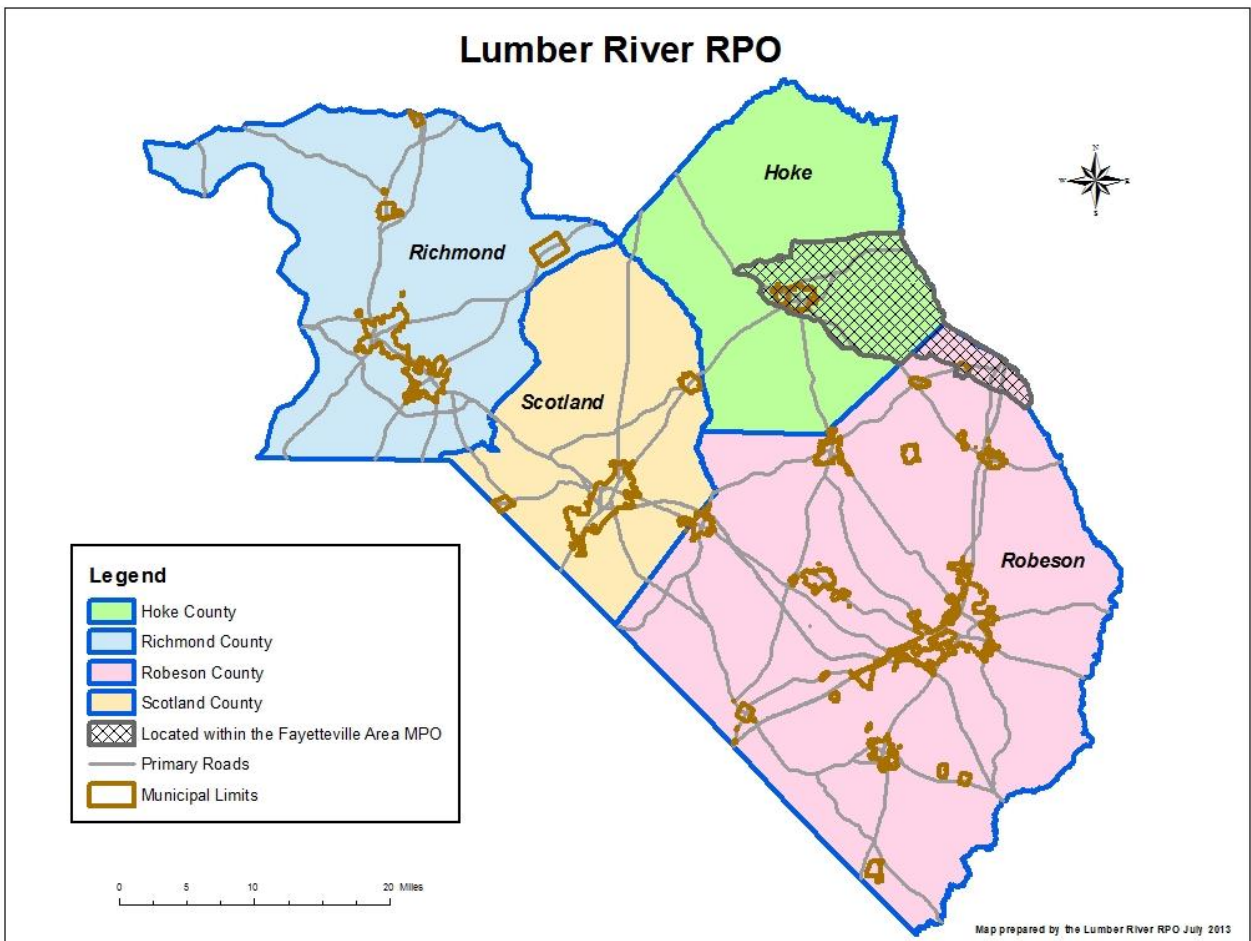


TITLE VI NON-DISCRIMINATION PROGRAM PLAN

LUMBER RIVER RURAL PLANNING ORGANIZATION



Adopted by the Transportation Advisory Committee on 9/25/23.

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TITLE VI POLICY STATEMENT AND NOTICE OF NONDISCRIMINATION

It is the policy of Lumber River RPO (LRRPO), 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.

Janet Robertson
Lumber River RPO and Council of Governments
30 C.J. Walker Road
Pembroke, NC 28372 910-775-9749
janet.robertson@lrcog.org

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


David Richardson, Executive Director

August 23, 2023
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 Executive Director of the Lumber River RPO 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 1** of this Plan for a copy of our completed, signed USDOT Title VI Assurances.

ORGANIZATION & STAFFING

Rural Planning Organizations (RPOs) were established by the State of North Carolina in recognition of the need for more coordinated transportation planning in rural areas not within an MPO. An RPO is a voluntary organization of local officials formed through a Memorandum of Understanding to work cooperatively with NCDOT to plan rural transportation systems and to advise NCDOT on rural transportation policy. GS 136-212 identifies four primary duties for RPO's: 1) Develop, in cooperation with NCDOT, long-range, local and regional multimodal transportation plans, 2) Provide a forum for public participation in the transportation planning process, 3) Develop and prioritize suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program, and 4) Provide transportation-related information to local governments and other interested organizations and persons. According to GS 136-211 (b), Rural Transportation Planning Organizations shall include representatives from contiguous areas in three to fifteen counties, or a total population of the entire area represented of at least 50,000 persons according to the latest population estimate of the Office of State Budget and Management. RPOs receive State Planning and Research (SPR) funds from NCDOT's Transportation Planning Division (TPD).

The Lumber River RPO was established in 2002. Our planning area includes the following counties: Richmond, Scotland, and portions of Hoke and Robeson. Our Transportation Advisory Committee (TAC) has twelve members. Our Technical Coordinating Committee (TCC) has 25 members. The meeting dates for the TCC and TAC can be found on our website at: <https://www.lumberrivercog.org/rural-transportation-planning>. Please refer to **Appendix 2** 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.
- Recommending to appointing authorities 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 changes, the Title VI Policy Statement and LRRPO Title VI Assurances, will immediately be updated and signed by the new Executive Director.

Staffing

We currently employ a staff of one, which consists of the following job categories:

- RPO Coordinator

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix 3**.

ENVIRONMENTAL JUSTICE (EJ)

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, Lumber River RPO 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 Comprehensive 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 4** – 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, Lumber River RPO 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 4** 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 5** – 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 Lumber River RPO (LRRPO) 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.

Estimated number of LEP persons by County and Region

	Hoke	Richmond	Robeson	Scotland	Total
Population 5 year of age and over	47,873	40,613	N	32,077	120,563
5% of Population	2,394	2,031	N	1,604	6,029
Margin of Error +/-			N		
"English spoken less than very well" by Language spoken at home:					
Spanish	1,674	1,415	N	373	3,462
Margin of Error +/-	308+/-	280+/-	N	100+/-	229 +/-
Other Indo-European	195	12	N	46	253
Margin of Error +/-	143+/-	18+/-	N	34+/-	65 +/-
Asian/Pacific Islander	208	157	N	145	510
Margin of Error +/-	71+/-	77+/-	N	82+/-	77 +/-
Other Language	28	0	N	39	67
Margin of Error +/-	41+/-	28+/-	N	47+/-	39 +/-

Data source: ACS Census Table S1601, 2021 Five Year Estimate

After examining the data, LRRPO has determined that one significant language population exists which speaks a language other than English and that population is Spanish. The majority of the Spanish speaking population is located in the following sections of member Counties:

Hoke County – southwest portion of County

Richmond County – northern portion of County, southern Rockingham and areas east and west of southern Rockingham, Hoffman and area east of Hoffman

Robeson County – northern portion of County, East Lumberton

Scotland County – areas south of Laurinburg

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

All contacts with LRRPO are made through its office in Pembroke or at public outreach meetings that support a specific project. The RPO estimates that fewer than five persons with limited English proficiency have contacted the agency in the past ten years.

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

Several documents have been translated into Spanish: Notice of Nondiscrimination, Voluntary Public Input Form, and the Complaint form.

The LRRPO programs use federal funds to plan for future transportation projects and therefore, do not include any service or program that requires vital, immediate, or emergency assistance. However, the potential impacts of proposed transportation projects on underserved and underrepresented population groups are important. The LRRPO will ensure that LEP populations will have the opportunity to be involved in the transportation planning process. During the development of previous Comprehensive Transportation Plans, the LRRPO used Public Input surveys, which were translated into Spanish. These surveys were distributed in areas where Spanish speaking populations were present, and this will continue to be done for current and future CTPs.

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

As a one-person operation, there is no Spanish speaking person on staff. In the past we have utilized NCDOT personnel to translate Public Input surveys. When needed in the future, staff will contact Jamille Robbins, NCDOT's Public Involvement Leader, for contacts for translation services. Staff will also find out if there are any Community-based organizations that can help disseminate information to LEP groups.

LANGUAGE ASSISTANCE PLAN

As a result of the above four factor analysis, the threshold was not met to require a Language Assistance Plan, however, 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:

- Vital documents, such as the Nondiscrimination Notice, Public Input Surveys and Complaint forms, are translated into Spanish.
- 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 Spanish.
- 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.
- 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

At the time this draft was prepared, staff is not aware of specific measures beyond what is listed above.

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. 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. 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. 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 Lumber River RPO 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:

“Lumber River RPO 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 Janet Robertson at 910-775-9749 or jfr@lrcog.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 1A-C** for Title VI Contract Language); and
- Ensuring any contractors and sub-recipients we have also disseminate Title VI information.

PUBLIC INVOLVEMENT

Effective public involvement is a key element in addressing Title VI in decision-making. This **Public Participation Plan** describes how Lumber River RPO (LRRPO) 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 subrecipients, 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.

Public Meetings

“Public meeting” refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

Small Group Meetings

A small group meeting is a targeted measure where a meeting is held with a specific group, usually at their request or consent. These are often closed meetings, as they will typically occur on private property at the owner’s request.

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.

- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group’s choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone, door-to-door canvassing, at community fairs, by placing drop boxes in ideal locations, or with assistance from other local agencies like social services.
- Surveys will be translated into languages other than English, when appropriate.

EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by Lumber River RPO (LRRPO) 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 LRRPO 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:

- **Lumber River RPO**, Janet Robertson, 30 CJ Walker Rd, Pembroke, NC 28372; 910-775-9749; jfr@lrcog.org
- **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. (Executive Order 13166)
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin (LEP)	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 6** 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 30 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. Lumber River RPO utilizes internal training, meetings, monitoring contractors, technical assistance, and findings from periodic NCDOT reviews to identify deficiencies and potential discrimination. If NCDOT identifies deficiencies, Lumber River RPO 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, Lumber River RPO will take proactive steps to prevent discrimination in our programs and activities, including the following:

- Conduct periodic Title VI training;
- Address Title VI issues at staff meetings;
- Participate or cooperate during compliance reviews conducted by NCDOT;
- Inform and monitor any consultants/contractors regarding their Title VI obligations, including review of contracts for nondiscrimination language;
- Customize public outreach according to the situation or community at hand;
- Build a system of mutual trust and two-way communication with the public;
- Maintain pertinent demographic data (statistical);
- Ensure policies and procedures support and comply with Title VI;
- Document processes & activities related to Title VI.

If Lumber River RPO 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 1



STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

United States Department of Transportation STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES

DOT Order No. 1050.2A

The Lumber River Council of Governments (LRCOG-RPO) (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**:

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
OFFICE OF CIVIL RIGHTS
1511 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699-1511

Telephone: (919) 508-1808
Fax: (919) 508-1814 / (919) 508-1818
Customer Service: 1-877-368-4968

Location:
104 FAYETTEVILLE STREET
RALEIGH, NORTH CAROLINA 27601

Website: www.ncdot.gov

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 North Carolina Department of Transportation, 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 North Carolina Department of Transportation 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 North Carolina Department of Transportation 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.

Lumber River Council of Governments (LRCOG-RPO)

by 
David Richardson, Executive Director

DATED June 9, 2023

Attachments:

Appendices A, B, C, D, E

APPENDIX A

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. cancelling, 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: 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 North Carolina Department of Transportation (NCDOT) will accept title to the lands and maintain the project constructed thereon in accordance with the Lumber River Council of Governments Rural Planning Organization, 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 NCDOT 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 North Carolina Department of Transportation (NCDOT) 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 NCDOT, its successors and assigns.

