

Crater Planning District Commission

FINAL Title VI Nondiscrimination Plan Environmental Justice Limited English Proficiency



Prepared by the Crater Planning District Commission
Adopted September 12, 2024 by the TCAMPO Policy Committee
Adopted September 26, 2024 by the Crater Planning District Commission



This Title VI Plan outlines how the Crater Planning District Commission (CPDC) and its decision-makers (such as the Tri-Cities Area Metropolitan Planning Organization (MPO)) meet Title VI requirements of the Civil Rights Act of 1964 and Environmental Justice compliance. This plan also outlines a procedure for filing complaints should any CPDC stakeholders feel they were subject to discrimination under Title VI guidelines and accompanying policies.

The Crater Planning District Commission and its associated organizations and programs assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964. In addition to the protections provided under Title VI, the Crater Planning District Commission adheres to all other applicable nondiscrimination laws and related authorities, ensuring that no person is discriminated against based on disability, sex, age, or income status. For more information on or to obtain a Title VI Complaint Form, see www.craterpdc.org or call the CPDC Title VI Coordinator at 804-861-1666.



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ABSTRACT

Title VI of the Civil Rights Act of 1964 states, "*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.*" Subsequent laws and Presidential Executive Orders added disability, sex, age, or income status to the criteria for which discrimination is prohibited. A full description of the Nondiscrimination Authorities can be found in Appendix I of this plan. The *Crater Planning District Commission Title VI Plan Update* was developed to ensure the CPDC is in compliance with nondiscrimination requirements as outlined in Title 23 CFR and 49 CFR and related laws and to provide specific information on how to file a nondiscrimination complaint (Appendix I).

This Title VI Plan is developed for the Crater Planning District Commission (CPDC) and its organizations and programs (including the Tri-Cities Area MPO) also provides an overview of Environmental Justice Assessment and Limited English Proficiency (LEP) concepts, definitions of Title VI concepts and associated nondiscrimination acts, and how Title VI and LEP requirements are addressed in the Metropolitan Transportation Plan and other processes. Guidelines for public outreach strategies for transportation planning are included within the *Tri-Cities Area MPO Public Participation Plan Update, adopted _____, 2024*.

ACKNOWLEDGEMENTS AND PURPOSE

The contents of this document reflect the views of the Crater Planning District Commission and its organizations and programs, including:

- Tri-Cities Area Metropolitan Planning Organization (TCAMPO)
- Crater Rural Transportation Planning Program (RTP)
- Hazard Mitigation Plan (HMP)
- Chesapeake Bay Watershed implementation Plan (WIP)
- Crater Housing Program
- Economic Development program (CEDS)
- Flood Protection Program
- APEX

The staff of the Crater Planning District Commission is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily

reflect the official views or policies of the federal government or the Commonwealth of Virginia. This document does not constitute a standard, specification, or regulation. Acceptance of this document by the Federal Highway Administration, the Federal Transit Administration and the Commonwealth Transportation Board, as evidence of fulfillment of the objectives of this planning document, does not constitute their approval for the location and design or commitment to fund any such improvements. Additional project level environmental impact assessments and/or studies of alternatives may be necessary.

The Crater Planning District Commission, as a sub-recipient of federal financial assistance, is required to comply with Title VI and subsequent nondiscrimination laws, as well as provide an overview of how the Crater Planning District Commission addresses Executive Order 12898 on Environmental Justice and Executive Order 13166 on Limited English Proficiency (LEP). The purpose of this Title VI Plan is to describe the measures taken by the Crater Planning District Commission to assure compliance with the rules and regulations associated with Title VI and subsequent nondiscrimination laws, Environmental Justice, and LEP requirements.

CRATER PLANNING DISTRICT COMMISSION

The Crater Planning District Commission (CPDC) is the state designated planning district commission for nearly 230,000 residents of Planning District 19 which includes the Cities of Colonial Heights, Emporia, Hopewell and Petersburg and the counties of Charles City, Chesterfield (southern portion), Dinwiddie, Greenville, Prince George, Surry, and Sussex. The principal functions include regional and environmental planning, energy conservation, economic development, housing, hazard mitigation, rural transportation planning programs and providing staff support for TCAMPO (as “host agency” for the TCAMPO). To learn more about Crater PDC, visit the website at <https://craterpdc.org/about-us/>

POLICY STATEMENT AND AUTHORITIES

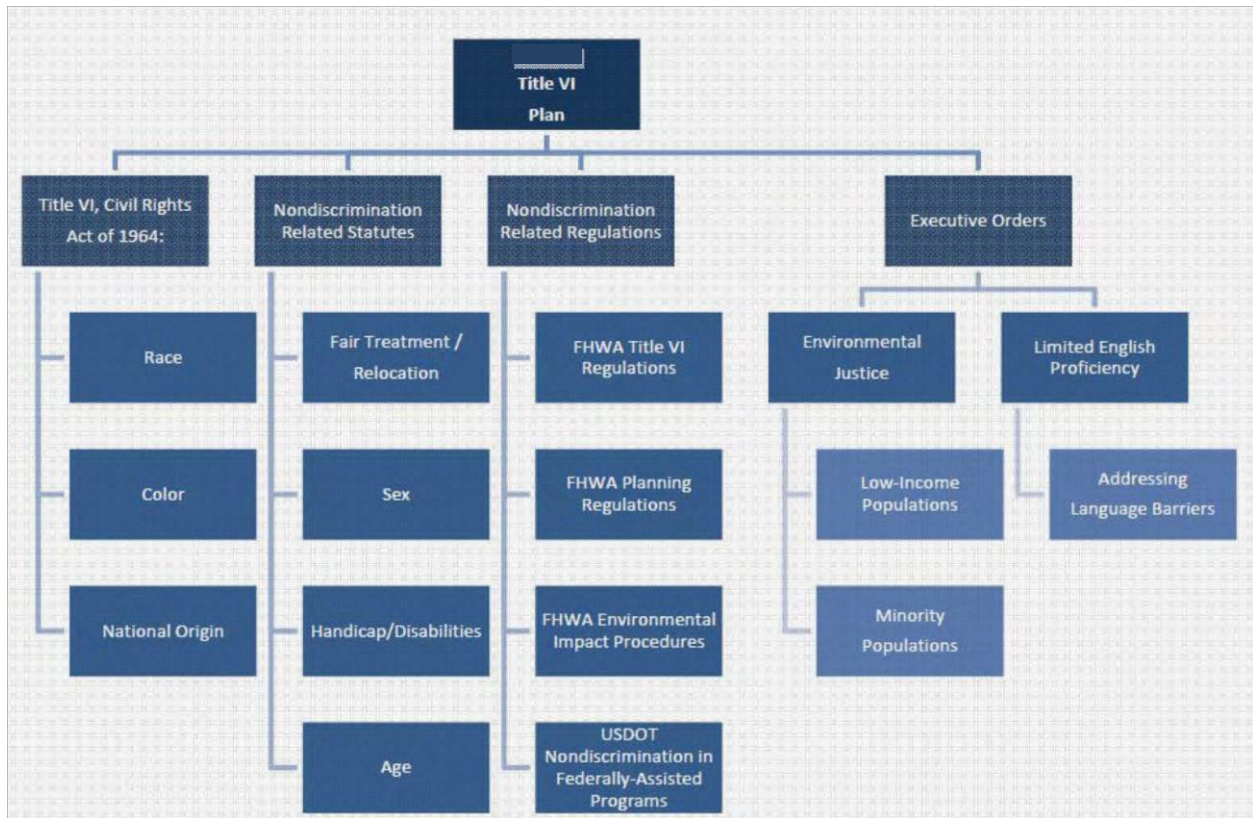
The Crater Planning District Commission and the decision-makers of its organizations and programs assures that no person shall, on the grounds of race, color, national origin, disability, sex, age, or income status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent nondiscrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The CPDC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Executive Director is responsible for ensuring the implementation of the MPO's Title VI Plan. The Title VI Coordinator, under supervision of the Executive Director, is responsible for coordinating the overall administration of the Title VI Plan and assurances. In the event the Crater Planning District Commission distributes federal-aid funds to another governmental entity, the Crater Planning District Commission will include Title VI language in all written agreements and will monitor for compliance. The authorities that provide guidance on Title VI and related nondiscrimination laws, regulations, and executive orders can be found in Appendix IV.

