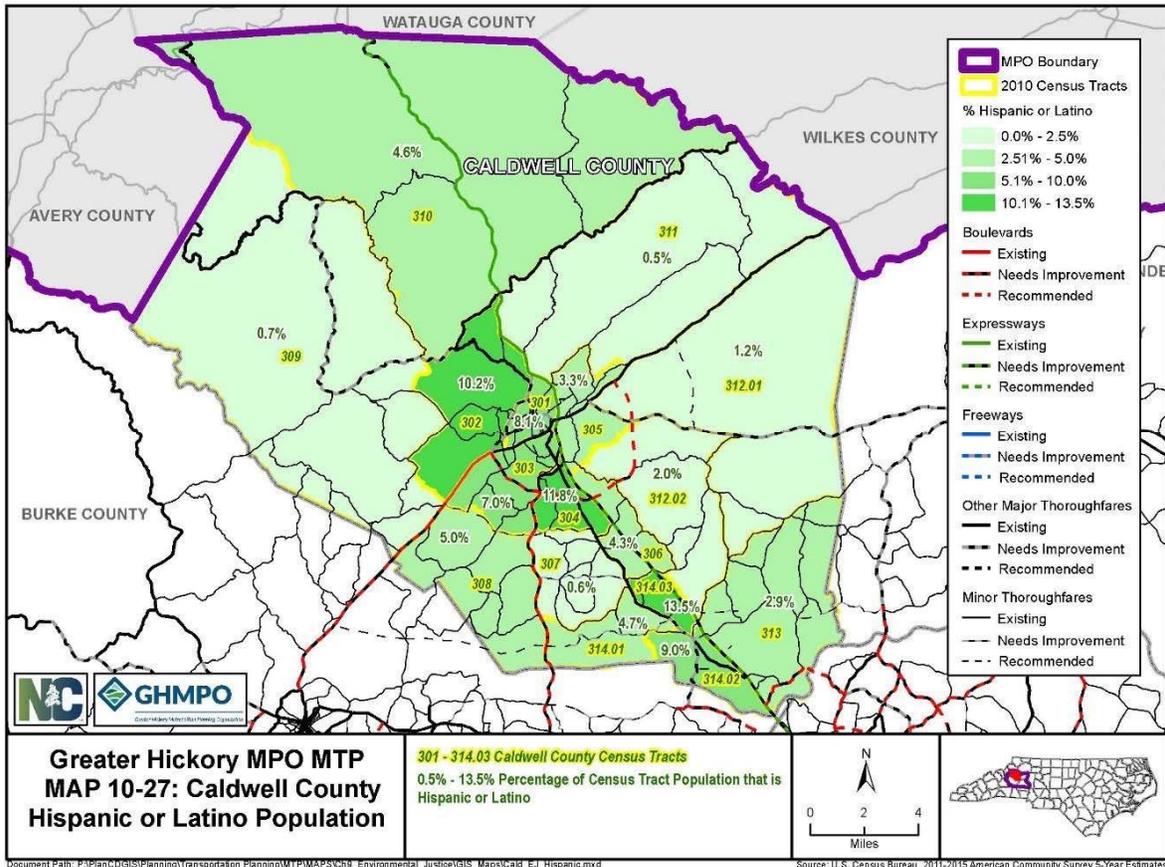
Data from the U.S. Census Bureau show the most concentrated Asian populations in Catawba County were in Census Tracts 102.02, 103.04, 113, and 117.02 and ranged from 7.51% to 10.8% of the overall Tract population. Tracts 106, 107, 115.03, and 116.02 had the lowest Asian populations at <0.1%.