The NCDOT, 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 NCDOT 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: 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 North Carolina Department of Transportation (NCDOT) 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 NCDOT 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 NCDOT 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 LRCOG-RPO 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: 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 North Carolina Department of Transportation (NCDOT) 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 NCDOT 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 NCDOT 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

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 2

Lumber River RPO TAC Members

<u>Name</u>	<u>Representing</u>	<u>Race</u>	<u>Gender</u>
Commissioner Harry Southerland	Hoke County	Black	Male
Commissioner Jeff Smart	Richmond County	White	Male
Mayor Bill Bayless, Hamlet	Richmond Municipalities	White	Male
Commissioner Faline Dial	Robeson County	Native American	Female
Commissioner John Cummings	Robeson County	Native American	Male
Commissioner Tom Taylor	Robeson County	White	Male
Councilperson Elbert Gibson, St. Pauls	Robeson Municipalities	White	Male
Councilperson Leroy Rising, Lumberton	Robeson Municipalities	White	Male
Commissioner Tim Ivey	Scotland County	White	Male
Councilperson Mary Jo Adams, Laurinburg	Scotland Municipalities	White	Female
Grady Hunt, NCDOT Board Division 6	NCDOT	Native American	Male

ALTERNATES

Councilperson Bennett Hawks	Richmond Municipalities	White	Male
Commissioner Rick Watkins	Richmond County	White	Male
Commissioner Greg Cummings	Robeson Municipalities	Native American	Male
Councilperson Caroline Sumpter	Robeson Municipalities	Black	Female
Judy Sampson	Robeson County	Native American	Female
Rosemary Rainer	Scotland Municipalities	Black	Female
Commissioner Whit Gibson	Scotland County	White	Male

Lumber River RPO TCC Members

<u>Name</u>	<u>Representing</u>	<u>Race</u>	<u>Gender</u>
Letitia Edens	Hoke County	Black	Female
Jeff Dockery	Hoke County	Black	Male
James McQueen	Hoke County	Black	Male
Will Wright	Hoke County	White	Female
John Massey	Richmond County	White	Male
Tracy Parris	Richmond County	White	Female
Gail Strickland	Richmond County	White	Female
Vacant	Richmond County		
Jody Bullard	Robeson County	Native American	Male
Tyler Thomas	Robeson County	Native American	Male
Edward Henderson	Robeson County	Black	Male
Jay Britt	Robeson County	White	Male
Brandon Love	Robeson County	White	Male
Patrick Strickland	Robeson County	Native American	Male
Robert McDougald	Robeson County	Black	Male
Charles Townsend	Robeson County	Black	Male
Channing Jones	Robeson County	Native American	Male
Vacant	Robeson County		
Mark Ward	Scotland County	White	Male
Charles Nichols	Scotland County	White	Male
Robert Sampson	Scotland County	Native American	Male
Vacant	Scotland County		
Bryan Kluchar	NCDOT	White	Male
Marty Sung	NCDOT	Asian	Male
Vacant	NCDOT		

**Lumber River Rural Transportation Planning Organization
Transportation Advisory Committee (TAC) Minutes
Monday, May 22, 2023
12:00 noon**

TAC MEMBERS PRESENT

Hoke County:	Commissioner Harry Southerland
Richmond County:	Commissioner Jeff Smart; Mayor Bill Bayless
Robeson County:	Commissioner Faline Dial; Commissioner John Cummings; Mayor Elbert Gibson; Mayor Greg Cummings
Scotland County:	Commissioner Tim Ivey; Councilperson Mary Jo Adams
NCDOT Board Member	None

TAC MEMBERS ABSENT

Robeson County	Commissioner Tom Taylor; Councilman Leroy Rising
NCDOT Board Member	Grady Hunt

COG STAFF PRESENT

Janet Robertson, LRCOG RPO Coordinator; Noor Shehata, Lead for NC Fellow

OTHERS PRESENT

Caroline Sumpter, Red Springs Commissioner; Darius Sturdivant, NCDOT Div. 6 Planning Engineer; Bryan Kluchar, NCDOT Div. 8 Planning Engineer; Bill Hammond, NCDOT Div. 6 Corridor Development Engineer; Brice Bell, Div. 6, District 1 Engineer; Sangwoo 'Marty' Sung, NCDOT-TPD; Seth Hatchell, Laurinburg-Maxton Airport Executive Director

WELCOME, ROLL CALL, AND READING OF ETHICS AWARENESS REMINDER/ PUBLIC COMMENTS

The roll was called; a quorum was present. Chairperson Faline Dial called the meeting to order and read the Ethics Awareness and Conflict of Interest Reminder; no one identified a conflict. She asked for Public Comments; there was no one present to speak.

CONSIDERATION OF MINUTES FROM MARCH 27, 2023

Mr. Elbert Gibson made a motion, seconded by Ms. Mary Jo Adams to approve the March 27, 2023 TAC minutes as presented. The motion passed with a unanimous vote.

PROJECT SUBMITTALS FOR PRIORITIZATION 7.0

The period for the RPO to submit projects to be considered for the next STIP (2026-35) opens July 10, 2023 and closes September 29, 2023. The Lumber River RPO will be allotted 23 project submittals in each transportation mode.

None of the projects submitted in P6 will be funded in the Final 2024-2033 STIP. In order to be considered in P7, projects that were submitted in P6 must be resubmitted (except for the two projects selected in March as Carryovers). *Attachment 1* is the list of projects submitted in P6 (both new and resubmitted projects). Now is the time to consider whether any of these projects should be resubmitted in P7.

In addition, this is the time to determine if there are any "brand new" projects that members, jurisdictions, and citizens want to propose for consideration. The Public Meetings to solicit new projects and consider if any P6 projects should be resubmitted have taken place in Richmond, Robeson, and Scotland Counties. The Hoke County meeting is scheduled for May 24th.

Ms. Robertson requested that all project proposals be submitted to her by June 14, 2023; there is a lot of data that must be collected to include in the submittal process. She also noted that she would reach out to jurisdictions that did not attend the Public Meetings if they have projects on the P6 list to determine if they want to resubmit the project.

CONSIDERATION OF 4TH QUARTER AMENDMENT TO THE 2022-23 PLANNING WORK PROGRAM

Attachment 3 contained a spreadsheet of the proposal to move funds out of five line items and into four other line items. The total amount of the budget was not changed. The TCC recommended approval of this amendment at its May 10th meeting.

Mr. Tim Ivey made a motion seconded by Ms. Mary Jo Adams to approve the FY 23 4th Quarter Amendment as presented. The motion passed with a unanimous vote.

CONSIDERATION OF THE FY 2023-2024 PLANNING WORK PROGRAM

Attachment 4 contained the Draft FY 24 PWP. This Draft was different than the draft PWP that was presented in March because after doing the Amendment for the FY 23 PWP, it was recognized that more funds needed to be placed in Item **IV Programmatic Direct Costs** (\$5,000). To balance the budget, \$1,000 was taken out of each of the following line items: **I-1 Data Collection; II-2 Prioritization; II-4 General Transportation Planning; and III-1 Administrative Activities.**

The amount shown in line item **V. Indirect Costs** is an estimate because LRCOG's Cost Allocation Plan for FY 2023-24 has not been finalized. When the Cost Allocation Plan is approved, the Indirect Cost may vary slightly, which will affect all line items.

This proposed FY 24 PWP has the same amount of funding as the current PWP. NCDOT has mentioned that the RPOs may be receiving a small increase for FY 23-24, however that has not been confirmed. If an increase is received, then an amendment will be required.

At its May 10th meeting, the TCC recommended approval of the PWP as presented.

Mr. Elbert Gibson made a motion seconded by Mr. Greg Cummings to recommend approval of the FY 2023-24 PWP as presented. The motion passed with a unanimous vote.

ELECTION OF CHAIR AND VICE-CHAIR

According to the TAC By-laws, officers may serve two consecutive one-year terms. Faline Dial has served two terms as Chair and Tim Ivey has served two terms as Vice-Chair.

Ms. Mary Jo Adams nominated Mr. Tim Ivey to be Chair. There were no further nominations. Caroline Sumpter seconded the nomination. Tim Ivey was elected Chair by unanimous vote.

Mr. Tim Ivey nominated Mary Jo Adams to be Vice-Chair, seconded by Caroline Sumpter. Mary Jo Adams was elected Vice-Chair by unanimous vote.

NCDOT AND STAFF REPORTS

NC Board of Transportation

Ms. Robertson noted that the Board of Transportation would be voting on the 2024-2033 STIP at its June Board meeting.

NCDOT Division 6

Mr. Darius Sturdivant discussed the status of current projects in Division 6, highlighting the I-295 loop project, the I-95 widening projects, and the construction of the NC Welcome Center in Robeson County. He requested that everyone be careful in the Work Zones.

NCDOT Division 8

Mr. Bryan Kluchar gave an update on current projects in Division 8. The Rockingham Freeway project is approximately 63% complete.

NCDOT Transportation Planning Division

Mr. Marty Sung discussed the newsletter from the Transportation Planning Division, highlighting the work that is being done on the Robeson County CTP.

RPO Coordinator

Ms. Robertson said that her items had been covered earlier in the meeting.

New Business

None

CLOSING COMMENTS AND ADJOURNMENT

Ms. Dial said she had enjoyed being Chair and looked forward to continuing to work with everyone. Members thanked her for her service.

There being no further business, the meeting was adjourned.

Minutes Approved by the TAC on 7/24/23

**Lumber River Rural Transportation Planning Organization
Transportation Advisory Committee (TAC)
Monday, March 27, 2023
12:00 noon**

TAC MEMBERS PRESENT

Richmond County:	Mayor Bill Bayless
Robeson County:	Commissioner Faline Dial; Commissioner John Cummings; Commissioner Tom Taylor; Mayor Elbert Gibson
Scotland County:	Commissioner Mary Jo Adams
NCDOT Board Member	Lisa Mathis

TAC MEMBERS ABSENT

Hoke County:	Commissioner Harry Southerland
Richmond County:	Commissioner Jeff Smart
Robeson County	Councilman Leroy Rising
Scotland County:	Commissioner Tim Ivey
NCDOT Board Member	Grady Hunt

COG STAFF PRESENT

Janet Robertson, LRCOG RPO Coordinator; Noor Shehata, Lead for NC Fellow

OTHERS PRESENT

Drew Cox, NCDOT Division 6 Engineer; Bryan Kluchar, NCDOT Div. 8 Planning Engineer; Kathy Vollert, NCDOT Div. 8 Corridor Development Engineer; Brice Bell, Div. 6, District 1 Engineer; Matthew Kitchen, Div. 8, District 2 Engineer; Bill Hammond, NCDOT Div. 6 Corridor Development Engineer; Behshad Norowski, NCDOT-TPD; Sangwoo 'Marty' Sung, NCDOT-TPD; Terry Arellano, NCDOT Corridor Development Unit Manager; NCDOT-TPD; Kim Nguyen, NCDOT Multimodal Regional Planner-Coastal Plains; Katie Smith, representative from Congressman Rouzer's office; Jay Britt, TCC Member- Robeson County

WELCOME, ROLL CALL, AND READING OF ETHICS AWARENESS REMINDER/ PUBLIC COMMENTS

The roll was called; a quorum was present. Chairperson Faline Dial called the meeting to order and read the Ethics Awareness and Conflict of Interest Reminder; no one identified a conflict. She asked for Public Comments; there was no one present to speak.

CONSIDERATION OF MINUTES FROM JANUARY 23, 2023

Mr. Tom Taylor made a motion, seconded by Mr. Elbert Gibson to approve the January 23, 2023 TAC minutes as presented. The motion passed with a unanimous vote.

Presentation: STI Prioritization and Programming Process

Kathy Vollert, Division 8 Corridor Development Engineer discussed the 2013 Strategic Transportation Investments Law and the resulting Scoring and Prioritization Process. We have gone through several rounds of prioritization since 2013, and are now in the beginning of Prioritization 7.0 (P7).

Bill Hammond, Division 6 Corridor Development Engineer discussed the State Transportation Improvement Program (STIP) and how it is programmed. The Draft 2024-2033 STIP is expected to be adopted in June 2023. The 2026-2035 STIP will be developed from the P7 process.

Carryover Projects for Prioritization 7.0 that are to be Selected from Projects that were Submitted for the First Time in Prioritization 6.0

The P6 prioritization process was cancelled and none of the projects submitted in P6 will be funded in the Final 2024-2033 STIP. The RPO is allowed to "carry over" two projects that were submitted for the first time in P6 into the P7 process. These Carryovers will not be counted against our allotment of submittals for P7. NCDOT automatically identified the two highway projects with the highest quantitative scores that were submitted by the RPO as the Carryovers. The RPO needs to decide if it wants to accept the identified projects or if it wants to select one or more different New P6.0 projects. At its March 15th meeting, the TCC recommended accepting the two highway projects identified by NCDOT.

Mr. Tom Taylor made a motion seconded by Ms. Lisa Mathis to approve the two highest scoring RPO submitted highway projects identified by the NCDOT (H190837 and H191677) as the Carryovers.

Project Submittals for Prioritization 7.0

The period for the RPO to submit projects to be considered for the next STIP (2026-35) opens in July 2023 and closes at the end of September 2023. The Lumber River RPO will be allotted 23 project submittals in each transportation mode. Because the P6 process was not completed, projects that were submitted in P6 (shown in Attachment 2) must be resubmitted to be considered in P7. In addition, now is the time to determine if any “brand new” projects should be submitted. A meeting for the public and all jurisdictions will be scheduled in each County in either April or May to solicit new projects as well as consider if any P6 projects should be resubmitted. Potential project submittals will be discussed at the May and July meetings and the Project Submittal List will need to be approved at the July or September meeting.

Information only. No action was taken.

NCDOT AND STAFF REPORTS

NC Board of Transportation Members

Mr. Lisa Mathis discussed the NC Clean Transportation Plan, which is the State’s coordinated strategy to rapidly decarbonize the transportation sector. The Plan recommends strategies to encourage transition to zero emission vehicles, to ensure that electric vehicle charging stations and other clean transportation infrastructure is in place, to seek equitable access to clean mobility options, and to improve investment in clean transportation. These efforts will improve travel efficiency and reduce greenhouse gas emissions. The plan was developed with diverse stakeholders over a one-year period. The draft plan was released on March 1, 2023, followed by a public comment period and robust public outreach. The final plan is due on April 7, 2023.

NCDOT continues to hold Disadvantaged Business Enterprise meetings to help small businesses and those held by women and minorities to learn about working with NCDOT. For more information, go to NCDOT.gov and search “DBE Outreach.”

The Spring Litter Sweep is April 15-29. Volunteers will be furnished with clean-up supplies, which can be obtained from the NCDOT County Maintenance Yard offices.

DMV offices will be offering more walk-in opportunities. Beginning May 1st, appointments will be limited to the morning. In addition, five additional offices will open at 7:00 a.m., which will total 40 offices opening early.

NCDOT Division 6

Mr. Bill Hammond discussed the status of current projects in Division 6, highlighting the I-295 and I-95 widening projects.

NCDOT Division 8

Mr. Bryan Kluchar gave an update on current projects in Division 8.

NCDOT Transportation Planning Division

Mr. Behshad Norowski discussed the newsletter from the Transportation Planning Division, highlighting the work that is being done on the Robeson County CTP. VHB Consultants will be providing Health Equity Technical Assistance for the Robeson County CTP this summer.

RPO Coordinator

Ms. Robertson reminded members that the Ethics filing deadline is April 17, 2023 and urged anyone having problems filing to contact her. Attachment 6 contains an Ethics Newsletter with the link to file on line.

New Business

None

CLOSING COMMENTS AND ADJOURNMENT

There being no further business, the meeting was adjourned.