Title VI of the Civil Rights Act of 1964 prohibits federal agencies and sub-recipients of federal funds from discriminating, on the basis of race, color or national origin, against participants or clients of programs that receive Federal funding. Subsequent laws and Presidential Executive Orders added handicap, sex, age, or income status to the criteria for which discrimination is prohibited. This document addresses prohibition of discrimination as mandated by Title VI as well as by the authorities listed in the following section.

*Neither the Crater Planning District Commission (CPDC) nor its programs (such as the Tri-Cities Metropolitan Planning Organization (MPO)) have received any Title VI investigations, complaints, or lawsuits.

The chart below depicts the nondiscrimination authorities addressed in the CPDC Title VI Plan.



CRATER PLANNING DISTRICT COMMISSION/CPDC TITLE VI COORDINATOR

The Crater Planning District Commission Title VI Coordinator is generally responsible for overseeing compliance with applicable nondiscrimination authorities in each of the metropolitan transportation planning and programming areas. Other staff members are expected to provide information and support to assist the Title VI Coordinator perform his or her tasks.

Responsibilities of the Title VI Coordinator

The Crater Planning District Commission staff will assist the Title VI Coordinator in evaluating and monitoring compliance with applicable nondiscrimination authorities in all aspects of the CPDC public participation process. To comply with Title VI Requirements, Crater Planning District Commission staff members, including the Title VI Coordinator will:

- Identify, investigate, and work to eliminate discrimination when found to exist.
- Process discrimination complaints received by the Crater Planning District Commission. Any individual may exercise his or her right to file a complaint with the CPDC if that person believes that he or she or any other program beneficiaries have been subjected to discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, sex, handicap, age, or income status. The CPDC will make a concerted effort to resolve complaints in accordance with Discrimination Complaint Procedures.
- Using the guidance from the *TCAMPO Public Participation Plan Update*, ensure that performance methods and targets are specific, measurable, achievable, and time bound. Develop a baseline of current performance metrics and clear targets for improvement. Provide detailed methods for monitoring and evaluating progress toward meeting these targets.
- Gather relevant data for evaluating nondiscrimination performance, ensuring data sources are credible and representative of the populations served.
- Meet with appropriate staff members to select appropriate measures and targets, and monitor and discuss progress, implementation, and compliance issues related to the Crater Planning District Commission Title VI Plan.
- Using the guidance from the *TCAMPO Public Participation Plan Update*, strengthen community engagement strategies to ensure all voices, especially those from marginalized communities, are heard. Include surveys, focus groups, and community meetings to gather input and feedback.
- Periodically review the Title VI Plan to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance. This review will occur on an annual basis unless new federal requirements are issued requiring a different timetable. If an amendment or full Title VI Plan is required, use the 14-day amendment/30-day full plan public comment periods (same as the

TCAMPO Public Participation Plan Update). Note: this Plan used a 30-day public comment period.

- Work with staff involved with Consultant Contracts and sub-recipients found to not be noncompliant, to resolve the deficiency status and write a remedial action, if necessary, as described in the Consultant Contracts section of this document. A remedial action may consist of a letter to the noncompliant Consultant giving a deadline date for when compliance must occur.
- Review important issues related to nondiscrimination with the Executive Director, as needed.
- Maintain a list of Interpretation Service Providers.
- Assess communication strategies and address language needs when needed. The CPDC will identify local governments within the MPA that have a population of non-English speaking citizens that make up more than 5% of the total population or 1,000 persons, whichever is less. This percentage and number is based on federal guidelines.
- Disseminate information related to the nondiscrimination authorities. The *Crater Planning District Commission Title VI Plan* is to be disseminated to Crater Planning District Commission employees, contractors, the general public, and any of the CPDC services. Title VI information will be available through two sources: The CPDC webpage and hard copy.
- Coordinate with appropriate federal, state, and regional entities to periodically provide Crater Planning District Commission employees with training opportunities regarding nondiscrimination.
- Ensure that all new Crater Planning District Commission employees receive education and training regarding nondiscrimination regulations and procedures as set forth in this plan and in accordance with federal guidance.

Questions?

For questions on the *Crater Planning District Commission Title VI Plan* and procedures, please contact Mr. Ronald Svejkovsky, Title VI Coordinator at (804) 861-1666 or by email at rsvejkovsky@craterpdc.org. For information on the CPDC and its work programs or publications, please see the CPDC webpage:

<https://craterpdc.org/>

CRATER PLANNING DISTRICT COMMISSION RESPONSIBILITIES

The CPDC ensures compliance with all applicable nondiscrimination authorities and regarding the following:

- Communications and Public Participation
- Planning and Programming
- Environmental Justice
- Consultant Contracts
- Education and Training

In addition to the responsibilities listed in this section, Crater Planning District Commission staff responsibilities may include reviewing Title VI guidelines and procedures for the *Crater Planning District Commission Title VI Plan* and incorporating Title VI-related language and provisions into CPDC documents, as appropriate.