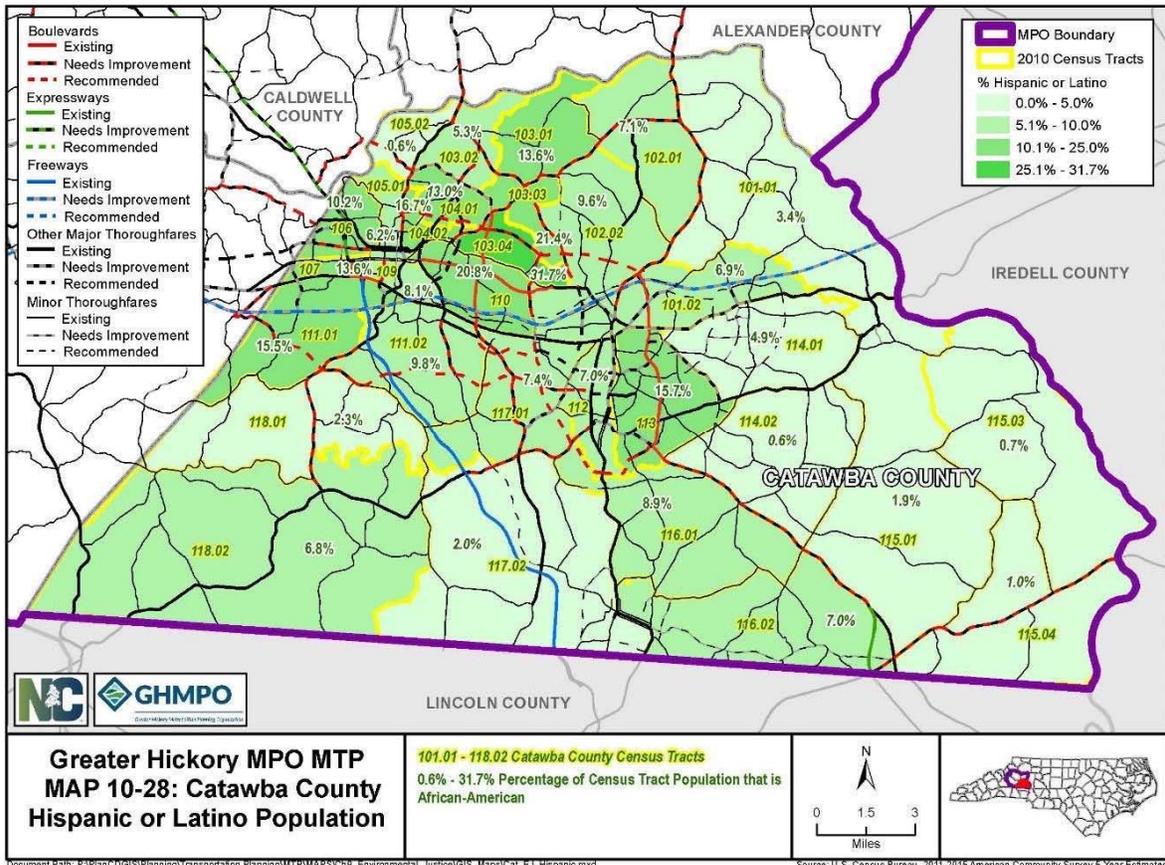
Data from the U.S. Census Bureau show the most concentrated Hispanic or Latino populations in Alexander County were in Census Tract 405 and encompassed 10.5% of the overall Tract population. Tract 401 had the lowest Hispanic or Latino populations at 0.1%.



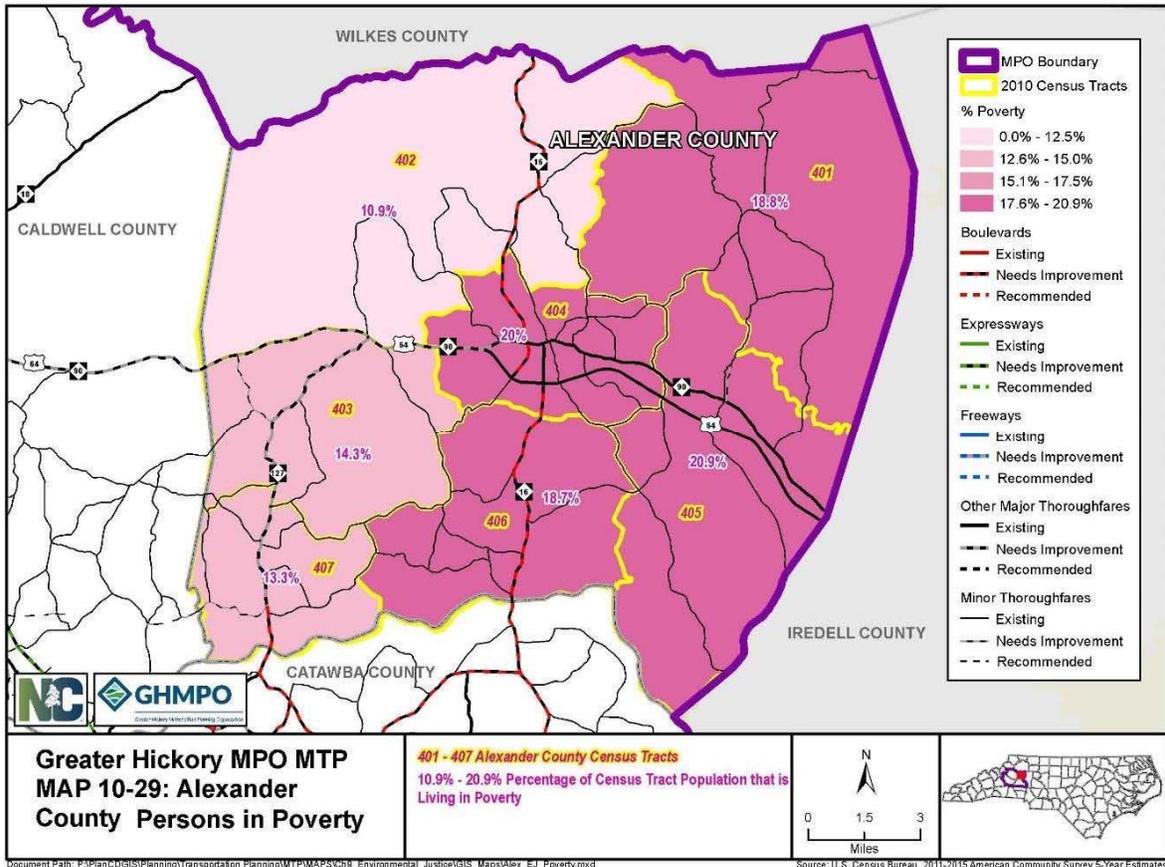
Data from the U.S. Census Bureau show the most concentrated Hispanic or Latino populations in Burke County were in Census Tracts 201, 205, 206, and 214 and ranged from 10.1% to 27% of the overall Tract population. Tract 213.02 had the lowest Hispanic or Latino populations at 0.1%.