Minutes Approved by the TAC on 5/22/23

**Lumber River Rural Transportation Planning Organization
Transportation Coordinating Committee
Lumber River Council of Governments
30 CJ Walker Rd, Pembroke, NC
Wednesday, May 10 2023
10:30 a.m.**

TCC MEMBERS PRESENT

Hoke County	None
Richmond County:	John Massey, Tracy Parris
Robeson County:	Brandon Love, Jody Bullard, Tyler Thomas, Patrick Strickland, Jay Britt
Scotland County:	Kevin Patterson, Mark Ward
NCDOT:	Marty Sung

TCC MEMBERS ABSENT

Hoke County:	Letitia Edens, 3 vacancies
Richmond County:	Gail Strickland; 1 Vacancy
Robeson County:	Charles Townsend, Edward Henderson, Channing Jones, Mayor Robert McDougald, 1 Vacancy
Scotland County:	Charles Nichols, Robert Sampson
NCDOT:	1 Vacancy

STAFF PRESENT

Janet Robertson, LRCOG Rural Transportation Planner; Noor Shehata, Lead for NC Fellow

OTHERS PRESENT

Bill Hammond, NCDOT Div. 6 Corridor Development Engineer; Kathy Vollert, NCDOT Div. 8 Corridor Development Engineer; Brice Bell, NCDOT Div. 6, District 1 Engineer; Kim Nguyen, Coastal Plains Multimodal Regional Planner; Katie Smith, Representative for Congressman David Rouzer.

WELCOME AND INTRODUCTION

Chairman Brandon Love called the meeting to order and roll call was read. A quorum was present.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF MINUTES FROM Mach 15, 2023.

Mr. John Massey made a motion seconded by Mr. Kevin Patterson to approve the minutes as presented. The motion passed with a unanimous vote.

NCDOT AND STAFF REPORTS

Hoke County

No Report

Richmond County

John Massey reported that a final route has been selected for STIP project U-5706 (aka "Long Drive Alternate" or "the Eastern Rockingham Corridor"). This project originated in the 1996 Rockingham Thoroughfare Plan. It is funded for Right-of-Way acquisition in 2024 and Construction in 2027.

Robeson County

Brandon Love said the Lumberton City Council had endorsed the design for the decorative medallions that will be used on the new bridges on I-95. He also noted that planning activity for the Robeson County CTP is ongoing.

Scotland County

Kevin Patterson noted that several paving projects were underway in the County.

NCDOT Division 6

Bill Hammond discussed the status of current projects in Division 6, highlighting the progress of the I-295 and I-95 widening projects. He stressed the need to be cautious in the work zones. Brandon Love remarked that the night construction on I-95 seems to be progressing well. Brice Bell noted that construction is slightly ahead of schedule.

NCDOT Division 8

Kathy Vollert gave an update on current projects in Division 8.

NCDOT Transportation Planning

Marty Sung highlighted the TPD newsletter and discussed progress on the Robeson County CTP.

Presentation: NCDOT Integrated Mobility Division

Kim Nguyen, IMD Multi-modal Regional Planner gave a presentation about the Integrated Mobility Division, which was formed when the Transit Division and the Bicycle/Pedestrian Division merged. The Lumber River RPO is located in the Coastal Plains Region, which Ms. Nguyen covers. She highlighted several projects underway in the region. She also listed various special projects that could be implemented and encouraged members to contact her with requests.

Project Submittals for Prioritization 7.0

The 2024-2033 Draft STIP will be presented to the Board of Transportation for approval in June. The period for the RPO to submit projects to be considered for the next STIP (2026-35) opens in July 2023 and closes at the end of September 2023. The Lumber River RPO will be allotted 23 project submittals in each transportation mode. Because the P6 process was not completed, projects that were submitted in P6 (shown in Attachment 4) must be resubmitted to be considered in P7. In addition, now is the time to determine if any “brand new” projects should be submitted. A public meeting is scheduled in each County in May to solicit new projects as well as consider if any P6 projects should be resubmitted (Attachment 5 showed the meeting dates and locations). TCC members can attend those meetings, or submit projects directly to Janet Robertson by June 14, 2023. A list of proposed projects will be presented for preliminary review at the July TCC and TAC meetings. If more than 23 projects are proposed in a transportation mode (Highway, Aviation, Bike/Ped, Transit, or Rail) then the TCC will need to recommend to the TAC which projects should be submitted to the NCDOT. The deadline for submitting projects to the NCDOT is September 29, 2023.

Information only. No action was taken.

Consideration of 4th Quarter Amendment to the 2022-23 Planning Work Program

Attachment 6 contained a description of the proposal to move funds out of five line items and into four other line items. The total amount of the budget was not changed.

John Massey made a motion seconded by Tracy Parris to recommend the FY 23 4th Quarter Amendment to the TAC as presented. The motion passed with a unanimous vote.

Consideration of the FY 2023-24 Planning Work Program

Attachment 7 contained the Draft FY 24 PWP. This Draft was different than the draft PWP that was presented in March because after doing the Amendment for the FY 23 PWP, it was recognized that more funds needed to be placed in Item **IV Programmatic Direct Costs** (\$5,000). To balance the budget, \$1,000 was taken out of each of the following line items: **I-1 Data Collection; II-2 Prioritization; II-4 General Transportation Planning; and III-1 Administrative Activities.**

The amount shown in line item **V. Indirect Costs** is an estimate because LRCOG’s Cost Allocation Plan for FY 2023-24 has not been finalized. When the Cost Allocation Plan is approved, the Indirect Cost may vary slightly, which will affect all line items.

The proposed FY 24 PWP has the same amount of funding as the current PWP.

John Massey made a motion seconded by Jay Britt to recommend approval of the FY 2023-24 PWP to the TAC as presented. The motion passed with a unanimous vote.

Election of Chair and Vice-Chair

According to the TCC By-laws, officers may serve two consecutive one-year terms. Brandon Love has served two terms as Chairman and Tracy Parris has served two terms as Vice-Chair.

John Massey nominated Tracy Parris to serve as the next Chair. There were no further nominations. Kevin Patterson moved to close the nominations, seconded by Jay Britt. Tracy Parris was elected Chair by unanimous vote.

Mark Ward nominated Kevin Patterson to serve as the next Vice-Chair. There were no further nominations. John Massey moved to close the nominations, seconded by Jay Britt. Kevin Patterson was elected Vice-Chair by unanimous vote.

John Massey thanked Brandon Love for serving as chair, noting he moved the meetings along quickly. Other members thanked him as well.

NEW BUSINESS

None

CLOSING COMMENTS AND ADJOURNMENT

Kevin Patterson made a motion seconded by John Massey to adjourn the meeting. The motion passed with a unanimous vote.

Minutes Approved by the TCC on 7/11/23

**Lumber River Rural Transportation Planning Organization
Transportation Coordinating Committee
Lumber River Council of Governments
30 CJ Walker Rd, Pembroke, NC
Wednesday, March 15 2023
10:30 a.m.**

TCC MEMBERS PRESENT

Hoke County	None
Richmond County:	John Massey; Gail Strickland; Tracy Parris
Robeson County:	Brandon Love, Jody Bullard, Mayor Robert McDougald, Tyler Thomas, Patrick Strickland
Scotland County:	Charles Nichols, Kevin Patterson, Mark Ward, Robert Sampson
NCDOT:	Bryan Kluchar (alternate for Patrick Norman); Saman Jeffers

TCC MEMBERS ABSENT

Hoke County:	Letitia Edens, 3 vacancies
Richmond County:	1 vacancy
Robeson County:	Charles Townsend, Edward Henderson, Channing Jones, Jay Britt, 1 Vacancy
Scotland County:	None
NCDOT:	None

STAFF PRESENT

Janet Robertson, LRCOG Rural Transportation Planner; Noor Shehata, Lead for NC Fellow

OTHERS PRESENT

Darius Sturdivant, NCDOT Div. 6 Planning Engineer; Bill Hammond, NCDOT Div. 6 Corridor Development Engineer; Kathy Vollert, NCDOT Div. 8 Corridor Development Engineer; Brice Bell, NCDOT Div. 6, District 1 Engineer; Matthew Kitchen, NCDOT Div. 8, District 2 Engineer; Marty Sung, NCDOT Transportation Planning Branch; Susie James, NCDOT Regional Traffic Engineer; Katie Smith, Representative for Congressman David Rouzer.

WELCOME AND INTRODUCTION

Chairman Brandon Love called the meeting to order and roll call was read. A quorum was present.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF MINUTES FROM January 10, 2023.

Mr. Mark Ward made a motion seconded by Ms. Tracy Parris to approve the minutes as presented. The motion passed with a unanimous vote.

NCDOT AND STAFF REPORTS

Hoke County

No Report

Richmond County

No Report

Robeson County

Saman Jeffers gave an update on the Robeson County CTP. Tyler Thomas said he has been working with District Engineer Brice Bell concerning projects in downtown Pembroke associated with the BUILD Grant.

Scotland County

No Report

NCDOT Division 6

Darius Sturdivant discussed the status of current projects in Division 6, highlighting the progress of the I-295 and I-95 widening projects, the construction of the new Rest Area/Welcome Center on I-95, and the two bridge projects in

downtown Lumberton. Tyler Thomas noted that the project list indicated R-4428 had received funding for preliminary engineering; Mr. Sturdivant said Pembroke would be contacted when that work is ready to begin. Chairman Love acknowledged Katie Smith from Congressman Rouzer's office.

NCDOT Division 8

Bryan Kluchar gave an update on current projects in Division 8. He noted that the Rockingham Freeway is approximately 61% complete.

NCDOT Transportation Planning

Saman Jeffers introduced Marty Sung, who will be transitioning into the position of TPD Coordinator for the Lumber River RPO. Mr. Sung noted that before joining NCDOT, he taught planning, transportation, and GIS courses at East Carolina University. Ms. Jeffers said that the NC Freight Plan Update was adopted in February. She also noted that NCDOT is accepting applications for 2023 Multi-modal Planning grants.

Presentation: STI Prioritization and Programming Process

Kathy Vollert, Division 8 Corridor Development Engineer discussed the 2013 Strategic Transportation Investments Law and the resulting Scoring and Prioritization Process. We have gone through several rounds of prioritization since 2013, and are now in the beginning of Prioritization 7.0 (P7).

Bill Hammond, Division 6 Corridor Development Engineer discussed the State Transportation Improvement Program (STIP) and how it is programmed. The Draft 2024-2033 STIP is expected to be adopted in June 2023. The 2026-2035 STIP will be developed from the P7 process.

Carryover Projects for Prioritization 7.0 that are to be Selected from Projects that were Submitted for the First Time in Prioritization 6.0

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Tracy Parris made a motion seconded by Gail Strickland to recommend to the TAC that the two highest scoring RPO submitted highway projects identified by the NCDOT (H190837 and H191677) be accepted as the Carryovers.

Project Submittals for Prioritization 7.0

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Information only. No action was taken.

NEW BUSINESS

None

CLOSING COMMENTS AND ADJOURNMENT

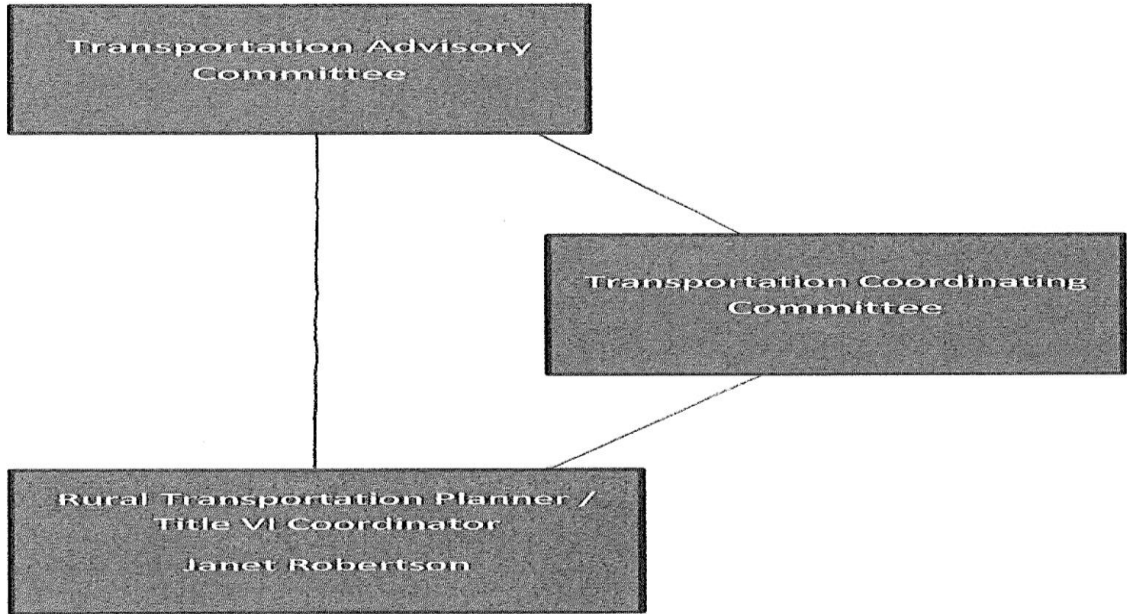
Chairman Love noted that Prioritization is a long and involved process and urged new members to reach out to him or Ms. Robertson if they have any questions.

Tyler Thomas made a motion seconded by Tracy Parris to adjourn the meeting. The motion passed with a unanimous vote.

Minutes Approved by the TCC on 5/10/23

Appendix 3
Organizational Chart

Lumber River RPO



Appendix 4 Demographic Tables

Race and Ethnicity

Data source: U.S. Census, 2020 DEC Redistricting Data (PL 94-171)

Race and Ethnicity	Number	Percent
Total Population	245,732	100
White	86,683	35.28
Black or African American	68,467	27.86
American Indian or Alaska Native	52,038	21.18
Asian	2,312	0.94
Native Hawaiian and Other Pacific Islander	274	0.11
Some other Race	1,026	0.42
Two or More Races	11,310	4.60
HISPANIC OR LATINO (of any race)	23,622	9.61
Mexican	-	-
Puerto Rican	-	-
Cuban	-	-
Other Hispanic or Latino	-	-

Age and Sex

Data source: 2021 ACS 5-Year Estimate, Table S0101

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	246,143	119,696	126,447	100		
Under 5 years	16,844	8,765	8,079	6.84	7.32	6.39
5 to 19 years	51,954	25,700	26,254	21.11	21.47	20.76
20 to 64 years	139,731	68,690	71,041	56.77	57.39	56.18
65 years and over	37,614	16,541	21,073	15.28	13.82	16.66
Median Age	37.4	36.4	38.8			

Disability

Data source: 2021 ACS 5-year Estimate, Table S1810; Disability Characteristics.