Communications and Public Participation

The work tasks of the CPDC have a direct and personal impact on the population of a region and is of critical importance to economic vitality and quality of life. The CPDC continually endeavors to provide citizens, affected public agencies, and other interested parties with reasonable opportunities to be involved in the CPDC's planning processes.

Note: The Communications and Public Participation area applies to and affects the CPDC work program as a whole and includes Crater PDC (including Tri-Cities Area MPO and other programs of the PDC) efforts and responsibilities related to the Planning and Programming and Environmental Justice areas. The *Tri-Cities Area MPO Public Participation Plan Update* includes specific information regarding outreach and communication strategies and Environmental Justice

guidelines. Special emphasis is placed on outreach strategies for minority, persons with disabilities, low-income, and LEP populations.

CPDC Responsibilities

The Crater Planning District Commission staff is responsible for evaluating and monitoring compliance with applicable nondiscrimination authorities in all aspects of the Crater Planning District Commission and Tri-Cities Area MPO public participation process, including the following:

- Ensure that all communications and public participation efforts comply with nondiscrimination authorities.
- Develop and distribute information on nondiscrimination and CPDC and Tri-Cities Area MPO programs to the general public. This item will be addressed by posting information on the CPDC/Tri-Cities Area MPO webpage as well as distributing copies of the Plan to local libraries and other public spaces.
- Provide services for individuals with special needs. This may include providing interpretation services.
- The minority media resource [Urban Views Weekly](#) will be included in the notification process for MPO public meetings or for the public review of MPO documents.
- Include the following statement in all CPDC public notices and on the webpage:

“The Crater Planning District Commission assures that no person shall on the grounds of race, color, sex, disability, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any agency sponsored program or activity. For more information on or to obtain a Title VI Complaint Form, see www.craterpdc.org or call the CPDC Title VI Coordinator at 804-861-1666.

- Include the above Title VI statement in press releases and on the CPDC webpage.

Planning and Programming

The CPDC is responsible for developing long and short-range plans and programs to provide efficient services for the CPDC Area. For example, a comprehensive transportation process is used which entails the monitoring and collection of various data pertaining to transportation issues. The CPDC coordinates with VDOT, DRPT, cities, counties, and area transit agencies; seeks public participation; and provides technical support when needed. The outreach methods for long-range transportation plan updates are included within the TCAMPO's *Public Participation Plan*.

CPDC Responsibilities

The Crater Planning District staff is responsible for evaluating and monitoring compliance with applicable nondiscrimination authorities in all aspects of the CPDC planning and programming processes. The Crater Planning District Commission staff will:

- Ensure that all aspects of the planning and programming process operation comply with nondiscrimination authorities.
- Prepare and update demographic maps and associated tables of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. These maps will be used to identify areas with high minority, persons with disabilities, low-income, and LEP population groups. The CPDC will be provided with current maps and associated tables, as appropriate.
- Make these maps and associated tables available to the public and member agencies on the CPDC and Tri-Cities Area MPO webpage or in hard copy format, if requested.
- Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process. This item is addressed throughout documents and methods

identified in the Tri- Cities Area MPO *Public Participation Plan*.

Environmental Justice

The concept of Environmental Justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of regional transportation planning, Environmental Justice considers the relative distribution of costs and benefits from transportation investment strategies and policies among different segments of society.

CPDC Environmental Justice Assessment Responsibilities

The CPDC staff is responsible for evaluating and monitoring compliance with applicable nondiscrimination authorities in all aspects of the CPDC's efforts to address Environmental Justice.

- Ensure that all aspects of efforts to address Environmental Justice comply with nondiscrimination authorities.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. This data is readily available through the US Census Bureau website. The charts below prepared by the CPDC (using *Plan2045's* 2017 ACS data for TCAMPO localities plus 2017 ACS data for the CPDC's non-MPO localities) profile minority population and poverty data by locality within the MPO study area and localities outside the MPO study area. Additional 2017 information profiling socio- economic characteristics within the TCAMPO study area by locality and Traffic Analysis Zone is in the [2017-2050 Socio-Economic Data](#) which is available online. Chapter 11 of [Plan 2045](#) includes an assessment of anticipated environmental justice impacts of planned highway and transit projects.
- The Tri- Cities Area MPO's *Public Participation Plan* includes provision for outreach strategies for minorities, persons with disabilities, and low-income households traditionally underserved by existing transportation systems. With the adoption of the *Crater Planning District Commission Title VI Plan*, the LEP population for the TCAMPO and rural localities of the Crater PDC

will be included under this provision and be considered in the development of future metropolitan, rural, and PDC-wide plans and programs.

- Disseminate information to the public on the processes used and findings of any analysis, in accordance with Tri-Cities Area MPO public participation procedures.

Minority Population

TCAMPO localities in Crater PDC:										
Jurisdiction	Total Population ¹	Not Hispanic or Latino and Single Race Alone							Hispanic or Latino	Minority
		White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some other race alone	Two or more races		
Chesterfield	335,594	210,795	75,068	747	11,562	85	942	8,711	27,684	124,799
		62.80%	22.40%	0.20%	3.40%	0.00%	0.30%	2.60%	8.20%	37.20%
Chesterfield TCAMPO tracts	47,681	26,638	15,190	82	649	13	0	1,329	3,780	21,043
		55.87%	31.86%	0.17%	1.36%	0.03%	0.00%	2.79%	7.93%	44.13%
Colonial Hts.	17,582	13,068	2,312	87	675	0	34	435	971	4,514
		74.33%	13.15%	0.49%	3.84%	0.00%	0.19%	2.47%	5.52%	25.67%
Dinwiddie	28,033	17,422	8,912	0	119	12	131	544	893	10,611
		62.15%	31.79%	0.00%	0.42%	0.04%	0.47%	1.94%	3.19%	37.85%
Hopewell	22,353	10,905	8,940	24	290	0	18	540	1,636	11,448
		48.79%	39.99%	0.11%	1.30%	0.00%	0.08%	2.42%	7.32%	51.21%
Petersburg	32,037	4,806	24,223	86	343	13	152	922	1,492	27,231
		15.00%	75.61%	0.27%	1.07%	0.04%	0.47%	2.88%	4.66%	85.00%
Prince George	37,704	20,978	11,766	199	794	48	103	964	2,852	16,726
		55.64%	31.21%	0.53%	2.11%	0.13%	0.27%	2.56%	7.56%	44.36%
Total Localities	473,303	277,974	131,221	1,143	13,783	158	1,380	12,116	35,528	195,329
		58.73%	27.72%	0.24%	2.91%	0.03%	0.29%	2.56%	7.51%	41.27%
TCAMPO (approx)	185,390	93,817	71,343	478	2,870	86	438	4,734	11,624	91,573
		50.61%	38.48%	0.26%	1.55%	0.05%	0.24%	2.55%	6.27%	49.39%