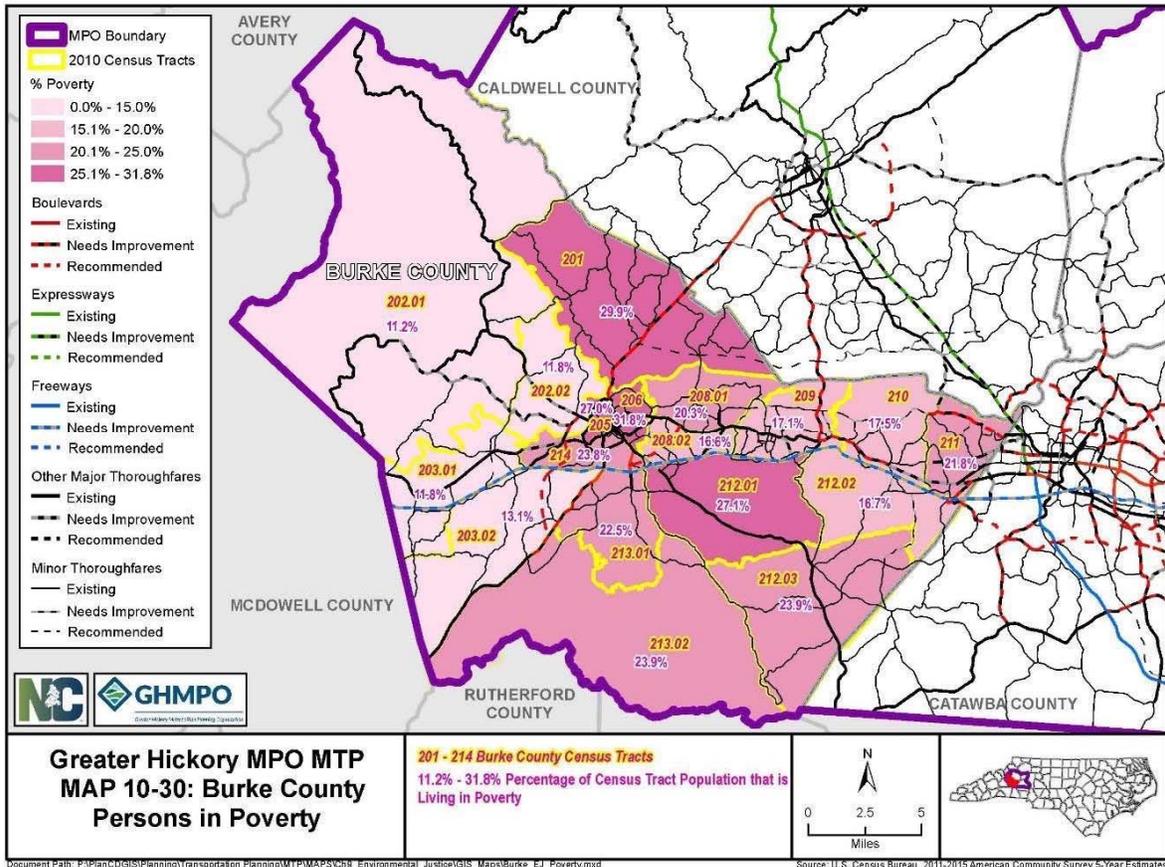
Data from the U.S. Census Bureau show the most concentrated Hispanic or Latino populations in Caldwell County were in Census Tracts 302, 304, and 314.03 and ranged from 10.1% to 13.5% of the overall Tract population. Tract 311 had the lowest Hispanic or Latino populations at 0.5%.