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	238,135	424	40,949	862	17.20	1.4
Population under 5 years	16,841	92	106	50	6.3	1.1
Population 5 to 17 years	44,565	126	3,774	329	8.47	2.8
Population 18 to 64 years	140,250	343	22,159	458	15.8	2.3
Population 65 years and over	36,479	132	14,910	251	41.1	5.8
SEX						
Male	112,922	503	19,122	578	16.93	2.05
Female	125,213	291	21,827	546	17.43	1.65
RACE AND HISPANIC OR LATINO ORIGIN						
White	85,774	414	16,128	497	18.8	2.3
Black or African American	68,169	486	12,363	519	18.14	2.8
American Indian and Alaska Native	57,765	383	9,401	428	16.27	5.7
Asian	N	N	N	N	N	N
Native American and Other Pacific Islander	N	N	N	N	N	N
Some other Race	N	N	N	N	N	N
Two or more races	11,105	657	1,429	183	12.87	6.3
Hispanic or Latino	N	N	N	N	N	N

Household Income

Data Source 2021 ACS Table S1901, Income in the past 12 months (in 2021 inflation adjusted dollars.)

Subject	Households	
	Estimate	Margin of Error +/-
Total	89,740	459
Less than \$10,000	11.4	1.7
\$10,000 to \$14,999	8.4	1.6
\$15,000 to \$24,999	11.9	1.7
\$25,000 to \$34,999	12.0	1.8
\$35,000 to \$49,999	12.7	1.9
\$50,000 to \$74,999	17.8	2.3
\$75,000 to \$99,999	10.7	2.0
\$100,000 to \$149,999	9.7	1.7
\$150,000 to \$199,999	3.1	1.0
\$200,000 or more	2.3	.8
Median income (dollars)	42,314	3,200
Mean income (dollars)	58,455	3,681

Poverty

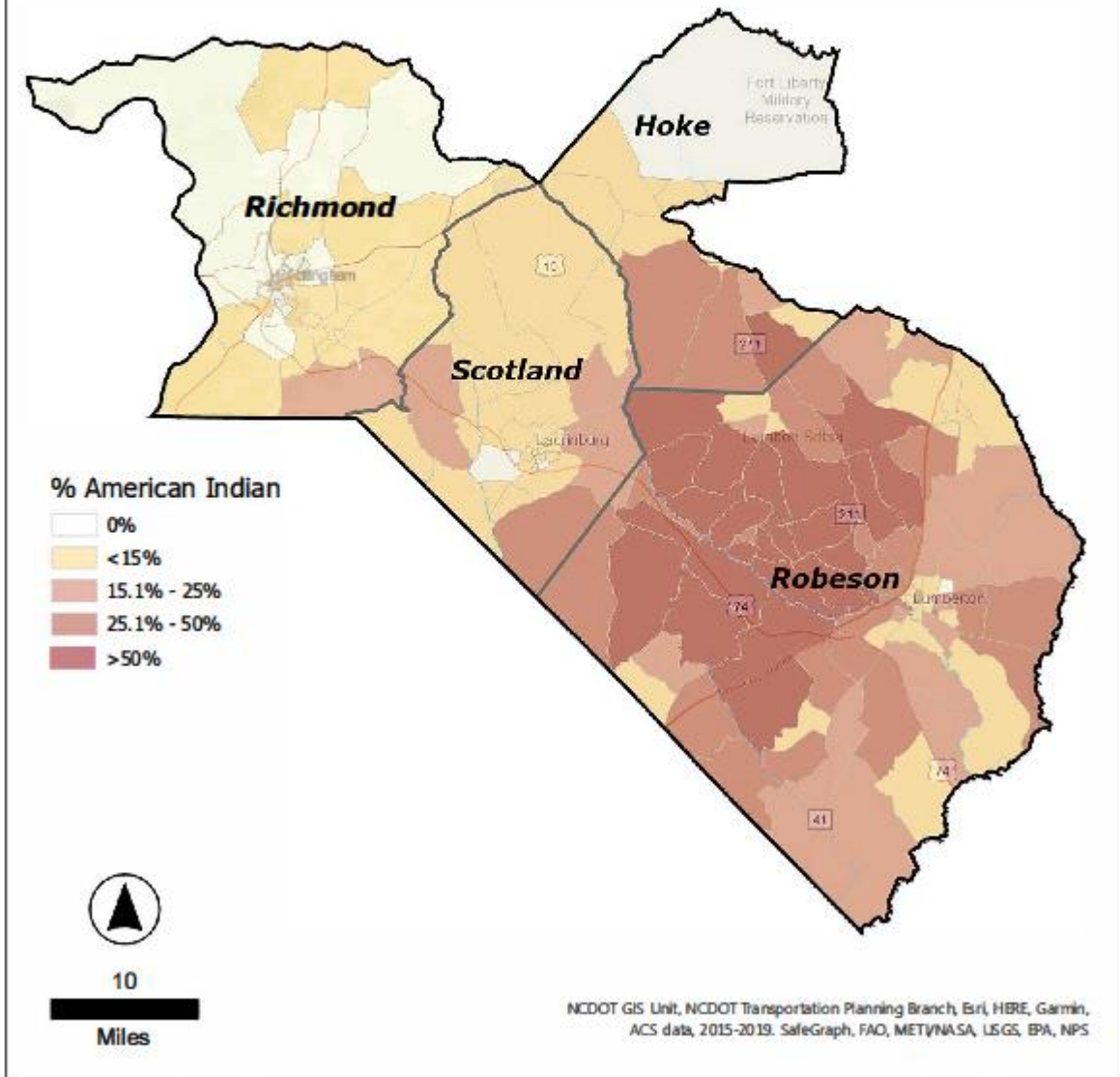
Data Source: 2021 ACS 5-Year Estimate Table S1701, Poverty Status in the Past 12 Months.

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	238,063	464	59,640	1,702	25.1	2.65
AGE						
Under 18	60,786	138	21,203	779	34.88	5.7
18 to 64	140,798	455	31,728	981	22.53	2.6
65 years and over	36,479	173	6,709	288	18.39	3.2
SEX						
Male	113,953	488	26,044	927	22.86	3.0
Female	124,110	333	33,596	990	27.07	3.1
RACE AND HISPANIC OR LATINO ORIGIN						
White	86,287	479	13,741	668	15.92	3.0
Black or African American	67,553	516	22,905	902	33.91	5.1
American Indian and Alaska Native	56,841	382	15,581	745	27.41	8.6
Asian	1,455	94	117	58	8.04	14.6
Native Hawaiian and Other Pacific Islander	83	43	22	29	26.51	56
Some other Race	14,167	493	5,117	548	36.12	18
Two or more races	6,417	470	1,681	251	26.2	12.6
Hispanic or Latino	21,710	135	6,793	613	31.29	12
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	27,987	1,292	(X)	(X)	(X)	(X)
125 percent of poverty level	74,374	1,885	(X)	(X)	(X)	(X)
150 percent of poverty level	87,267	1,872	(X)	(X)	(X)	(X)
185 percent of poverty level	106,750	1,8872	(X)	(X)	(X)	(X)
200 percent of poverty level	113,800	1,964	(X)	(X)	(X)	(X)

Appendix 5
Demographic Maps (EJ)

Lumber River RPO Title VI:

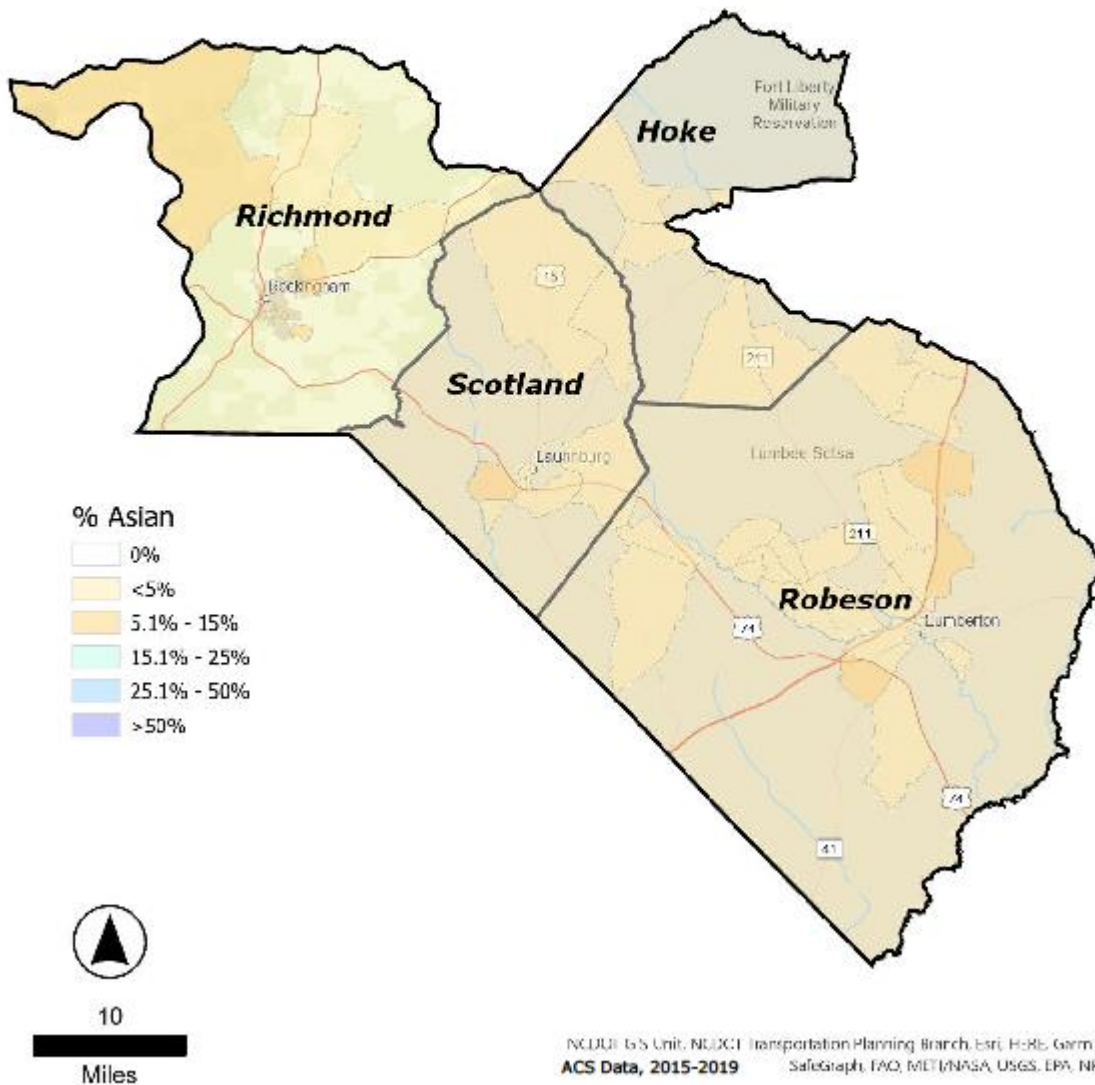
% of Population which is American Indian



Lumber River RPO

Title VI:

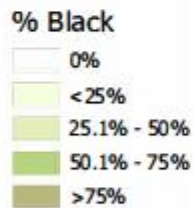
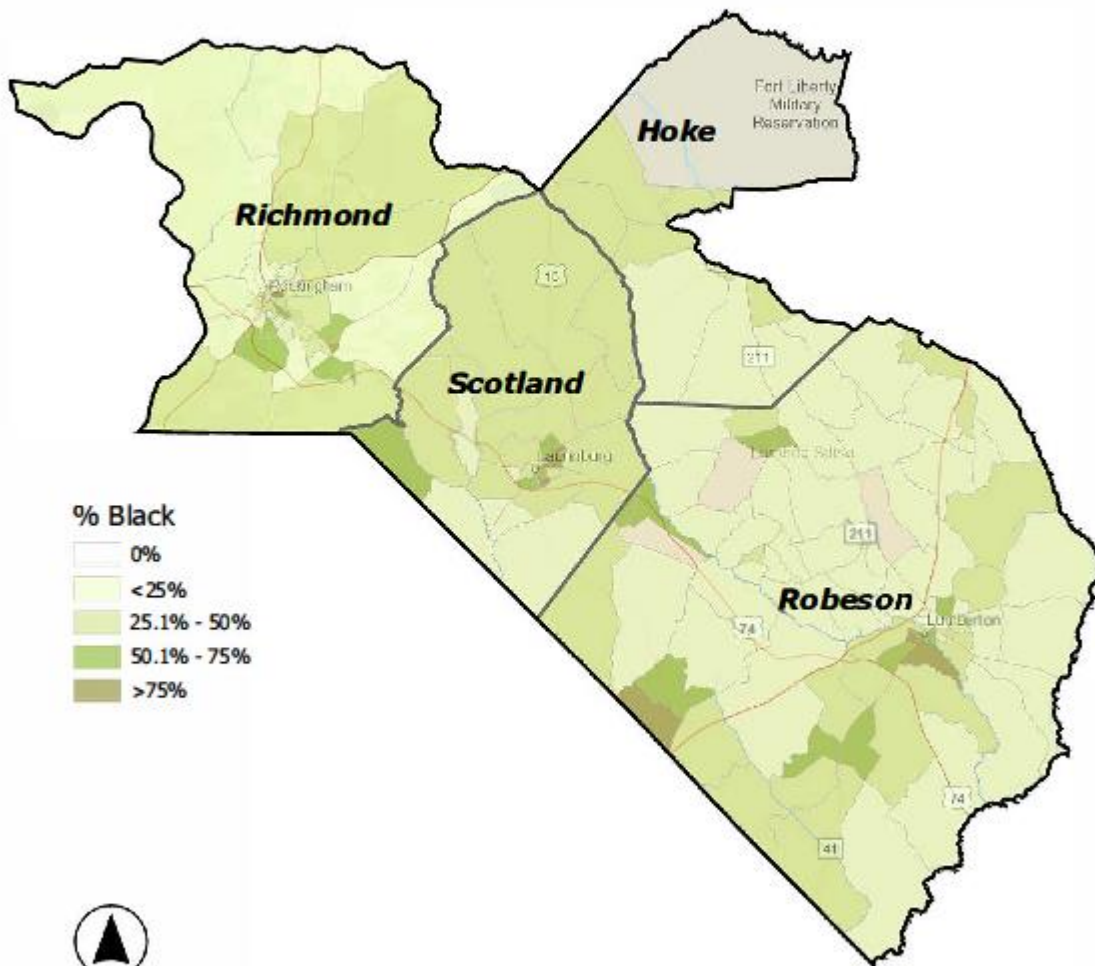
% of Population which is Asian