Non-MPO Localities in Crater PDC:										
Charles City	7,022	3,009	3,245	461	67	0	14	226	126	4,139
		42.85%	46.21%	6.57%	0.95%	0.00%	0.20%	3.22%	1.79%	58.94%
Emporia	5,495	1,804	3,531	4	11	0	6	139	311	4,002
		32.83%	64.26%	0.07%	0.20%	0.00%	0.11%	2.53%	5.66%	72.83%
Greensville	11,606	4,597	6,719	32	7	0	67	184	456	7,465
		39.61%	57.89%	0.28%	0.06%	0.00%	0.58%	1.59%	3.93%	64.32%
Surry	6,670	3,500	3,043	1	28	0	14	84	55	3,225
		52.47%	45.62%	0.01%	0.42%	0.00%	0.21%	1.26%	0.82%	48.35%
Sussex	11,595	4,444	6,601	42	37	4	191	276	331	7,482
		38.33%	56.93%	0.36%	0.32%	0.03%	1.65%	2.38%	2.85%	64.53%
Total Non-MPO	42,388	17,354	23,139	540	150	4	292	909	1,279	26,313
		40.94%	54.59%	1.27%	0.35%	0.01%	0.69%	2.14%	3.02%	62.08%

Source: ACS, Table DP05, 2017 5-year average

Poverty Level

TCAMPO Localities in Crater PDC:			
Jurisdiction	Total Population	Income in the past 12 months below poverty level	Percentage
Chesterfield	331,055	23,707	7.16%
Chesterfield TCAMPO tracts	45,615	3,674	8.05%
Colonial Heights	17,468	2,312	13.24%
Dinwiddie	27,441	4,062	14.80%
Hopewell	22,037	4,670	21.19%
Petersburg	31,363	8,646	27.57%
Prince George	33,653	4,134	12.28%
Total Localities	463,017	47,531	12.28%
TCAMPO Area	177,577	27,498	15.49%
Non-MPO Localities in Crater PDC:			
Charles City	6,733	923	13.71%
Emporia	5,182	1,631	31.47%
Greensville	11,078	1,447	13.06%
Surry	6,377	909	14.25%
Sussex	11,105	1,244	11.20%
Total Non-MPO	40,475	6,154	15.20%

Source: ACS Table S1701, 2017 5-year average

Limited English Proficiency

On August 1, 2000, President William J. Clinton signed Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency. The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Individuals who do not speak English as their primary language and who have

limited ability to read, speak, write, or understand English can be limited English proficient, or “LEP”. For an LEP individual, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter.

The United States Department of Transportation guidelines require that recipients of federal financial assistance provide “meaningful access to programs and activities” by giving LEP persons adequate and understandable information and allowing them to participate in programs and activities, where appropriate. Recipients of federal funds must take reasonable steps to remove barriers for LEP individuals. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. Demography: number and/or proportion of LEP persons served and languages spoken in the service area.
2. Frequency: rate of contact with service or program.
3. Importance: nature and importance of program/service to people’s lives.
4. Resources: available resources, including language assistance services.

The four-factor analysis should be used to determine which language assistance services are appropriate to address the identified needs of the LEP population. More information regarding the identification of LEP individuals within the community and CPDC responsibilities are included in Appendix V.

CPDC provides LEP persons meaningful access to programs and activities by providing adequate and understandable information and executing reasonable steps to remove participation barriers.

Consultant Contracts

CPDC is responsible for selection, negotiation, and administration of its consultant

contracts. The CPDC operates under its internal contract procedures and all relevant federal and state laws.

Under the Responsibilities Section, subsection Consultant Contracts, add the following language:

Consultant Contracts: The Crater Planning District Commission (CPDC) and the Tri-Cities Metropolitan Planning Organization (MPO) are responsible for selection, negotiation, and administration of its consultant contracts under the provisions of its internal contract procedures and all relevant state and federal laws. Consultant contracts will include USDOT 1050.2 Appendix A in contract document templates.

The Title VI Coordinator is responsible for evaluating and monitoring consultant contracts for compliance with nondiscrimination authorities to:

- Ensure inclusion of all applicable nondiscrimination language in contracts and request for proposals (RFPs).
- Review outreach activities to ensure small, disadvantaged, minority, women and disabled veteran businesses are not excluded to participate in opportunities to compete for consulting contracts.
- Review consultants for compliance as follows:
 - The Title VI Coordinator will ensure that consultants are monitoring and verifying compliance with all applicable nondiscrimination authorities, procedures and requirements within the workplace and in the conduct of grant-funded activities.
 - If a recipient or sub-recipient is found to not be in compliance with the nondiscrimination authorities, the Title VI Coordinator and appropriate staff members will work to resolve the deficiency and prepare a remedial action, if necessary.

The Crater Planning District Commission, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000 d – 42 and Title 49, Code of Federal Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to the invitation, and will not discriminate on the grounds of race, color or national origin in consideration for an award.

CPDC Responsibilities

The CPDC staff is responsible for evaluating and monitoring consultant contracts for compliance with nondiscrimination authorities. The CPDC staff will:

- Ensure inclusion of nondiscrimination language in contracts and Requests for Proposals (RFPs).
- Review consultants for compliance as described below:
 - Ensure that all consultants verify their compliance with nondiscrimination authorities, procedures, and requirements.
 - If a recipient or sub-recipient is found to be not in compliance with nondiscrimination authorities, the Title VI Coordinator and relevant staff will work with the recipient or sub-recipient to resolve the deficiency status. This means that the Title VI Coordinator will give a deadline for when the matter must be resolved.
 - Review outreach activities to ensure small, disadvantaged, minority, women, and disabled veteran businesses are not excluded to participate in opportunities to compete for consulting contracts. Outreach methods and sources for the TCAMPO are discussed in the Tri-Cities Area MPO's *Public Participation Plan*.

Education and Training

In an effort to continuously improve the CPDC's overall compliance posture, nondiscrimination training will be coordinated with FHWA, VDOT, DRPT, and the Petersburg Area Transit (PAT), and made available to CPDC staff on an ongoing basis to ensure up-to-date knowledge of Title VI and other nondiscrimination statutes. CPDC Staff were recently trained in Basic Title VI in April 2024.