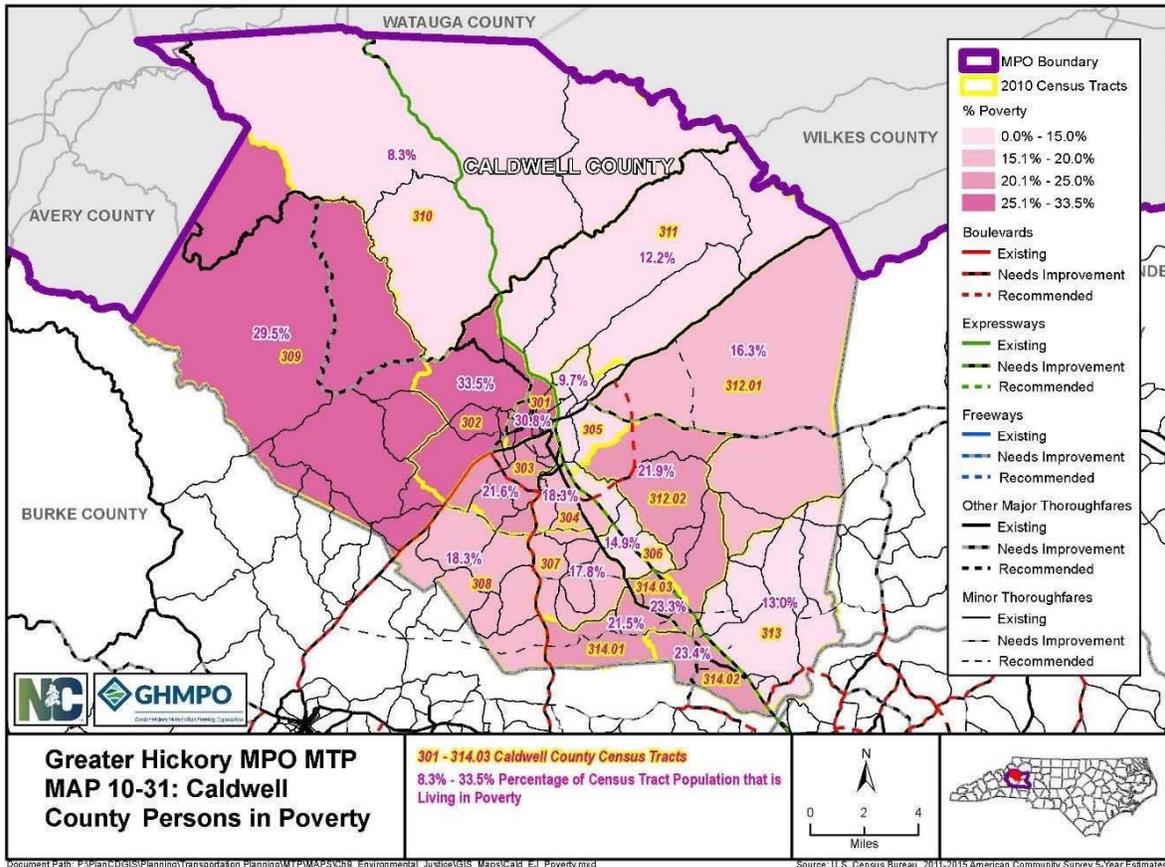
Data from the U.S. Census Bureau show the most concentrated Hispanic or Latino populations in Catawba County were in Census Tract 103.04 and encompassed 31.7% of the overall Tract population. Tract 105.02 had the lowest Hispanic or Latino populations at 0.6%.