Lumber River RPO

Title VI:

% of Population which is Black



10



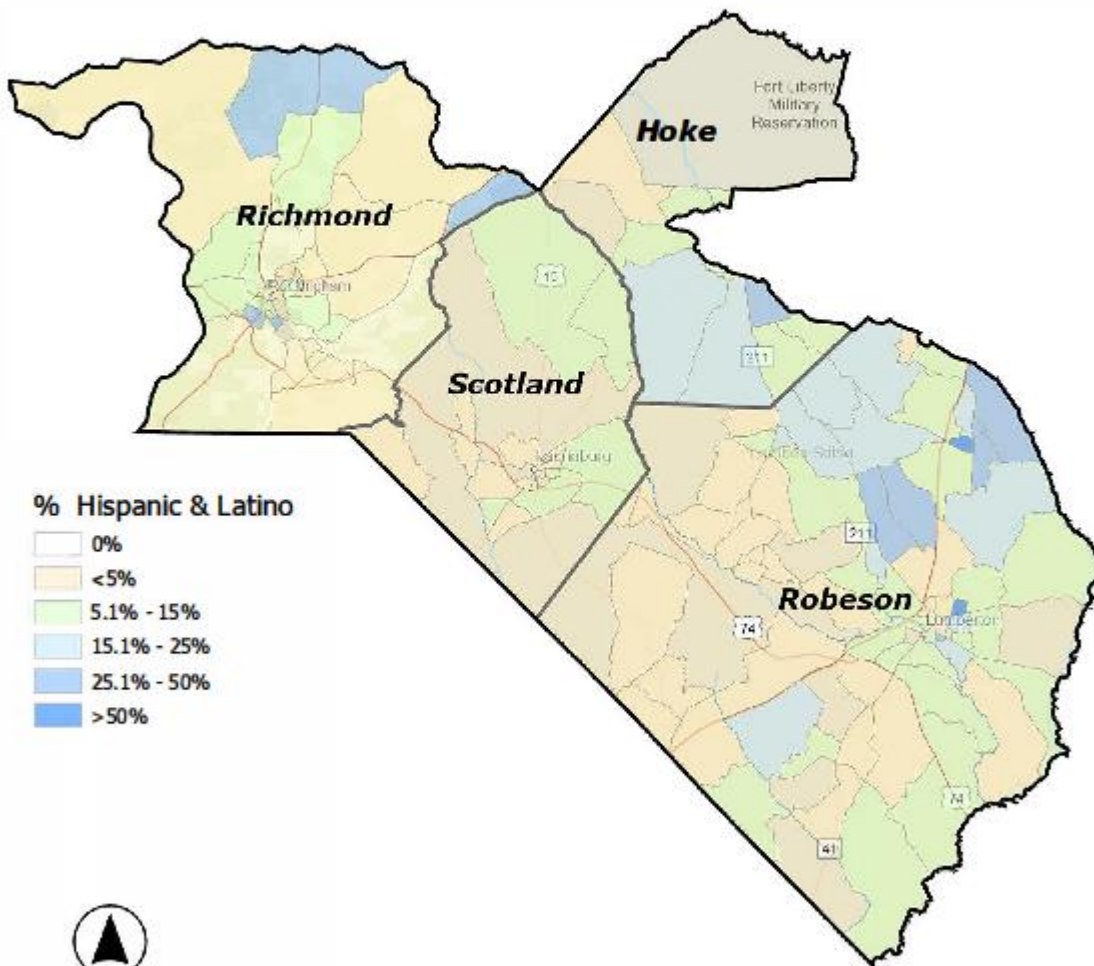
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NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS Data, 2015-2019, SafeGraph, FAO, MET/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Population which is Hispanic & Latino



% Hispanic & Latino

- 0%
- <5%
- 5.1% - 15%
- 15.1% - 25%
- 25.1% - 50%
- >50%



10



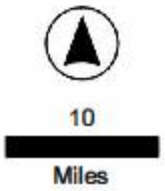
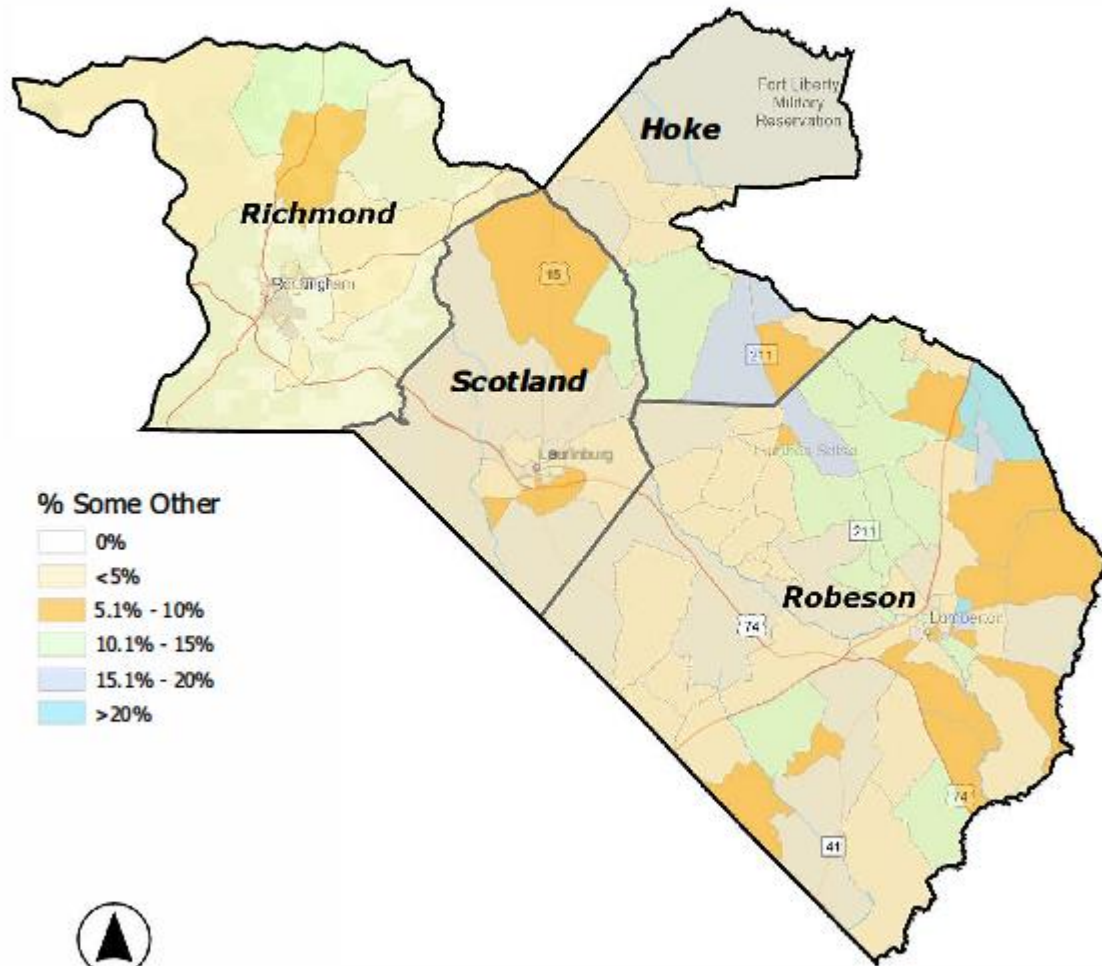
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NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS Data, 2015-2019, SafeGraph, FAO, MET/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Population which is **Some Other Race**

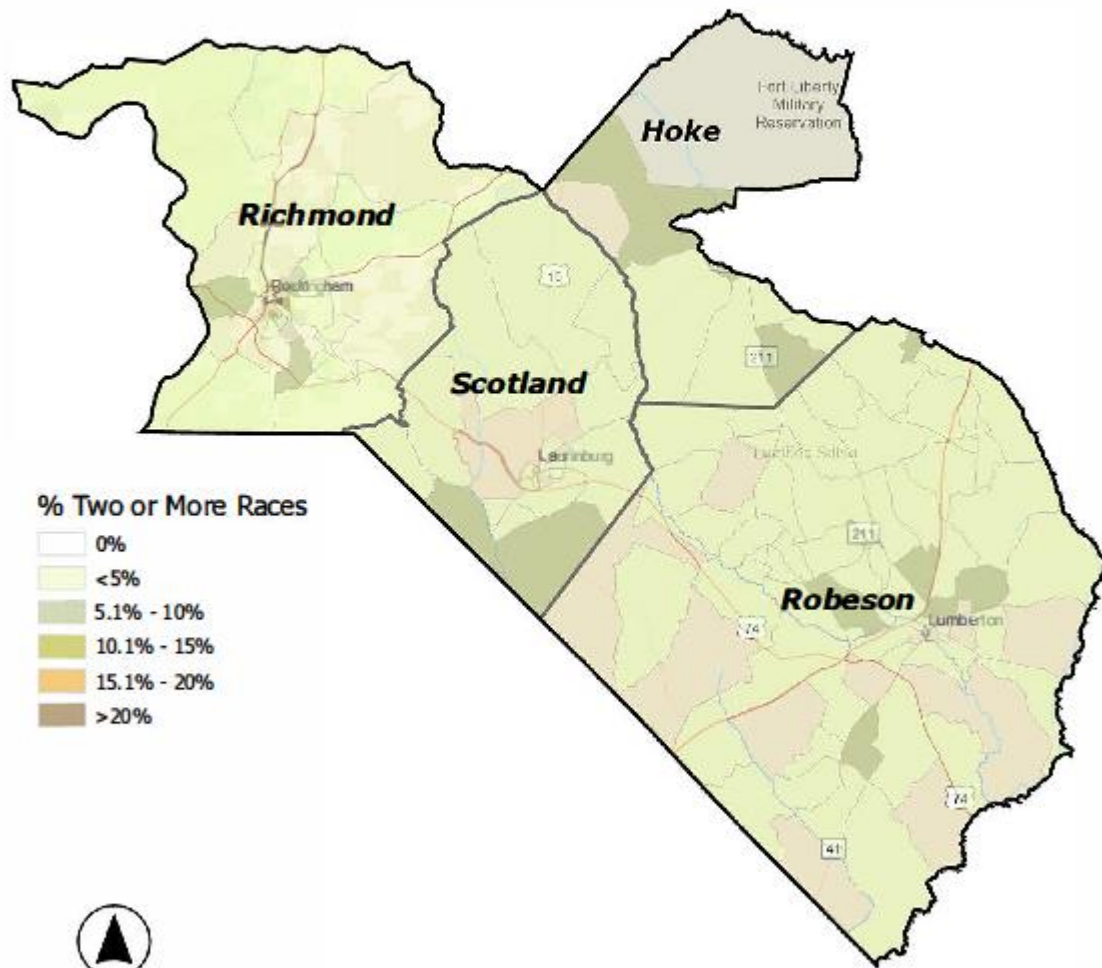


NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Population which is Two or More Races



% Two or More Races

- 0%
- <5%
- 5.1% - 10%
- 10.1% - 15%
- 15.1% - 20%
- >20%



10



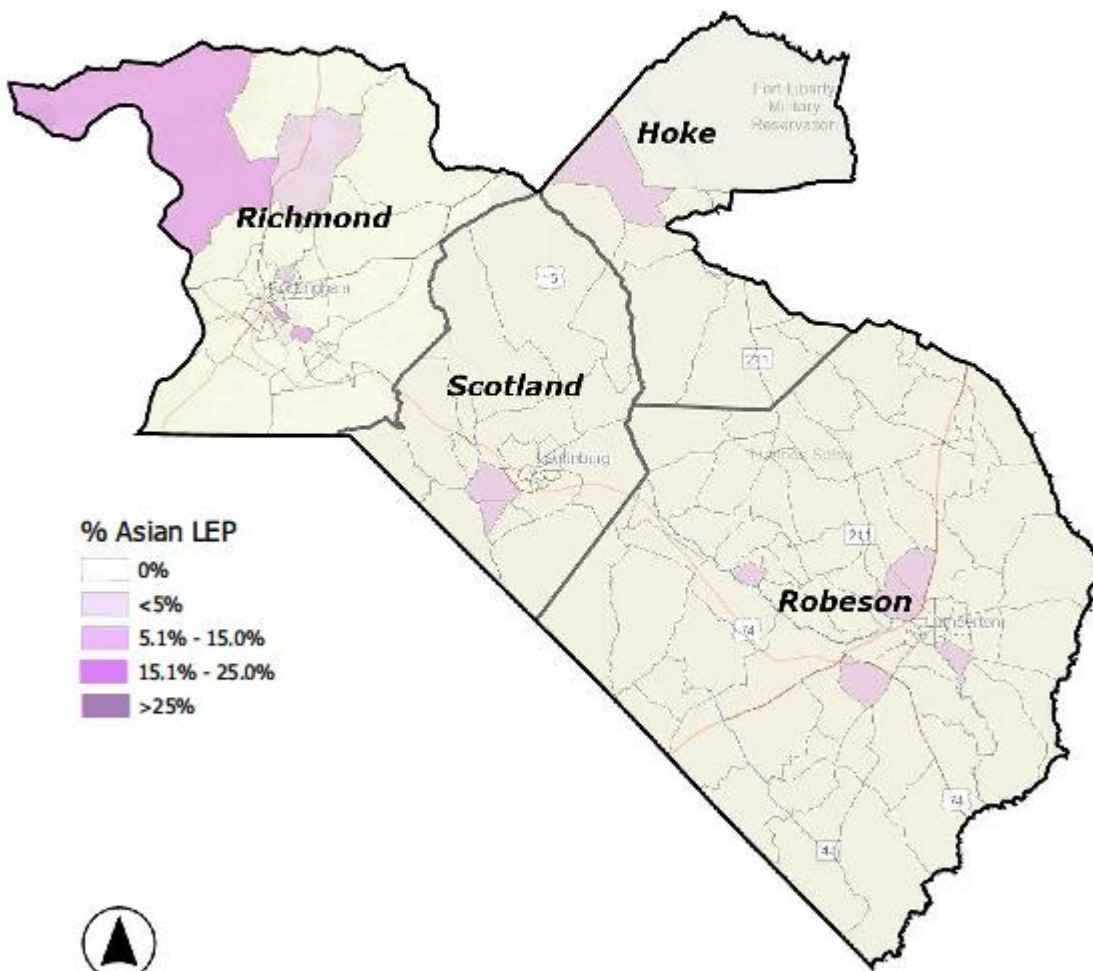
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NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS Data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