CPDC Responsibilities

Under the category of education and training, nondiscrimination responsibilities include:

- Distribution of information to CPDC staff on training programs regarding Title VI and related statutes.
- Tracking staff participation in nondiscrimination training.
- Maintain and update nondiscrimination training as necessary.
- Maintain and update the CPDC *Title VI Plan* as necessary. The *Title VI Plan* will be reviewed on an annual basis unless a new federal mandate requires a different timeline.

APPENDIX I: DISCRIMINATION COMPLAINT PROCEDURES

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin. Subsequent laws and Presidential Executive Orders added disability, sex, age, income status and limited English proficiency to the criteria for which discrimination is prohibited, in programs and activities receiving federal financial assistance. As a sub-recipient of federal assistance, the CPDC has adopted a Discrimination Complaint Procedure as part of its Title VI Plan to comply with Title VI and associated statutes.

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any nondiscrimination authority, may file a complaint with the CPDC. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the CPDC Title VI Coordinator for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

The recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature.

The complaint shall then be handled in the usual manner.

4. Within 10 days, the CPDC Title VI Coordinator will acknowledge receipt of the allegation in writing, inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA).
5. Within 10 days, a letter will be sent to the VDOT Central Office, Civil Rights Division, and a copy to the FHWA Virginia Division Office. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
6. In the case of a complaint against the CPDC, a VDOT investigator will prepare a final investigative report and send it to the complainant, respondent (CPDC person listed), the CPDC Title VI Coordinator, and FHWA Virginia Division.
7. Generally, the following information will be included in every notification to the VDOT Office of Civil Rights:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, national origin, handicap, sex, age, disability, income status, limited English proficiency).
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by the recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or federal) where the complaint has been filed.
 - h. An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
8. Within 60 days, the CPDC Title VI Coordinator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the recipient of federal assistance. The complaint

should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

9. Within 90 days of receipt of the complaint, the CPDC Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the Virginia Department of Transportation or the Federal Highway Administration, if they are dissatisfied with the final decision rendered by the CPDC. The CPDC's Title VI Coordinator will also provide the VDOT Civil Rights Central Office with a copy of the determination and report findings.
10. In the case a nondiscrimination complaint that was originated at the CPDC is turned over to and investigated by VDOT, FHWA or another agency, the CPDC Title VI Coordinator will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and VDOT policies and procedures.
11. In accordance with federal law, the CPDC will require that applicants of federal assistance notify the CPDC of any lawsuits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.
12. The CPDC will submit Title VI accomplishment reports to the VDOT Central Office, Civil Rights Division, in compliance with VDOT's established processes.
13. The CPDC will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and VDOT's established procedures and guidelines.
14. Pursuant to the Virginia Public Records Act (VPRA) § 42.1-76 et seq., the CPDC will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the CPDC.
15. Records of complaints and related data will be made available by request in accordance with the Virginia Freedom of Information Act.

APPENDIX II: DISCRIMINATION COMPLAINT FORM

Please provide the following information in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to: Crater Planning District Commission, Title VI Coordinator, 1964 Wakefield Street, Petersburg, VA 23805 You can reach our office Monday-Friday from 9:00 am to 5:00 pm at (804) 861-1666, or you can email the CPDC Title VI Coordinator at rsvejkovsky@craterpdc.org.

Complainant's Name: _____

Street Address: _____

City: _____ State _____ Zip Code: _____

Telephone No. (Home): _____ Business: _____

Email Address: _____

Person discriminated against (if other than complainant):

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

The name and address of the agency, institution, or department you believe discriminated against you.

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date of incident resulting in discrimination: _____

Describe how you were discriminated against. What happened and who was responsible? If additional space is required, please either use the back of the form or attach extra sheets to form.

Does this complaint involves a specific individual (s) associated with the TCAMPO ? If so, provide the name (s) of the person (s) , if known . _____

Where did the incident take place?

Are there any witnesses? If so, please provide your contact information:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Did you file this complaint with another federal, state or local agency, or in federal or state court?

Yes

No

If yes, check each complaint that was filed with the agency:

Federal Agency

State Court

Federal Court

Local Agency

State Agency

Other

Please provide the contact information for the agency also filed a complaint with:

Name: _____

Street Address: _____

City: _____ State: _____

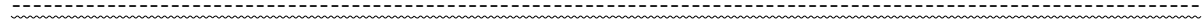
Date of presentation: _____

ZIP/Postal Code: _____

Sign complaint in the space below. Attach any documents that you believe support your complaint.

Signature of Applicant

Date of Signature



For Internal use only

DISCRIMINATION COMPLAINT FORM IN SPANISH

Por favor, provea la siguiente información con el fin de procesar su queja. La ayuda está disponible bajo petición. Complete este formulario y envíelo por correo o entregar a:

Crater Planificación Distrito Comisión, Coordinador del Título VI, 1964 Wakefield Street, Petersburg, VA 23805

Puede llegar a nuestra oficina de lunes a viernes de 8:30 am a 5:00 pm al (804) 861-1666, o puede enviar el Crater Coordinador del Título VI a rsvejkovsky@craterpdc.org.

Nombre del querellante: _____

Dirección: _____

Ciudad: _____ Estado: _____

Teléfono (Casa): : _____

Dirección de correo electrónico: : _____

Persona de discriminación (si no es demandante):

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____

Teléfono: : _____

El nombre y la dirección de la agencia, institución o departamento que usted cree que discriminó en su contra.

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Fecha del incidente que resulta en la discriminación: _____

Describa cómo fue discriminado. ¿Qué pasó y quién fue el responsable? Si se necesita espacio adicional, por favor, o bien utilizar el reverso del formulario o adjuntar hojas adicionales a la forma.

¿Esta denuncia implica a un individuo específico (s) asociado con el CPDC? En caso afirmativo, indique el nombre (s) de la persona (s), si se conoce.

¿Dónde se llevará a cabo el incidente?

¿Hay testigos? Si es así, por favor proporcione su información de contacto:

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: ____ Teléfono: : _____

Código postal: _____

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____

Teléfono: _____

Código postal: _____

¿Presentó esta queja con otra agencia federal, estatal o local, o ante un tribunal federal o estatal?

Sí

Not

Si la respuesta es Sí, marque cada queja se presentó ante la agencia:

Agencia Federal para el

Corte del Estado de

Tribunal Federal

Agencia Local

Agencia Estatal de Otro

Sírvanse proporcionar información la persona de contacto para la agencia también se presentó la queja con:

Nombre: : _____

Dirección: :-

Ciudad: _____ Estado: _____

_____ Fecha de presentación: : _____

Código postal: _____

Firme la queja en el espacio de abajo. Adjunte cualquier documento que considere apropiado para respaldar su queja.