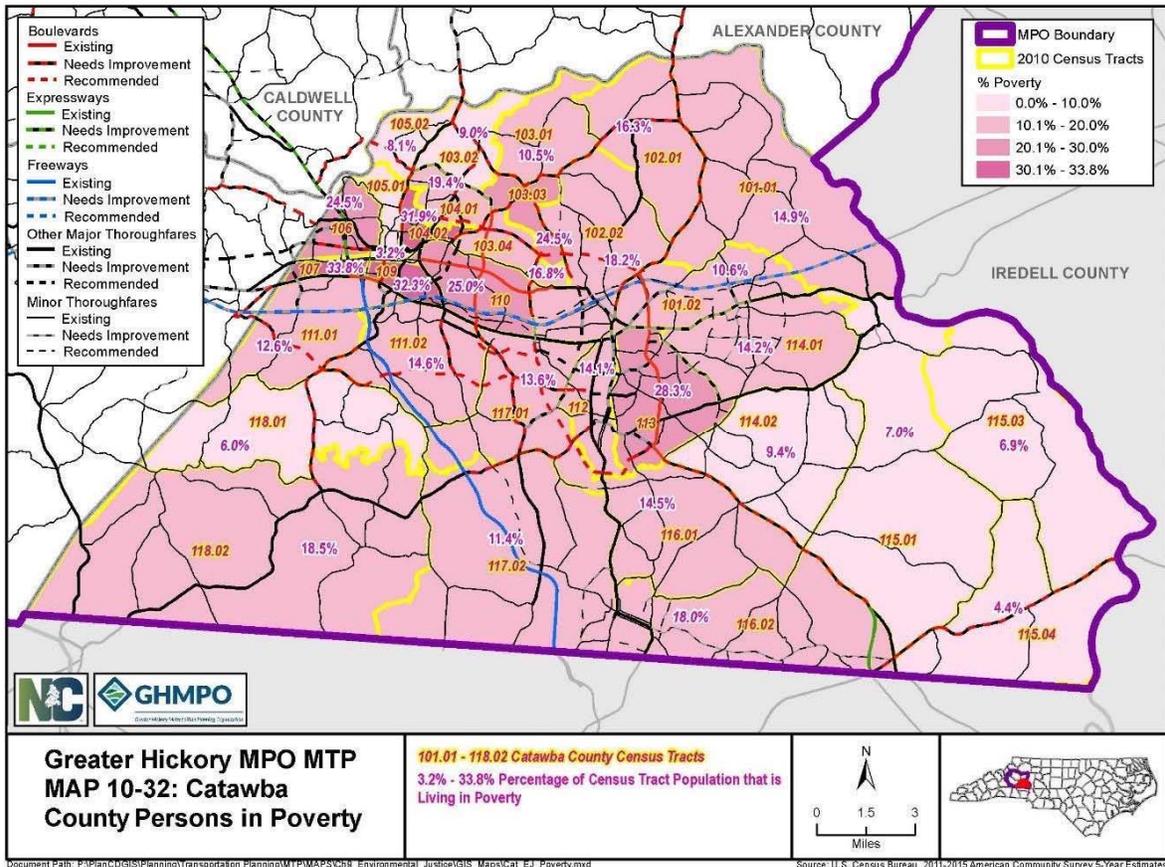
Data from the U.S. Census Bureau show the most concentrated poverty areas in Alexander County were in Census Tracts 401, 404, 405, and 406 and ranged from 17.6% to 20.9% of the overall Tract population. Tract 402 had the lowest number of persons in poverty at 10.9%.



Data from the U.S. Census Bureau show the most concentrated poverty areas in Burke County were in Census Tracts 201, 205, 206, and 212.01 and ranged from 25.1% to 31.8% of the overall Tract population. Tract 202.01 had the lowest number of persons in poverty at 11.2%.



Data from the U.S. Census Bureau show the most concentrated poverty areas in Caldwell County were in Census Tracts 301, 302, and 309 and ranged from 25.1% to 33.5% of the overall Tract population. Tract 310 had the lowest number of persons in poverty at 8.3%.



Data from the U.S. Census Bureau show the most concentrated poverty areas in Catawba County were in Census Tracts 104.02, 107, and 109 and ranged from 30.1% to 33.8% of the overall Tract population. Tract 105.01 had the lowest number of persons in poverty at 3.2%.

Environmental Justice Analysis

The Environmental Justice (EJ) analysis results illustrated in Maps 10-33 through 10-36 show how low-income and minority populations are distributed throughout the Greater Hickory MPO planning area. This analysis examined low-income and minority populations using 2010 Census Tracts, which are small, relatively permanent statistical subdivisions of a county. The purpose of this analysis was to determine EJ group concentrations and evaluate those groups' accessibility to existing and proposed transportation options. The following methodology was used to determine Census Tract EJ group concentrations:

1. United States Census and 2011-2015 American Community Survey (ACS) 5-Year Estimates data was used to calculate regional African-American, Asian, Hispanic or Latino, and Low-Income population percentages by dividing the total EJ group regional population by the total regional population.

2. The same Census and ACS data was used to calculate Census Tract population percentages for the same four groups by dividing the EJ group Tract population by the total Tract population.
3. Census Tract population percentages exceeding regional population percentages were scored and placed into a 4-level categorized “EJ Groups Concentration” scale based on total number of EJ Groups:
 - *No Concentration* – Census Tract with zero groups exceeding regional averages
 - *Low Concentration* – Census Tract with 1 group exceeding regional averages
 - *Moderate Concentration* – Census Tract with 2 groups exceeding regional averages
 - *High Concentration* – Census Tract with 3 or 4 groups exceeding regional averages
4. The 2045 MTP road network, regional sidewalk network, and public transit network were then mapped and overlaid onto the concentration categories. Finally, percentages were calculated to show how much of each network exists within each concentration category.