Limited English Proficiency-Asian Languages



% Asian LEP

- 0%
- <5%
- 5.1% - 15.0%
- 15.1% - 25.0%
- >25%



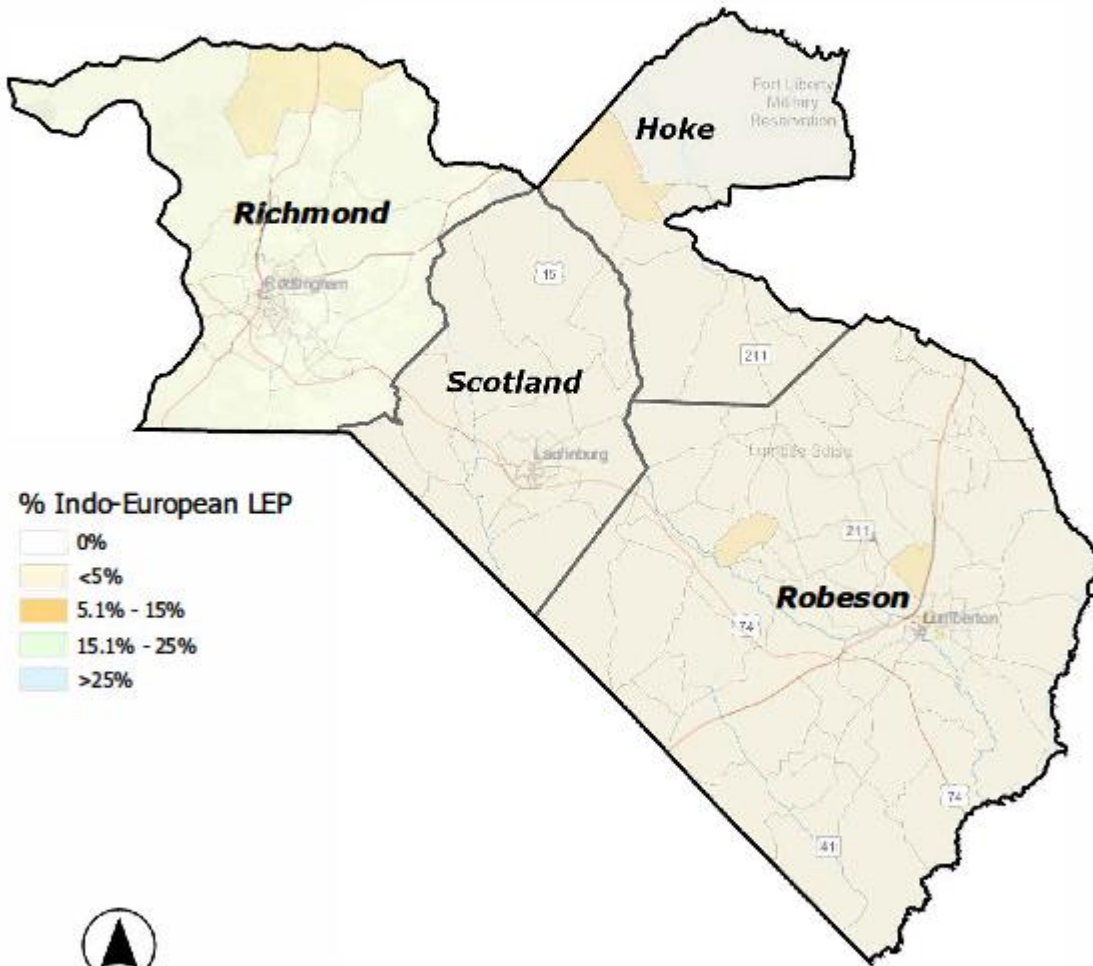
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Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO Title VI:

Limited English Proficiency-Indo-European Languages



% Indo-European LEP

- 0%
- <5%
- 5.1% - 15%
- 15.1% - 25%
- >25%



10

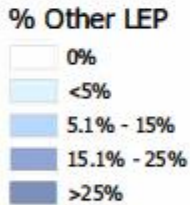
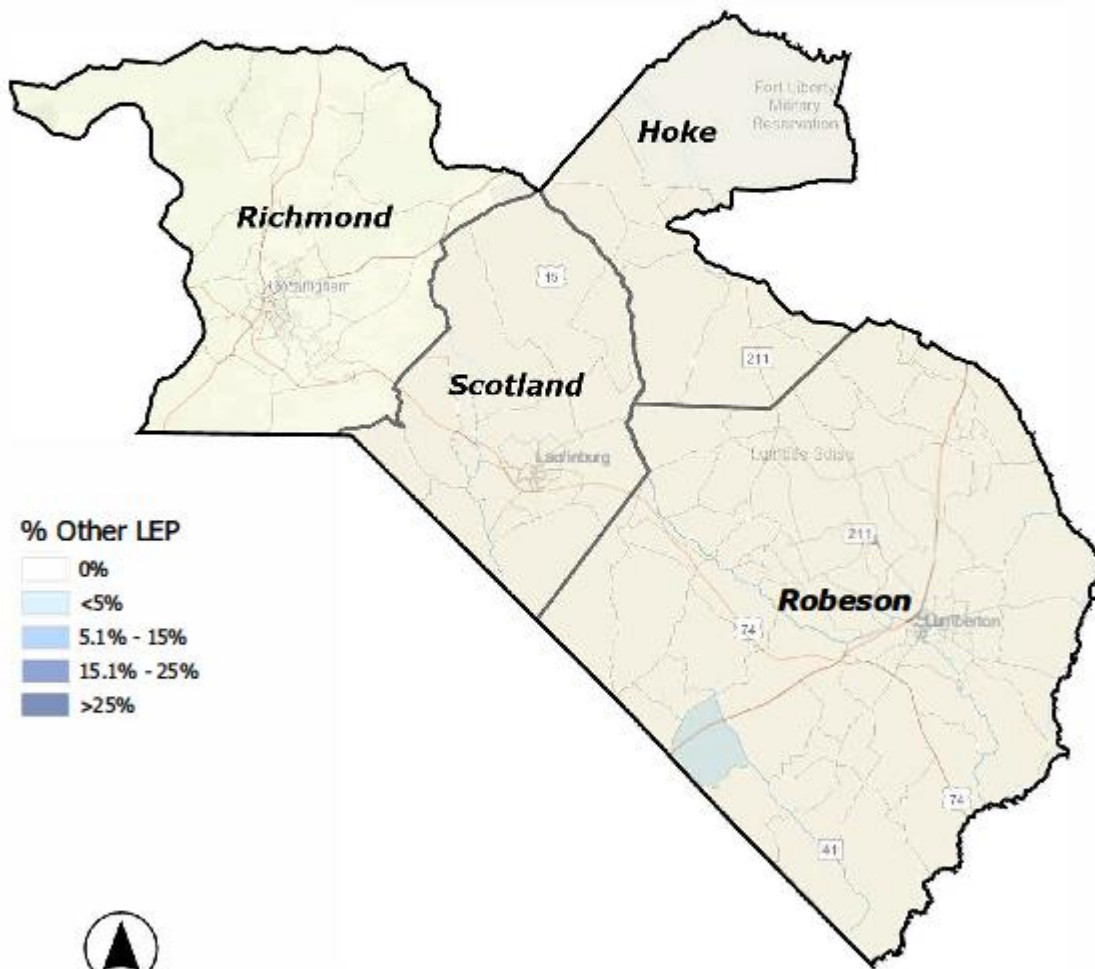


Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO Title VI:

Limited English Proficiency-Other Languages



10



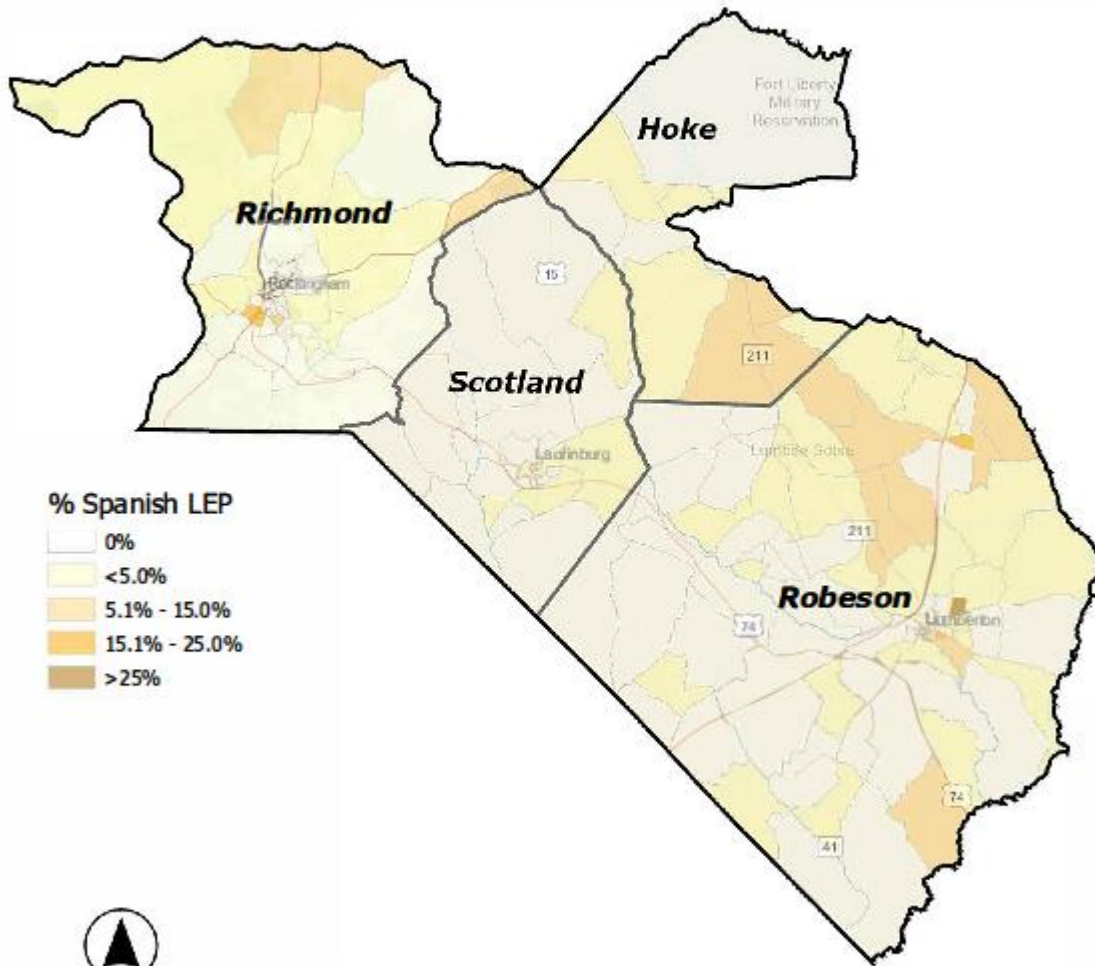
Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

Limited English Proficiency-Spanish



10



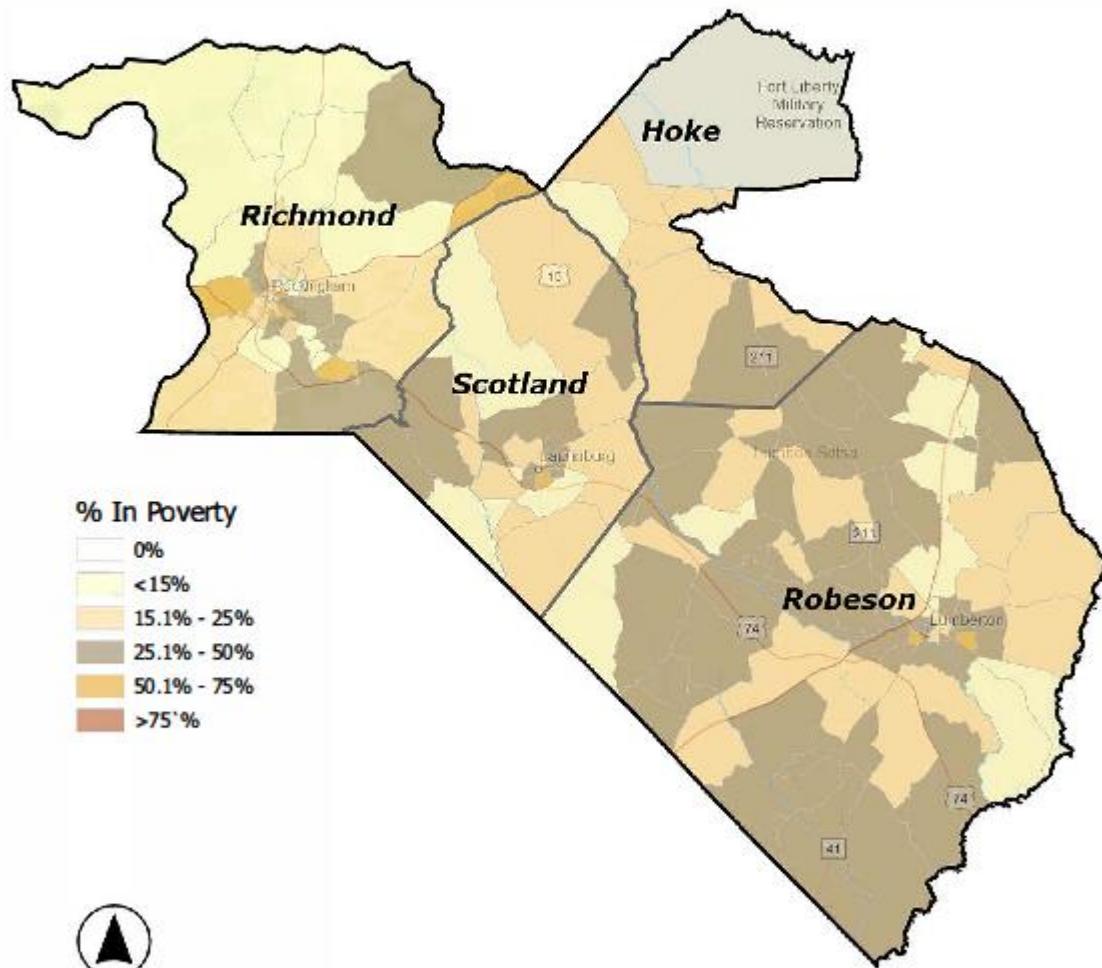
Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Population Under Poverty Line