Firma del Demandante

Fecha Firma

Sólo para uso interno:

Entrar #: _____

APPENDIX III: NOTICE TO THE PUBLIC

In order to comply with 49 CFR Section 21.9(d), the CPDC shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long-Range Transportation Plan, Transportation Improvement Program, and Unified Planning Work Program. The text will be placed permanently on the Crater Planning District Commission's webpage: <http://www.craterpdc.org/transportation/mpo.htm>

The Crater Planning District Commission and its associated organizations and programs assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964. In addition to the protections provided under Title VI, the Crater Planning District Commission adheres to all other applicable nondiscrimination laws and related authorities, ensuring that no person is discriminated against based on disability, sex, age, or income status. For more information on or to obtain a Title VI Complaint Form, see www.craterpdc.org or call the CPDC Title VI Coordinator at 804-861-1666.

APPENDIX IV: Title VI and Other Nondiscrimination Authorities

Title VI is usually referred to in the context of federal nondiscrimination laws. Title VI is one of eleven titles included in the Civil Rights Act of 1964. The following is a list of all of the Civil Rights Act titles:

- i. Voting Rights
- ii. Public Accommodation
- iii. Desegregation of Public Facilities
- iv. Desegregation of Public Education
- v. Commission on Civil Rights
- vi. Nondiscrimination in Federally Assisted Programs and Activities
- vii. Equal Employment Opportunity
- viii. Registration and Voting Statistics
- ix. Intervention and Procedure after Removal in Civil Rights Cases
- x. Establishment of Community Relations Service
- xi. Miscellaneous

Title VI *"declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy."* Any organization that receives Federal funds is bound to comply with Title VI.

Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

- a. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- b. The Federal Aid Highway Act of 1973 states that no person shall, on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.
- c. Section 504 of the Rehabilitation Act of 1973 states that no qualified

handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.

- d. The Age Discrimination Act of 1975 states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in Federally Assisted Programs.
- e. The Civil Rights Restoration Act of 1987, P.L.100-209 amends Title VI of the 1964 Civil Rights Act to make it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.
- f. The American Disabilities Act (ADA) of 1990 prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.
- g. 23 CFR Part 200 – Federal Highway Administration regulations: Title VI Program and Related Statutes– Implementation and Review Procedures.
- h. 49 CFR Part 21 – Nondiscrimination in Federally-Assisted Programs.
- i. 23 CFR Part 450 – Federal Highway Administration planning regulations.
- j. 23 CFR Part 771 – Federal Highway Administration regulations, Environmental Impact Procedures.

In addition to the laws listed above, two executive orders must be taken into account when ensuring compliance with federal nondiscrimination laws, directives, and mandates:

- Executive Order 12898 – Environmental Justice (February 11, 1994), a presidential mandate to address equity and fairness toward low-income and minority persons/population. Executive Order 12898 organized and explained the federal government’s commitment to promote Environmental Justice. Each federal agency was directed to review its procedures and make environmental justice part of its mission. U.S. DOT Order 5610.2 (April 15, 1997) expanded upon Executive Order 12898 requirements and describes process for incorporating Environmental Justice principles into DOT programs, policies, and activities. FHWA

Order 6640.23 (December 2, 1998) – FHWA Actions to Address Environmental Justice in Minority Populations and Low- Income Populations.

- DOT Order 5610.2 on Environmental Justice summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components.
- Executive Order 13166 – Limited English Proficiency (August 11, 2000), a presidential directive to federal agencies to ensure people who have limited English proficiency have meaningful access to services. Executive Order 13166 ensures federal agencies and their recipients to improve access for persons with Limited English Proficiency to federally-conducted and federally assisted programs and activities.
- The National Environmental Policy Act (NEPA) of 1969 addresses both social and economic impacts of environmental justice. NEPA stresses the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings,” and provides a requirement for taking a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making.
- FHWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning - This memorandum provides clarification for field officers on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as important during the planning stages as it is during the project development stages.

ENVIRONMENTAL JUSTICE

On February 11, 1994, President William J. Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which directs federal agencies to develop strategies

to help them identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The Executive Order was also intended to provide minority and low-income communities with access to public information and opportunities for public participation in matters relating to human health or the environment.

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
 - the availability of public and private facilities and services
- Adverse employment effects.
- Displacement of persons, businesses, farms, or non-profit organizations.
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community.
- Denial of, reduction in, or significant delay in the receipt of benefits of the CVMPO programs, policies, or activities.

Environmental Justice joins social and environmental movements by addressing the unequal environmental burden often borne by minority and low-income populations. The right to a safe, healthy, productive, and sustainable environment for all, where "environment" is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments.

Environmental Justice helps to ensure that programs, policies, and activities that have adverse effects on communities do not affect minority and low-income populations disproportionately. To prevent discrimination as described in

Executive Order 12898, the Federal Highway Administration Order *Order To Address Environmental Justice in Minority Populations and Low-Income Populations* dated December 2, 1998 defines minority and low-income individuals and populations as follows:

Minority – a person who is Black, Hispanic, American Indian and Alaskan Native, or Asian American:

- Black – a person having origins in any of the black racial groups of Africa.
- Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- American Indian and Alaskan Native – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- Asian American – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific islands.

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

Low-Income – a person whose household income is at or below the United States Department of Health and Human Services poverty guidelines.

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

Environmental Justice is incorporated through all phases of the transportation planning and programming process. Environmental Justice Guidelines for the Tri-Cities Area MPO have been developed and are included within the updated *Tri-Cities Area MPO Public Participation Plan*, adopted in 2024, and within *Plan2024*, completed in 2022.

APPENDIX V: Limited English Proficiency (LEP) Background Information and LEP Plan

On August 11, 2000, President William J. Clinton signed Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency. The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP." For an LEP individual, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter.

The United States Department of Transportation guidelines require that recipients of federal financial assistance provide "meaningful access to programs and activities" by giving LEP persons adequate and understandable information and allowing them to participate in programs and activities, where appropriate. Recipients of federal funds must take reasonable steps to remove barriers for LEP individuals. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

- i. Demography: number and/or proportion of LEP persons served and languages spoken in service area.
- ii. Frequency: rate of contact with service or program.
- iii. Importance: nature and importance of program/service to people's lives.
- iv. Resources: available resources, including language assistance services.

The four-factor analysis was used to determine which language assistance services are appropriate to address the identified needs of the LEP population. Below is a detailed description of the four-factor analysis.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be

Served or Encountered in the Eligible Service Population

The CPDC staff has reviewed the 2017 ACS Data (also used for *Plan2045*) on the number of individuals in its service area that have LEP, as profiled below.