Results

Analysis Study Area

The Greater Hickory MPO planning area includes all jurisdictions within Alexander, Burke, Caldwell, and Catawba Counties. The region’s population is approximately 363,000 and consists of 1,666 square miles. The region is further divided into 73 Census Tracts. The region’s Census Tract populations range from 2,093 to 8,753 and their sizes range from 1.4 to 160.3 square miles.

Regional Averages

Each Census Tract was compared to regional population percentages for AfricanAmerican, Asian, Hispanic or Latino, and low-income Environmental Justice (EJ) communities. The regional averages provide a threshold for analyzing EJ population concentrations in each Census Tract and helps focus outreach efforts and services accordingly. Table 10-1 shows the regional population percentages for the 4 EJ groups. At 18.1%, the Low-Income population represents the largest EJ group. African-Americans comprise 6.8% of the region’s population; Hispanic or Latino, 6.7%; and Asian, 2.8%. The region’s percentage of African-American and Hispanic or Latino population is nearly identical. There are less than 10,000 North Carolinians of Asian origin living in the region. Though the overall regional average of this group is low, it is important to examine it to determine potential impacts of transportation projects on all Environmental Justice communities within the GHMPO region.

Table 10-1.

Greater Hickory MPO Regional Environmental Justice Population Percentages		
Group	Population	Percent
African-American	24,703	6.8%
Asian	9,986	2.8%
Hispanic or Latino	24,324	6.7%
Low-Income	----	18.1%

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Census Tract Averages vs. Regional Averages

The number of Census Tract Environmental Justice categories that exceed regional percentages are shown in Table 10-2. Nearly 40% of the African-American Tract percentages were higher than the regional average. These Tracts comprise all of Taylorsville, west Morganton, west Lenoir, south Hickory, and most of Newton-Conover.

Approximately 33% of the Asian Tract percentages were higher than the regional average. These Tracts consist of all of Connelly Springs, Drexel, Rutherford College, Valdese, and the Mountain View area of southwest Catawba County (but none of Taylorsville or Lenoir). Thirty Tracts had higher Hispanic or Latino percentages than the regional average. These tracts included southeast Alexander County, west Lenoir, north Gamewell, and along NC 16 in Catawba County. Nearly half the Tracts in the region had Low-Income percentages that were higher than the regional average. These Tracts include the South Mountains State Park area, some of the southern Pisgah National Forest Area of Caldwell County, and eastern Alexander County.

Table 10-2.

Greater Hickory MPO Census Tract Environmental Justice Population Percentages Vs. Regional Environmental Justice Population Percentages				
Group	Number of Tract Percentages Over Regional Percentages	Over Percentages	Number of Tract Percentages Under Regional Percentages	Under Percentage
African-American	29	39.7%	44	60.3%
Asian	24	32.9%	49	67.1%
Hispanic or Latino	30	41.1%	43	58.9%
Low-Income	34	46.6%	39	53.4%

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Concentration Scale

The total area and number of Census Tracts for the categorized concentration levels are shown in Table 10-3. The *No Concentration Level* had zero Tract averages that exceed the regional average, and consists of almost 40% of the MPO’s planning area. The *No*

Concentration Level is primarily located between northwest and southwest Alexander County, the Jonas Ridge (northeast) area of Burke County, northern Caldwell County, and the Lake Norman (southeast) area of Catawba County. The *Low Concentration Level* is the region’s second largest in term of square mileage (nearly 493 square miles), of which 337 square miles are located in Burke and Caldwell Counties. West Newton Taylorsville, Hildebran, and Maiden are all located within the *Moderate Concentration* levels. Twenty Tracts make up the *High Concentration Level*.

Table 10-3.

Environmental Justice Concentration Scale by Area and Number of Census Tracts				
Concentration Level	Area (Square Miles)	Area (%)	Number of Census Tracts	Census Tracts (%)
No	657.7	39.5%	18	24.7%
Low	492.8	29.6%	17	23.3%
Moderate	260.1	15.6%	18	24.7%
High	255.6	15.3%	20	27.4%
Total	1666.2	100%	73	100%

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Discussion:

As proposed projects move from the conceptual phases through to construction and completion, Environmental Justice and National Environmental Policy Act (NEPA) regulations require the evaluation (and mitigation of disproportionate impacts where necessary) of each project. Some of the potential negative impacts resulting from projects include, but are not limited to:

- Overall community accessibility and mobility (both within the EJ Tract and the wider region)
- Community cohesion
- Access to schools, senior centers, hospitals and social service providers
- Access to parks and the impacts of projects on parks
- The environment (auditory, visual, air/water pollution, vibration)
- Employment in the project vicinity (permanent or temporary business closures)
- Construction effects (dust, noise, emissions, vibration)
- The ability of residents and visitors to locate parking
- Indirect and cumulative effects (loss or gain in property values)

Conclusion

Nearly every High Concentration Tract in the GHMPO has major roads that are classified as needing improvement, indicating that environmental justice issues should be anticipated in those Tracts. The Environmental Justice Groups Concentration Analysis shows that Catawba County has the most *High Concentration* Tracts (13) and the most *Moderate Concentration* Tracts (7). Burke County is second with 4 and 5, respectively. Caldwell County has 2 *High Concentration* Tracts and 4 *Moderate Concentration* Tracts, while Alexander County has 1 *High Concentration* Tract and 2 *Moderate Concentration* Tracts. Similarly, Catawba County has the highest number of *Moderate Concentration* Tracts (7), while Burke County has the second highest (5). Caldwell County has 4 *Moderate Concentration* Tracts, and Alexander County has 2.