10



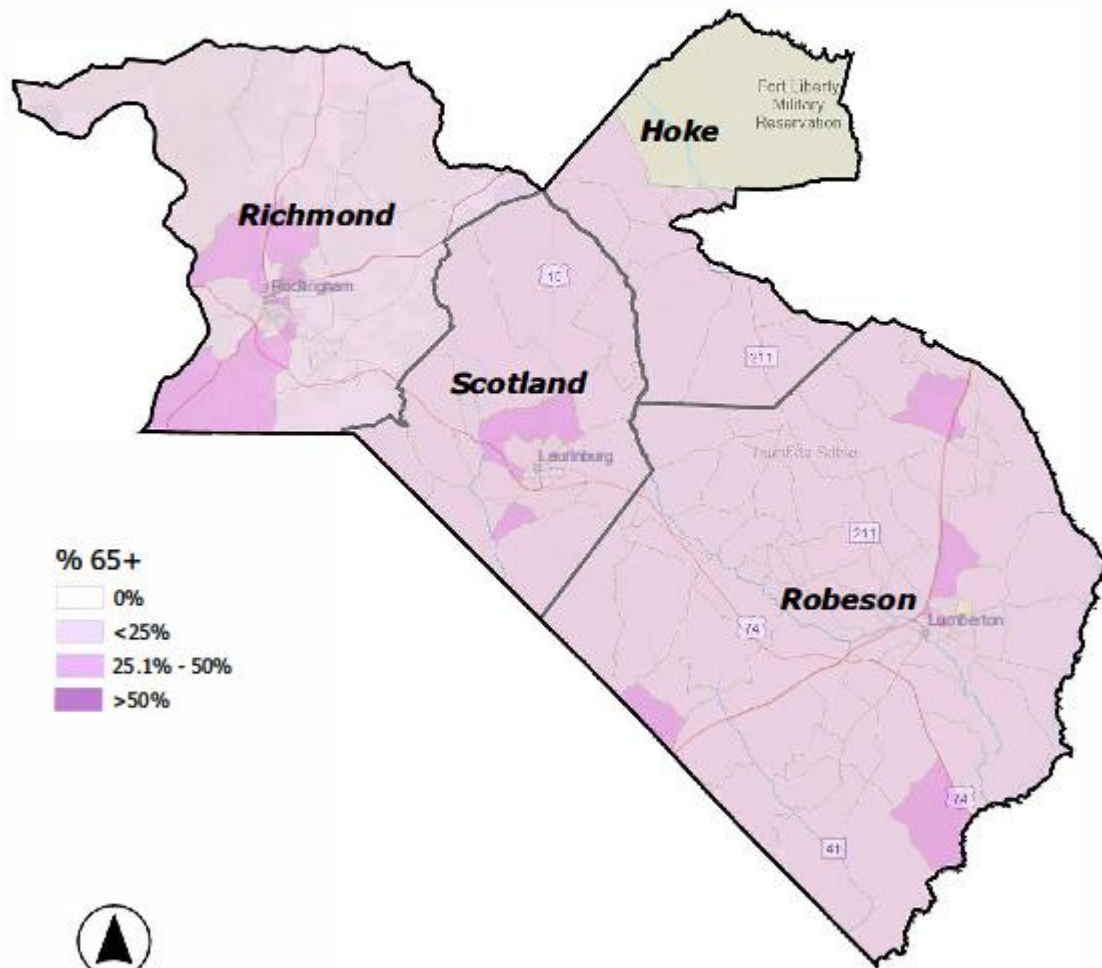
Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, SACS data, 2015-2019, SafeGraph, FAO, METYNSA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Population 65 and Older



10



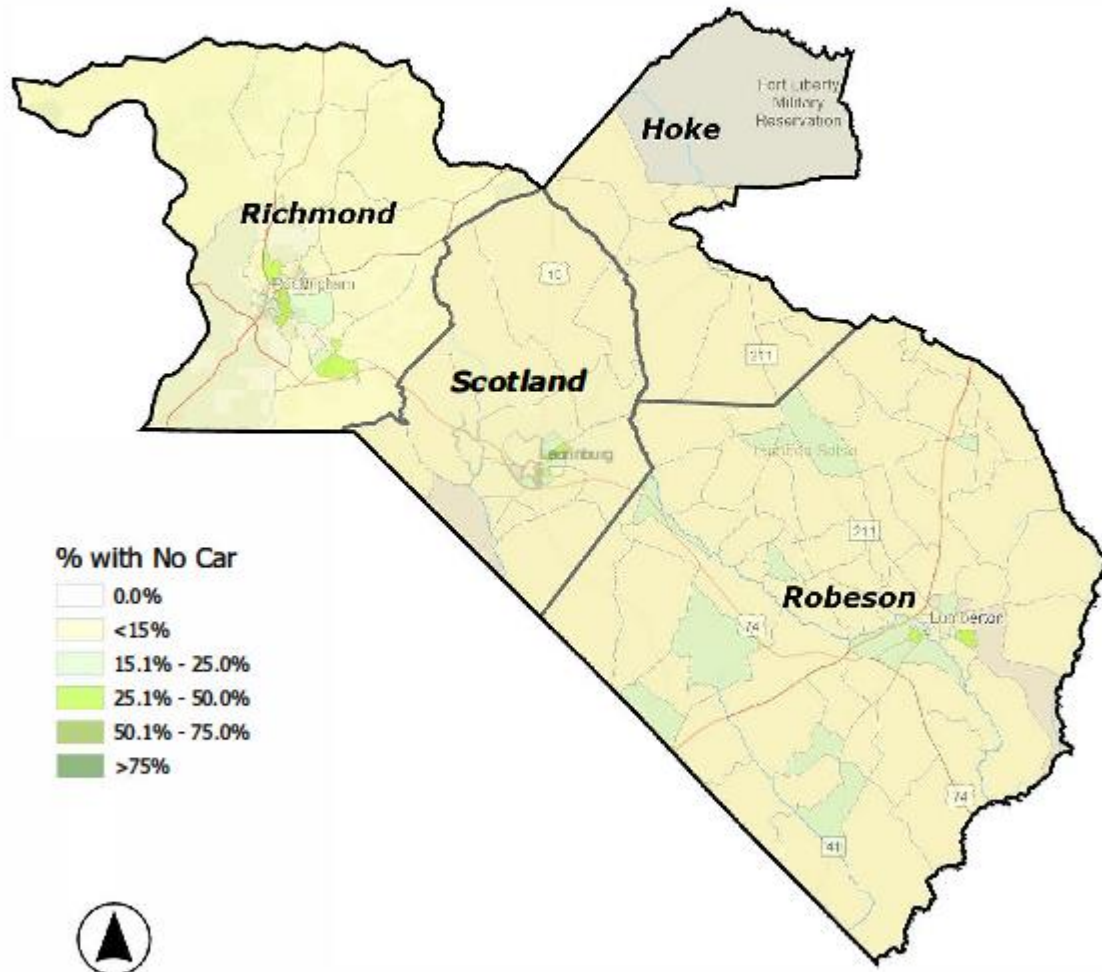
Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS Data, 2015-2019, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS

Lumber River RPO

Title VI:

% of Households with Zero Cars



- % with No Car**
- 0.0%
 - <15%
 - 15.1% - 25.0%
 - 25.1% - 50.0%
 - 50.1% - 75.0%
 - >75%



10



Miles

NCDOT GIS Unit, NCDOT Transportation Planning Branch, Esri, HERE, Garmin, ACS data, 2015-2019, SafeGraph, FAO, METVNSA, USGS, EPA, NPS

Appendix 6
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**
[For example, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53]
- IV. COMPLAINT BASIS/(ES)**
[For example, 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.]

DISCRIMINATION COMPLAINT FORM

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 Lumber River RPO, within 180 days after the discrimination occurred.

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 Lumber River RPO 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:
 Janet Robertson
 Lumber River
 30 CJ Walker Road
 Pembroke, NC 28372
 910-775-9749

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: NCDOT FHWA Date Referred: _____

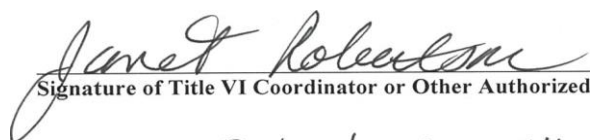
DISCRIMINATION COMPLAINTS LOG

Log Year(s): FY 2022-23

CASE NO.	COMPLAINANT NAME	RACE GEND	RESPONDENT NAME	BASIS	DATE FILE	DATE RECEIVED	ACTION TAKEN	DATE INVESTIG. COMPLETED	DISPOSITION

No Complaints or Lawsuits

I certify that to the best of my knowledge, the above described complaints or lawsuits alleging discrimination, or **no complaints or lawsuits** alleging discrimination, have been filed with or against Lumber River RPO since the previous Title VI Program submission to NCDOT.



 Signature of Title VI Coordinator or Other Authorized Official

Janet Robertson, Title VI Coordinator

 Print Name and Title of Authorized Official

8-23-23

 Date

RECLAMOS POR DISCRIMINACIÓN EXTERNA

Formulario de Reclamos por Discriminación



Departamento de Transporte de Carolina del Norte
Oficina de Derechos Civiles
Derechos Civiles Externos

Enero de 2017

DEPARTAMENTO DE TRANSPORTE DE CAROLINA DEL NORTE (NCDOT) INSTRUCCIONES PARA LOS RECLAMOS POR DISCRIMINACIÓN EXTERNA

INTRODUCCIÓN

La sección de Derechos Civiles Externos (ECR) de la Oficina de Derechos Civiles (OCR) del NCDOT es responsable de procesar los reclamos por discriminación presentados bajo el Título VI del Acta de Derechos Civiles de 1964 y otras leyes antidiscriminatorias relacionadas. Los participantes y beneficiarios de programas o actividades administrados o financiados por el NCDOT que consideren han sido discriminados con base en su raza, color, país de origen, nivel de ingresos, limitación para hablar o entender inglés (LEP), sexo, edad o discapacidad tienen el derecho de presentar un reclamo. Los reclamos por supuesta discriminación serán investigados por las autoridades apropiadas, como la ECR, una agencia federal o un

subreceptor del NCDOT (usualmente una agencia gubernamental local). *Nota:* la religión *solo* queda cubierta bajo el programa de Derecho de Vía (Vivienda Justa) del NCDOT y aquellos programas financiados por la Administración Federal de Aviación o la Administración Federal de Transporte Público.

PRESENTAR RECLAMOS

1. **Aplicabilidad** – Estos procedimientos para presentar reclamos aplican a programas, actividades y servicios del NCDOT, incluyendo a aquellos subreceptores (por ejemplo, municipalidades, condados, Organizaciones Metropolitanas de Planeación o MPOs, agencias de transporte público) y contratistas (por ejemplo, subcontratistas, consultores, agencias de placas vehiculares) que reciban fondos federales a través del NCDOT. *Nota:* el Título VI no incluye reclamos internos relacionados con la Igualdad de Oportunidades en el Empleo (EEO).
2. **Eligibilidad** – Cualquier persona o clase de personas que considere que ha sido sujeta a un acto discriminatorio prohibido por cualquier autoridad pertinente de derechos civiles con base en su raza, color, país de origen, sexo, edad, discapacidad, nivel de ingresos o LEP (y religión, cuando aplique) puede presentar un reclamo por escrito ante la ECR. La ley también prohíbe cualquier tipo de intimidación o represalias contra aquellas personas que presenten un reclamo.
3. **Opciones para presentar reclamos y límites de tiempo** – Los reclamos deben ser presentados por los individuos afectados o su representante antes de 180 días después de:
 - La fecha del supuesto acto discriminatorio; o
 - La fecha cuando las personas se enteraron de la supuesta discriminación; o
 - Cuando exista una conducta continua, la fecha en que dicha conducta fue descontinuada o la más reciente instancia de dicha conducta.

Los reclamos por discriminación bajo el Título VI y autoridades relacionadas pueden ser presentados ante las siguientes entidades:

- **Departamento de Transporte de Carolina del Norte**, Oficina de Derechos Civiles, Derechos Civiles Externos, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1896 o sin costo al 800-522-0453
- **Departamento de Transporte de los EE.UU.**, Oficina Departamental de Derechos Civiles, División de Programas de Derechos Civiles Externos, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - **Administración Federal de Carreteras**, Oficina de Derechos Civiles, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 202-366-0752
 - **Administración Federal de Carreteras**, División Carolina del Norte, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Administración Federal de Transporte Público, Oficina de Derechos Civiles, ATTN: Coordinador del Programa Título VI, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue

- **Administración Federal de Seguridad de Autotransporte**, Oficina de Derechos Civiles, 1200 New Jersey Avenue, SE, Room #W65-312, Washington, DC 20591, 202-366-8810
- **Administración Federal de Aviación**, Oficina de Derechos Civiles, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
- **Departamento de Justicia de los EE.UU.**, Sección de Litigios Especiales, División de Derechos Civiles, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 o sin costo al 877-218-5228

4. **Formato de los reclamos** – Los reclamos deben presentarse **por escrito**, deben incluir la **firma** de los reclamantes o un representante e incluir nombre, dirección y número de teléfono de los reclamantes. Los reclamos recibidos por fax o correo electrónico serán aceptados y procesados. Las denuncias recibidas por teléfono serán redactadas y proporcionadas al reclamante para que las confirme o haga cambios antes de procesarlas. Serán aceptados reclamos en otros idiomas, incluyendo Braille. (Ver más abajo el FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN)
5. **Fundamento de los reclamos** – Las denuncias deben estar fundamentadas en asuntos que involucren raza, color, país de origen, nivel de ingresos, LEP, sexo, edad o discapacidad; (y religión, cuando aplique). El término “fundamento” se refiere a que el reclamante debe pertenecer a un grupo protegido. *Nota:* la religión (o credo) *solo* queda cubierta bajo los programas de derecho de vía, transporte público y aviación.