Data in the below shown table was obtained from the U.S. Census Bureau's 2017 American Community Survey (ACS) for the jurisdictions within the CPDC. This data indicates the extent to which translations into other languages are needed to meet the needs of LEP persons.

TCAMPO Localities in Crater PDC:							
Jurisdiction	Total Population	Spanish-Speaking Limited English Proficiency (LEP) Population	Percentage Spanish Speaking LEP	Other Limited English Speaking (LEP) Population	Percentage Other LEP	Total Limited English Speaking (LEP)	Percentage LEP
Chesterfield (all)	315,603	4,757	1.51%	1,877	0.59%	6,634	2.10%
Chesterfield Tracts in TCAMPO MPA	45,168	438	0.97%	60	0.13%	498	1.10%
Colonial Heights	16,456	105	0.64%	200	1.22%	305	1.85%
Dinwiddie	26,475	191	0.72%	9	0.03%	200	0.76%
Hopewell	20,693	259	1.25%	40	0.19%	299	1.44%
Petersburg	29,673	317	1.07%	65	0.22%	382	1.29%
Prince George	35,640	146	0.41%	73	0.20%	219	0.61%
Total MPO localities	444,540	5,775	1.30%	2,264	0.51%	8,039	1.81%
TCAMPO (approx.)	174,105	1,456	0.84%	447	0.26%	1,903	1.09%
Non-MPO Localities in Crater PDC:							
Charles City	6733	0	0.00%	2	0.03%	2	0.03%
Emporia	5182	2	0.04%	8	0.15%	8	0.15%
Greensville	11078	57	0.51%	0	0.00%	0	0.00%
Surry	6377	133	2.09%	0	0.00%	137	2.15%
Sussex	11105	2	0.02%	4	0.04%	137	1.23%
Total Non-MPO	40,475	194	0.48%	14	0.03%	284	0.70%

Source: ACS Table B16005, 2017 5-year average

CPDC staff used this data to determine how best to disseminate information that is accessible to persons with LEP. Using *Plan2045*'s 2017 ACS data for TCAMPO localities plus 2017 ACS data for the CPDC's non-MPO localities, all local governments in CPDC (and the Tri-Cities Area MPO portion of Chesterfield County) contained populations where less than the "Safe Harbor" thresholds of five percent and less than 1,000 persons spoke English "Not well" or "Not at all". The localities are therefore below the threshold requirement for provision for the LEP population. Since the most pervasive non-English language is Spanish, the discrimination complaint form is translated into Spanish in the Appendix of this Plan. Requests for document translations will be provided as needed. The CPDC uses the same translator/interpreter services as the VDOT Richmond District Office.

Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Agency

The CPDC has not been approached in the past for information by any populations who do not have a reasonable competent grasp of the English language.

The goal of the CPDC, going forward, is to make sure that for any potential project that could impact this community, the CPDC staff will make every effort to include all stakeholders that could be affected by the project, including Spanish speaking populations. The CPDC staff will perform outreach when needed and provide assistance when requested. The CPDC will work with DRPT in continuing to identify emerging populations as updated census and ACS data become available.

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

One of the Tri-Cities Area MPO (part of the CPDC) main functions is to support cooperative, comprehensive, and continuing public transportation planning and services as outlined in federal transportation acts. In doing so, the Tri-Cities Area MPO develops the Metropolitan Transportation Improvement Program, the Public Participation Plan, the Metropolitan Transportation Plan, and other studies. Another key function of the MPO is to work closely with Petersburg Area Transit and Richmond Ridefinders in providing planning documents such as the Transit Development Plan.

DRPT's Public Transportation and Transportation Demand Management Grant Program Application Guidance provide Petersburg Area Transit and Richmond Ridefinders with application guidance regarding the various state and federal public transportation grant programs. The document contains two major parts:

1. An overview of the grant programs administered by DRPT, a description of DRPT's public transportation investment policy, and a calendar describing each step in the grant application process.
2. A description of eligible expenses, match ratios, application evaluation criteria, and the application procedure.

DRPT is required by the FTA to ensure that recipients of FTA assistance—such as the Petersburg Area Transit—comply with federal requirements. To meet this

federal mandate, DRPT conducts periodic reviews of Petersburg Area Transit. Additional objectives of the reviews are to ensure compliance with state requirements, encourage progress, and identify training and technical assistance needs.

The CPDC will provide the appropriate materials for the Spanish speaking community if it is needed for the project. Also, the CPDC will work with Petersburg Area Transit to ensure its efforts in this regard mirror the MPO's LEP goals.

Factor 4: Assessment of the Resources Available to the Agency and Costs

The CPDC provides access to LEP persons as requested. The CPDC will provide translator services for PDC (and MPO) meetings for Spanish speaking citizens if given at least one week notice.

The CPDC will also make major plans available in Spanish, if requested to do so by the Spanish speaking community. The CPDC staff will aim to complete a document translation within a reasonable timeframe. Also, for various projects the CPDC staff will make an effort to include all stakeholders in the planning and implementation process. When a project affects the Spanish speaking population, the CPDC staff will take action to make the information about the project as accessible as possible (example, the TCAMPO Multimodal Transportation Plan).

At this time, the CPDC has not had any requests for translation into non-English languages. Because of this, it is very hard to assess the costs that would be incurred to make translations into Spanish. The CPDC is prepared for these costs should the Spanish speaking population need specific assistance.

CPDC Responsibilities:

When the CPDC, or program consultants, encounter LEP persons or request for language assistance, the guidelines below will be used to determine what assistance can be provided.

- For In-person Contract: Use the Language Identification Flashcard, posted in the CPDC entrance, to attempt to identify the language spoken. Enlist the assistance of staff to obtain the LEP person's name and contact information.

- Language assistance will be provided for LEP individuals through the translation into Spanish of some key materials, upon request or as necessary, as well as through oral interpretation when necessary and possible.
- When an interpreter is needed, in person or on the telephone, and the CPDC staff has exhausted the above options, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service, Language Line Services at <http://www.languageline.com>. On the Language Line home page, the staff will select the Need an Interpreter Now link and follow the directions to receive and access code.
- A list of CPDC staff that speaks and/or writes a language other than English and who are willing and able to act as interpreters has been identified.
- The Title VI Manager will post written notices on the website and/or in a public area regarding the right to free language assistance for persons conducting business with the CPDC in the most likely to be encountered languages (as determined by the Four-Factor Analysis).
- The Title VI Manager will ensure that public notices and publications include statements that CPDC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities.
- The Title VI Manager will maintain that language assistance resource list, updating with current resources.
- Ensure CPDC staff and program consultants understand:
 - The right to free LEP person language assistance.
 - How to use the language assistance resources.
 - To include information in public notices and publications that CPDC provides reasonable LEP accommodations.
- CPDC will monitor, review through the Four-factor Analysis process, and as needed, update its LEP policies and practices. Monitoring by the Title VI Coordinator will include:
 - Review the CPDC activities on a regular basis.
 - Document requests for translation services and encounters with LEP

persons and provide reports when requested.