Burke County has the most *Low Concentration* Tracts (7). Catawba County has 4 *Low Concentration* Tracts, as does Caldwell County. Alexander County has the fewest (2). While the EJ Analysis shows that there is only 1 EJ Group in a *Low Concentration* Tract, this does not mean that environmental justice concerns are less important in these Tracts. In fact, the environmental justice concerns of all EJ Groups are critical, and are not evaluated based solely on the concentration of each group in a particular tract.

An extensive EJ Community involvement process must be undertaken in order to encourage full EJ Community participation in both the project planning and decision-making processes. To ensure that no disproportionately high and adverse property impacts accrue to low-income or minority populations, planners must avoid, minimize, and mitigate impacts to EJ Communities.

Outreach to EJ communities through neighborhood and small group meetings must take place early in the planning process. The potential impacts of a project on EJ Community cohesion is a critical factor that must be considered during the outreach phases.

Implementation of any of the alternatives considered for a project may have both beneficial and adverse impacts to communities within a project area, making public dialog and involvement that much more important. Only a transparent and comprehensive evaluation of potential alternatives, conducted in concert with all impacted EJ Community Groups, will result the selection of the best project alternatives.

Suggestions for Moving Forward

- The GHMPO shall continue to practice the following three basic Environmental Justice principles to benefit minority, low income and older populations:

- avoid or minimize high and adverse human health, environmental, social and/or economic effects on minority and low-income populations;
 - ensure full and fair participation of all potentially affected communities in the transportation decision-making process; and
 - prevent denial of, reduction in or significant delay in the receipt of benefits by minority and low-income populations.
- Investigate organizations offering Environmental Justice Grants that support solutions to local environmental and public health issues.
 - Evaluate enhanced transit options to low income residents in the GHMPO, where feasible and as funding allows, to low income residents in rural areas of the counties.
 - Targeted public outreach is recommended for future planning efforts, as well as during the National Environmental Policy Act (NEPA) process.
 - Work to establish fixed transit routes in minority, low income and older population areas of Morganton and Lenoir where they are currently non-existent.
 - Work to expand fixed transit routes in the Morganton area and from Morganton east to Valdese and Rutherford College where many seniors currently reside.
 - Continue to conduct meetings in locations that are convenient and easily accessible to Title VI and Environmental Justice populations.
 - Develop a practice of connecting with key community leaders, organizations, and institutions within minority and low income communities to ensure effective public outreach in those communities.
 - Increase bicycle and pedestrian infrastructure for a more interconnected network in low income and minority communities.
 - Continue to map past transportation projects in identified environmental justice areas (minority and poverty concentration) to determine project effects over time.
 - Ensure that public meetings are accessible via transit and bicycle and pedestrian facilities where applicable.

Appendix F
Investigation Guidance, Discrimination Complaint Form and Log
INVESTIGATIVE GUIDANCE

- A. Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.
- B. Developing an Investigative Plan** – It is recommended that the investigator (i.e., Title VI Coordinator or other official trained to conduct Title VI investigations) prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
 2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address, if applicable)
 3. Applicable Law(s)
 4. Basis/(es)
 5. Allegation(s)/Issue(s)
 6. Background
 7. Name of Persons to be interviewed
 - a. Questions for the complainant(s)
 - b. Questions for the respondent(s)
 - c. Questions for witness(es)
 8. Evidence to be obtained during the investigation
 - a. Issue – e.g., Complainant alleges his predominantly African American community was excluded from a meeting concerning a future project which could affect the community.
 - i. Documents needed – e.g., mailing list which shows all physical addresses, P.O. Box numbers, property owner names, and dates when the meeting notification was mailed; other methods used to advertise the meeting.
- C. Request for Information** – The investigator should gather data and information pertinent to the issues raised in the complaint.
- D. Interviews** – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.
- E. Preparing an Investigative Report** – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each allegation. A sample outline for an investigative report is provided below.