Categorías protegidas	Definición	Ejemplos	Estatutos y regulaciones pertinentes	
			FHWA	FTA
Raza	Un individuo perteneciente a alguno de los grupos raciales aceptados; o la percepción, usualmente basada en las características físicas, de una persona como miembro de un grupo racial.	Negro/Afroamericano, Hispano/Latino, Asiático, Amerindio/ Nativo de Alaska, Nativo de Hawaii/Islas del Pacífico, Blanco	Título VI del Acta de Derechos Civiles de 1964; 49 CFR Parte 21; 23 CFR 200; (Orden Ejecutiva 13166)	Raza Color País de origen (LEP)
Color	Color de la piel, incluyendo tonalidades dentro de un grupo racial	Negra, blanca, café, amarilla, etc.		
País de origen (LEP)	Lugar de nacimiento. La ciudadanía no es un factor. (También queda cubierta la discriminación con base en el lenguaje o el acento de una persona)	Mexicano, cubano, japonés, vietnamita, chino, ruso, francés		
Nivel de ingresos	Un individuo u hogar considerado como de bajos ingresos	Estado de pobreza	Orden Ejecutiva 12898	
Sexo	El sexo de un individuo. <i>Nota:</i> la orientación sexual no está incluida en este programa.	Mujeres y hombres	Acta de Asistencia Federal para Carreteras de 1973	Sexo
Edad	Personas de cualquier edad	Persona de 21 años de edad	Acta contra la Discriminación por Razón de Edad de 1975	
Discapacidad	Impedimento físico o mental, permanente o temporal, o percibido	Ciego, alcohólico, amputado, epiléptico, diabético, artrítico	Sección 504 del Acta de Rehabilitación de 1973; Acta para Americanos con Discapacidades de 1990	
Religión	Credo. Un individuo perteneciente a un grupo religioso; o la percepción, usualmente basada en características que indiquen que una persona es miembro de un grupo religioso	Musulmán, cristiano, sikh, hindú, etc.	Título VIII del Acta de Derechos Civiles de 1968 (Acta de Vivienda Justa); 49 USC 47123 (FAA); 49 USC 5332 (FTA)	

RECEPCIÓN DEL RECLAMO Y RESPUESTA

1. La Oficina de Derechos Civiles del NCDOT confirmará por escrito y vía correo certificado que ha recibido su reclamo a más tardar diez (10) días después de recibirlo.
2. La sección de Derechos Civiles Externos (ECR) evaluará su reclamo al recibirlo para asegurarse que este contiene la información necesaria, que está dentro de los límites de tiempo y que cumple con los requisitos jurisdiccionales.

- a. Si el reclamo está completo y no se requiere información adicional, la ECR le enviará una carta de aceptación junto con un formulario de Consentimiento/Descargo.
 - b. Si el reclamo no está completo, usted será contactado por escrito o telefónicamente para obtener la información adicional. **Nota:** tendrá 15 días para responder y/o brindar la información solicitada; no hacerlo podría ser considerado como causa justa para determinar que su reclamo no amerita ser investigado.
3. A más tardar 15 días después de haber recibido su reclamo, la ECR determinará si el asunto cae bajo su jurisdicción y si el reclamo amerita ser investigado. A más tardar cinco (5) días después de tomar esta decisión, la ECR informará sobre la misma por correo certificado tanto a usted como a los demandados (aquellas personas contra quienes usted presenta su reclamo).
- a. Si la decisión es no investigar el reclamo, la notificación deberá especificar las razones de la misma.
 - b. Si la decisión es investigar el reclamo, la notificación deberá mencionar por qué cae bajo la jurisdicción del NCDOT y solicitará que usted y los demandados brinden su cooperación absoluta y asistencia al investigador.
 - c. Durante la investigación, es posible que las entrevistas sean grabadas. Deberá obtenerse el consentimiento del entrevistado si éste se encuentra fuera de NC.
4. El NCDOT intentará solucionar todo reclamo por discriminación a más tardar 60 días después de que haya aceptado investigar un reclamo. Se hará un esfuerzo para obtener una solución temprana ante los reclamos y al nivel más bajo posible. La opción de una mediación informal entre las partes afectadas y personal del NCDOT podría ser utilizada en busca de una solución. La ECR dará a conocer todas las opciones para presentar su demanda y las avenidas para apelar.



Departamento de Transporte de Carolina del Norte
FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN

Cualquier persona que considere ha sido sujeta a un acto discriminatorio con base en su raza, color, sexo, edad, país de origen, discapacidad, nivel de ingresos o limitación para hablar o entender inglés, puede presentar un reclamo por escrito ante la Oficina de Derechos Civiles del NCDOT, a más tardar 180 días después de ocurrido el acto discriminatorio.			
Apellido:		Nombre:	
		<input type="checkbox"/> Hombre <input type="checkbox"/> Mujer	
Dirección:		Ciudad	Estado
			Código postal
Teléfono casa:	Teléfono trabajo:	Dirección de correo electrónico:	
Identifique la categoría del acto discriminatorio:			
<input type="checkbox"/> RAZA	<input type="checkbox"/> COLOR	<input type="checkbox"/> PAÍS de ORIGEN	<input type="checkbox"/> LIMITACIONES con el IDIOMA INGLÉS
<input type="checkbox"/> RELIGIÓN	<input type="checkbox"/> DISCAPACIDAD	<input type="checkbox"/> SEXO	<input type="checkbox"/> NIVEL de INGRESOS
<i>NOTA:</i> la religión <i>solo</i> queda cubierta bajo el programa de Derecho de Vía (Vivienda Justa) del NCDOT y las divisiones de Transporte Público y Aviación.			

Identifique la raza del reclamante			
<input type="checkbox"/> Negro	<input type="checkbox"/> Blanco	<input type="checkbox"/> Hispano	<input type="checkbox"/> Asiático
<input type="checkbox"/> Amerindio	<input type="checkbox"/> Nativo de Alaska	<input type="checkbox"/> Isleño del Pacífico	<input type="checkbox"/> Otro _____
Fecha y lugar del supuesto acto discriminatorio. Favor de incluir dos fechas: la más antigua y la más reciente del acto discriminatorio.			
Nombres de los individuos responsables del acto discriminatorio:			
¿De qué manera fue usted discriminado? Describa la naturaleza del acto, decisión o condiciones del supuesto acto discriminatorio. Explique de la manera más clara posible qué ocurrió y por qué considera que su condición protegida (fundamento) fue un factor en el acto discriminatorio. Incluya cómo otras personas recibieron un trato diferente al suyo. (De ser necesario, añada más páginas)			
La ley prohíbe actos de intimidación o represalias contra cualquier persona que haya actuado o haya participado en una acción para asegurar se respeten los derechos protegidos por estas leyes. Si usted considera que ha sido víctima de represalias o ha sido aislado del acto discriminatorio mencionado arriba, por favor explique las circunstancias en el espacio de abajo. Explique qué acciones tomó usted las cuales considera fueron la causa de las supuestas represalias. (De ser necesario, añada más páginas)			
Nombres de las personas (testigos, compañeros de trabajo, supervisores u otros) a quienes podemos contactar para obtener información adicional que corrobore o clarifique su reclamo: (De ser necesario, añada más páginas)			
<u>Nombre</u>	<u>Dirección</u>	<u>Teléfono</u>	
1. _____	_____	_____	
2. _____	_____	_____	
3. _____	_____	_____	
4. _____	_____	_____	

OCR-ECR (Rev 01/17)

FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN

<p>¿Ha presentado o pretende presentar un reclamo relacionado con este asunto ante alguna de las entidades siguientes? De ser así, favor de proporcionar las fechas en las que presentó su reclamo. Marque todas las que apliquen.</p> <p><input type="checkbox"/> Administración Federal de Carreteras _____</p> <p><input type="checkbox"/> Administración Federal de Transporte Público _____</p> <p><input type="checkbox"/> Administración Federal de Seguridad de Autotransporte _____</p> <p><input type="checkbox"/> Departamento de Transporte de los EE.UU. _____</p> <p><input type="checkbox"/> Corte federal o estatal _____</p> <p><input type="checkbox"/> Otra _____</p>
<p>¿Ha hablado sobre su reclamo con algún representante del NCDOT? De ser así, proporcione el nombre, cargo y fecha de la conversación.</p>

Favor de proporcionar cualquier información adicional que usted considere sería útil durante una investigación.

Explique brevemente qué solución o acción espera usted sea tomada como resultado de su reclamo por el supuesto acto discriminatorio.

****NO PODEMOS ACEPTAR RECLAMOS SIN FIRMA. FAVOR DE FIRMAR Y FECHAR ESTE FORMULARIO AL CALCE.**

FIRMA DEL RECLAMANTE

FECHA

ENVÍE POR CORREO ESTE FORMULARIO DE RECLAMOS A:
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
OFFICE OF CIVIL RIGHTS – EXTERNAL CIVIL RIGHTS
1511 MAIL SERVICE CENTER
RALEIGH, NC 27699-1511
919-508-1808 o sin costo al 800-522-0453

FOR OFFICE USE ONLY / SOLO PARA USO OFICIAL

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: FHWA FTA FMCSA

Date Referred: _____

OCR-ECR (Rev 01/17)

NOTIFICACIÓN ANTIDISCRIMINATORIA Y DERECHOS DE ACCESIBILIDAD

En cumplimiento con el Título VI del Acta de los Derechos Civiles de 1964 y otras autoridades antidiscriminatorias, el Departamento de Transporte de Carolina del Norte (NCDOT) no excluirá de participar, negará beneficios o discriminará a ninguna persona con base en su **raza, color, origen nacional, limitación para hablar o entender inglés, nivel de ingresos, sexo, edad o discapacidad (o su religión, cuando así aplique)**, de cualquier programa o actividad financiada por el NCDOT.

Si usted siente que ha sido discriminado por el NCDOT o sus proveedores, puede presentar una queja. Para obtener información sobre cómo presentar una queja o sobre las obligaciones antidiscriminatorias del NCDOT, favor de contactar a la:

Oficina de Derechos Civiles del NCDOT

Programa Antidiscriminatorio del Título VI

1511 Mail Service Center

Raleigh, NC 27699

1-800-522-0453

TitleVI@ncdot.gov

También puede visitar <https://www.ncdot.gov/programs/titleVI/>.

Cualquier persona con un impedimento auditivo o del habla puede contactar al servicio Relay NC marcando 711 o 1-877-735-8200.

ATENCIÓN: si usted habla otro idioma que no sea inglés, puede solicitar, sin costo, los servicios de intérpretes calificados o información escrita en otros idiomas llamando al 1-800-481-6494.

TÍTULO VI ENCUESTA DE PARTICIPACIÓN PÚBLICA

El llenado de este formato es **completamente** voluntario. Usted no está obligado a proporcionar la información solicitada con el fin de participar en esta reunión.

Tipo de Reunión: _____	Fecha: _____
Lugar de la Reunión: _____	
STIP No.: _____	
Descripción del Proyecto: _____	

De conformidad con el Título VI del Acta de Derechos Civiles de 1964 y otras disposiciones de derechos civiles de la ley Federal estatutaria, el **Departamento de Transporte de Carolina del Norte (NCDOT por sus siglas en inglés)** asegura que ninguna persona(s) afectada por sus programas, políticas o actividades, quedarán excluidos de su participación en, negada de los beneficios de, o sometidos a la discriminación por motivos de raza, color, origen nacional, discapacidad, edad, ingresos o género.

Completando este formato nos ayudará a cumplir con nuestra recopilación de datos y a cumplir con las obligaciones de participación pública bajo el Título VI y NEPA, y así mejorar nuestro servicio al público. Por favor deposite el formato llenado en la casilla designada en la mesa de registro o envíelo por correo a NCDOT PDEA-Human Environment Section, 1598 Mail Service Center, Raleigh, NC 27699-1598.

Los formatos completados serán guardados en los archivos de NCDOT como parte del registro público.

Código Postal: _____	Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Nombre de la Calle: (ej. Main Street) _____	Edad: <input type="checkbox"/> Menor de 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Ingreso Total del Hogar: <input type="checkbox"/> Menos de \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 o Mayor	Discapacidad: <input type="checkbox"/> Si <input type="checkbox"/> No
Raza/Etnicidad: <input type="checkbox"/> Blanco <input type="checkbox"/> Afro Americano <input type="checkbox"/> Asiático <input type="checkbox"/> Indio Americano/Nativo de Alaska <input type="checkbox"/> Nativo de Hawaii/Islas del Pacífico <input type="checkbox"/> Hispano/Latino <input type="checkbox"/> Otra (por favor especifique): _____	Nacionalidad de Origen: (Si nació fuera de los EU) <input type="checkbox"/> Mexicano <input type="checkbox"/> Centro Americano: _____ <input type="checkbox"/> Sudamericano: _____ <input type="checkbox"/> Puertorriqueño <input type="checkbox"/> Chino <input type="checkbox"/> Vietnamita <input type="checkbox"/> Coreano <input type="checkbox"/> Otro (por favor especifique): _____

¿Cómo se enteró de esta reunión? (anuncio en el periódico, folleto, y/o correo) _____

Para más información relacionada con el Título VI o este proceso, por favor contacte a **NCDOT Sección Título VI** al teléfono (919) 508-1896 o llame sin costo al 1-800-508-1886, o por correo electrónico sddickens@ncdot.gov.

Appendix 8
Compliance Review Checklist for FHWA Subrecipients

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 RPO 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 subrecipients 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 years.	<input type="checkbox"/>