- The CPDC staff will regularly review demographic data based on the Four-factor Analysis. If a language other than English represents the primary language for greater than five percent (> 5%) of the population, the LEP guidelines may need to be modified to accommodate communication needs.
- The CPDC staff will collect and maintain demographic statistics on persons who are affected in their projects and studies.
- The CPDC staff will solicit feedback from local social services departments and community-based organizations serving LEP persons to evaluate how well its practices meet their needs.

LEP Implementation Plan

Considering the area served by the CPDC and the number of LEP individuals, it is necessary to provide at least the most basic and cost-effective services available to ensure compliance with Executive Order 13166.

- Publish vital documents such as the discrimination complaint form on the CPDC webpage in Spanish, as requested.
- Disseminate the LEP Plan (i.e., Appendix V of the Title VI Plan) to community organizations, governmental entities, and other interested persons; in Spanish upon request.
- With advance notice of seven calendar days, provide interpreter services at any meeting or public hearing for the Spanish speaking community.
- Place statements in notices and publications that interpreter services are available for meetings, with seven days advance notice.
- Include a LEP policy reference in the updates of the TCAMPO *Public Participation Plan*.

APPENDIX VI: TCAMPO Resolution for Title VI Plan

**Tri-Cities Area Metropolitan Planning Organization
Resolution Approving the Crater PDC Title VI Nondiscrimination Plan**

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving Federal Funds; and

WHEREAS, the Tri-Cities Area Metropolitan Planning Organization (TCAMPO), as part of the Crater Planning District Commission (Crater PDC) commits to assure that no person shall, on the grounds of race, color, national origin, gender, or abilities be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the execution of TCAMPO, as part of the Crater PDC programs and activities, regardless of the funding source; and

WHEREAS, the Title VI responsibilities of the TCAMPO, as part of the Crater Planning District Commission includes methods of administration, outlined in the Crater Planning District Commission Title VI Nondiscrimination Plan, that provide a reasonable guarantee of Title VI compliance; and

WHEREAS, the TCAMPO, as part of the Crater PDC receives federal funds and uses said funds to support regional organizations, projects, and programs including the TCAMPO; and

WHEREAS, a 45-day public comment period was advertised, and resources were provided to help the public understand the draft plan; and

WHEREAS, no adverse public comments were received; and

WHEREAS, the draft Title VI Nondiscrimination Plan was endorsed by the Technical Advisory Committee.

WHEREAS, the TCAMPO, as part of the Crater PDC, as well as its members and its committees as representatives and members of the TCAMPO, as part of the Crater PDC, are hereby obligated to adhere to the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the TCAMPO, as part of the Crater Planning District Commission does hereby duly adopt the Crater Planning District Commission Title VI Nondiscrimination Plan, which shall replace all previous Title VI plans.

Upon a motion by Mv. Wood (Colonial Heights) with a second by Ms. Dennon (Hopewell) and carried by a voice vote the motion was adopted on September 12, 2024 with 9 voting aye, 0 voting nay, and 0 abstaining.



T.J. Webb, Chair,
Tri-Cities Area Metropolitan Planning Organization

September 12, 2024



Ronald D. Svejksky, Secretary
Tri-Cities Area Metropolitan Planning Organization

APPENDIX VII: CPDC Resolution for Title VI Plan

County of Charles City
County of Chesterfield

City of Colonial Heights
County of Dinwiddie

City of Emporia
County of Greensville
City of Hopewell

City of Petersburg
County of Prince George

County of Surry
County of Sussex

Crater Planning District Commission Resolution Approving the Crater PDC Title VI Nondiscrimination Plan

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving Federal Funds; and

WHEREAS, the Crater Planning District Commission (Crater PDC) commits to assure that no person shall, on the grounds of race, color, national origin, gender, or abilities be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the execution of Crater PDC programs and activities, regardless of the funding source; and

WHEREAS, the Title VI responsibilities of the Crater PDC includes methods of administration, outlined in the Crater PDC Title VI Nondiscrimination Plan, that provide a reasonable guarantee of Title VI compliance; and

WHEREAS, the Crater PDC receives federal funds and uses said funds to support regional organizations, projects, and programs; and

WHEREAS, a 45-day public comment period was advertised, and resources were provided to help the public understand the draft plan; and

WHEREAS, no adverse public comments were received; and

WHEREAS, the draft Title VI Nondiscrimination Plan was endorsed by the TCAMPO Policy Committee.

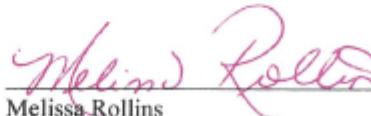
WHEREAS, the Crater PDC, as well as its members and its committees as representatives and members of the Crater PDC, are hereby obligated to adhere to the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Crater Planning District Commission does hereby duly adopt the Crater PDC Title VI Nondiscrimination Plan, which shall replace all previous Title VI plans.



E. Jay Edington
Executive Director

September 26, 2024
Date



Melissa Rollins
Chair

September 26, 2024
Date

APPENDIX VIII: DOT Order No. 1050.2A for Crater PDC and TCAMPO

DOT Order No. 1050.2A

The Crater Planning District Commission (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, 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 Non-discrimination 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 Non-discrimination 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 non discrimination 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 Transportation Planning 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 Transportation Planning Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Crater Planning District Commission, 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, Crater Planning District Commission 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 Federal Highway Administration 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 Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to the Federal Highway Administration, 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.

Crater Planning District Commission 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 Transportation Planning Program. This ASSURANCE is binding on Virginia, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Transportation Planning Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Crater Planning District Commission
(Name of Recipient)

BY: 

DATED: October 25, 2024

DOT Order No. 1050.2A

The Tri-Cities Area 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, 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 Non-discrimination 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 Non-discrimination 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 non discrimination 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 Transportation Planning 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 Transportation Planning Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Tri-Cities Area 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, Tri-Cities Area 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 Federal Highway Administration 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 Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to the Federal Highway Administration, 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.

Tri-Cities Area 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 Transportation Planning Program. This ASSURANCE is binding on Virginia, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Transportation Planning Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Tri-Cities Area Metropolitan Planning Organization
(Name of Recipient)

BY:  _____

DATED: October 25, 2024 _____