Sample Investigative Report Template

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable
Name, Address, Phone: 999-999-9999
- II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
Name, Address, Phone: 999-999-9999
- III. APPLICABLE LAW/REGULATION**
Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53)
Americans with Disabilities Act of 1990 (42 U.S.C. 12102; 49 CFR §37.21)
- IV. COMPLAINT BASIS/(ES)**
Race, Color, National Origin, Limited English Proficiency, Sex, Age, Disability
- V. ALLEGATIONS**
Describe in logical sequence, each allegation including the prohibited basis for the alleged discriminatory conduct, (e.g., race, color, national origin, sex, age, or disability) and the specific statutory or regulatory provision the allegation would violate, if proven to be true.

Issue #1 – Complainant alleges that transit system failed to inform minority communities of rate increases.
Issue #2 – Complainant alleges that transit system has not sufficiently publicized or held public meetings to share information regarding fare increases and route changes that impacts low-income and minority citizens.

VI. BACKGROUND

Provide detailed information regarding the complaint, including a historical overview of the case, including any activities or actions taken prior to accepting the complaint for investigation.

VII. INVESTIGATIVE PROCEDURE

Describe in detail, methods used to conduct the investigation, such as document requests, interviews and site visits. Include witnesses' names and addresses, documents received and/or reviewed, emails sent and received.

VIII. FINDINGS OF FACT

Provide a detailed description of the investigator's analysis of each allegation, based on clear and factual findings. Include specific evidence used to support your findings.

IX. CONCLUSION

State whether discrimination did or did not occur. Conclusions must be evidence-based and defensible. Test conclusions by considering all possible rebuttal arguments from the respondent and complainant. Both respondent and the complainant should be given an opportunity to confirm or rebut the assertions of the other party and your findings, but all the evidence you've presented should speak for itself.

X. RECOMMENDED ACTIONS

Outline what should be done to remedy the findings or, if necessary, provide justice for the complainant.

APPENDIX

Include in the Appendix any supplemental materials that support your findings and conclusion.

Greater Hickory MPO

DISCRIMINATION COMPLAINT FORM

<p>Any person who believes that he/she has been subjected to discrimination based upon race, color, national origin, sex, age, or disability may file a written complaint with the Greater Hickory MPO, within 180 days after the discrimination occurred.</p>				
Last Name:		First Name:		<input type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address:		City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address		
Identify the Category of Discrimination: <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> SEX <input type="checkbox"/> DISABILITY <input type="checkbox"/> LIMITED ENGLISH PROFICIENCY				
Identify the Race of the Complainant <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American <input type="checkbox"/> American Indian <input type="checkbox"/> Alaskan Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other _				
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
Names of individuals responsible for the discriminatory action(s):				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.				
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).				
	<u>Name</u>	<u>Address</u>	<u>Telephone</u>	
1.	_			
2.	_			
3.	_			
4.	_			

DISCRIMINATION COMPLAINT FORM

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

NC Department of Transportation _
 Federal Highway Administration _
 US Department of Transportation _
 Federal or State Court _
 Other _

Have you discussed the complaint with any GHMPO representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

_____ COMPLAINANT'S SIGNATURE	_____ DATE
---	----------------------

MAIL COMPLAINT FORM TO:
 Greater Hickory MPO
 P.O. Box 9026
 Hickory, NC 28603
 828-322-9191

FOR OFFICE USE ONLY

Date Complaint Received: _

Processed by: _

Case #: _

Referred to: NCDOT FHWA Date Referred: _

Appendix G
Compliance Review Checklist for FHWA Sub-Recipients

General Requirements	Completed
1. A copy of the recipient's signed USDOT Title VI Assurances	<input type="checkbox"/>
2. Title VI Policy Statement (signed)	<input type="checkbox"/>
3. Title VI Notice to Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Name and official title of Title VI Coordinator and a list of their Title VI duties	<input type="checkbox"/>
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6. Title VI Complaint Form	<input type="checkbox"/>
7. List of Title VI complaints, investigations, or lawsuits (i.e., Title VI Complaint Log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, low-income, disabled), as well as a summary of outreach efforts	<input type="checkbox"/>
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10. A table depicting the membership of any non-elected committees and councils, broken down by race and gender, and a description of the process the MPO uses to encourage minorities and women to participate on such committees	<input type="checkbox"/>
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program	<input type="checkbox"/>
12. Compliance and enforcement procedures to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. A demographic profile of your planning area that includes identification of the locations of minority, low-income, LEP, and/or other underserved populations	<input type="checkbox"/>
14. Information regarding how consultants and/or sub-recipients are monitored for compliance with Title VI	<input type="checkbox"/>
15. Any environmental justice analysis conducted in the past three years and, if necessary, a description of the measures used to address any disproportionately high and adverse impacts to minority or low-income communities	<input type="checkbox"/>
16. Documentation from any Title VI compliance reviews or investigations conducted by any agency other than NCDOT-OCR in the last three year	<input type="checkbox"/>

