

IMCAL LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION

TITLE VI PLAN

**ADOPTED APRIL 7, 2010 BY THE
MPO
TRANSPORTATION POLICY COMMITTEE
UPDATED JUNE 2, 2014**



**IMCAL
LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION**

**WHICH IS A BODY OF THE
IMPERIAL CALCASIEU REGIONAL PLANNING AND DEVELOPMENT COMMISSION (IMCAL)**

**4310 RYAN ST., SUITE 330 LAKE CHARLES, LOUISIANA
PHONE: (337) 433-1771 FAX: (337) 433-6077 WWW.IMCAL.WEBS.COM**

Prepared by the
**IMCAL Lake Charles Urbanized Metropolitan
Planning Organization**

Staff

Grant Bush, Executive Director
Title VI Coordinator
Nick Hernandez, Transportation Planner III

The IMCAL MPO does not discriminate on the basis of race, color, national origin, income, gender, age, and disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. ADA and Title VI inquiries should be forwarded to: 326 Pujol Street – 4th Floor, Lake Charles, Louisiana, Phone: (337) 433-1771, Fax: (337) 433-6077

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I. Title VI Policy Statement and Authorities

Policy Statement

The Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) assures that no person shall, on the grounds of race, color, national origin, income, gender, age, and disability, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

More specifically, LCMPO assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, LCMPO will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

LCMPO further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

LCMPO's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other LCMPO responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

Grant Bush
Executive Director
IMCAL
Lake Charles Urbanized Metropolitan Planning Organization

Date

Authorities

Title VI of the Civil Rights Act of 1964 created a foundation for future environmental justice regulations. Since the establishment of Title VI, environmental justice has been considered in local, state and federal transportation project. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, income, gender, age, and disability.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stressed the importance of providing for "all Americans safe, healthful, productive and anesthetically

pleasing surroundings” and provides a requirement for taking a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision making.

The Civil Rights Restoration Act of 1987 further expanded Title VI to include all programs and activities of Federal aid recipients, sub-recipients and contractors whether those programs and activities are federally funded or not.

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This piece of legislation directed every Federal agency to make Environmental Justice part of its mission by indentifying and addressing all programs, policies and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low income populations.

Rather than being reactive, Federal, State, local and tribal agencies must be proactive when it comes to determining better methods to serve the public, who rely on transportation systems and services to increase their quality of life.

In April 1997, as a reinforcement to **Executive Order 12898**, The United States Department of Transportation (DOT) issued an **Order on Environmental Justice (DOT Order 5610.2)**, which summarized and expanded upon the requirements of **Executive Order 12898** to include all policies, programs and other activities that are undertaken, funded or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or other U.S. DOT components.

In December 1997, the FHWA issued the **FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23)**, which mandated the FHWA and all its subsidiaries to implement the principles of **Executive Order 12898** and **U.S. DOT Order 5610.2** into all of its programs, policies and activities.

On October 7, 1999, the FHWA and the FTA issued a memorandum **Implementing Title VI Requirements in Metropolitan and Statewide Planning**. This memorandum provides clarification for field offices on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally important during the planning stages as it is during the projects development stages.

II. What is the LCMPO?

The IMCAL Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) is a member of governments. It is a public, non-profit organization of government council serving municipalities and public service agencies in the Lake Charles urbanized region. LCMPO's members currently include the following cities and parish: Calcasieu Parish, City of Lake Charles, City of Sulphur, and City of Westlake. Through its professional staff of planners the LCMPO offers a range of services in the following areas:

- Transportation planning and programming
- Economic and community development
- Data center
- Mapping and aerial photography
- Traffic count collection
- Federal grant assistance

The LCMPO strengthens local government by providing a unity in dealing with state and federal agencies and legislative bodies. It has provided technical assistance to local governments on regional concerns such as air, water, transportation priorities and goals. It has, throughout its tenure, produced studies or plans in the areas of transportation, community facilities, and socioeconomic strategies. In many instances, local membership dues are utilized to match state and federal funds to complete these activities.

Of equal importance, the LCMPO has provided a forum for the region's elected officials to discuss mutual problems face to face. This degree of cooperation and mutual support is unprecedented.

The LCMPO also maintains a library and information service for any and everyone interested transportation in the Lake Area region of Louisiana. As such, we are a regional data center and depository on state of the art planning practices, requisite data, and information. It is our pledge to our local governments to stay on the cutting edge of knowledge and to make that knowledge available to them as an ongoing function.

III. Introduction and Purpose of This Document

The purpose of this document is to communicate the LCMPO plan for addressing the Federal and state non-discrimination requirements under Title VI, Federal Executive Order 12898 and other related regulations and statutes. This document has a companion document of equal importance: LCMPO's Public Participation Plan. These two documents, together, describe the LCMPO's plan and approach for addressing the requirements of Title VI. Although they are separate topics, Environmental Justice and Public Participation are closely intertwined issues and complement one another in ensuring fair and equitable distribution of transportation services and facilities.

Public participation is essential to the success of any public planning program or project. Without the involvement of local citizens, it is difficult to design a program that meets the needs of the public or to gauge the project's success. Effective public participation not only provides transportation officials with new ideas, but it also alerts them to potential environmental justice concerns during the planning stage of a project. Perhaps the most important element of public participation is to engender a sense of ownership among the people, especially among those who are often at the mercy of their surroundings.

Objectives

1. Comply with the public involvement and environmental justice requirements of the Federal and State regulations.
2. Avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
3. Provide specific opportunities for local citizens and citizen-based organizations to discuss their views and provide input on the subject areas addressed in plans, projects or policies of LCMPO- the IMCAL Lake Charles Urbanized Metropolitan Planning Organization (LCMPO).
4. Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
5. Inform and educate citizens and other interested parties about ongoing LCMPO planning activities and their potential role in those activities.

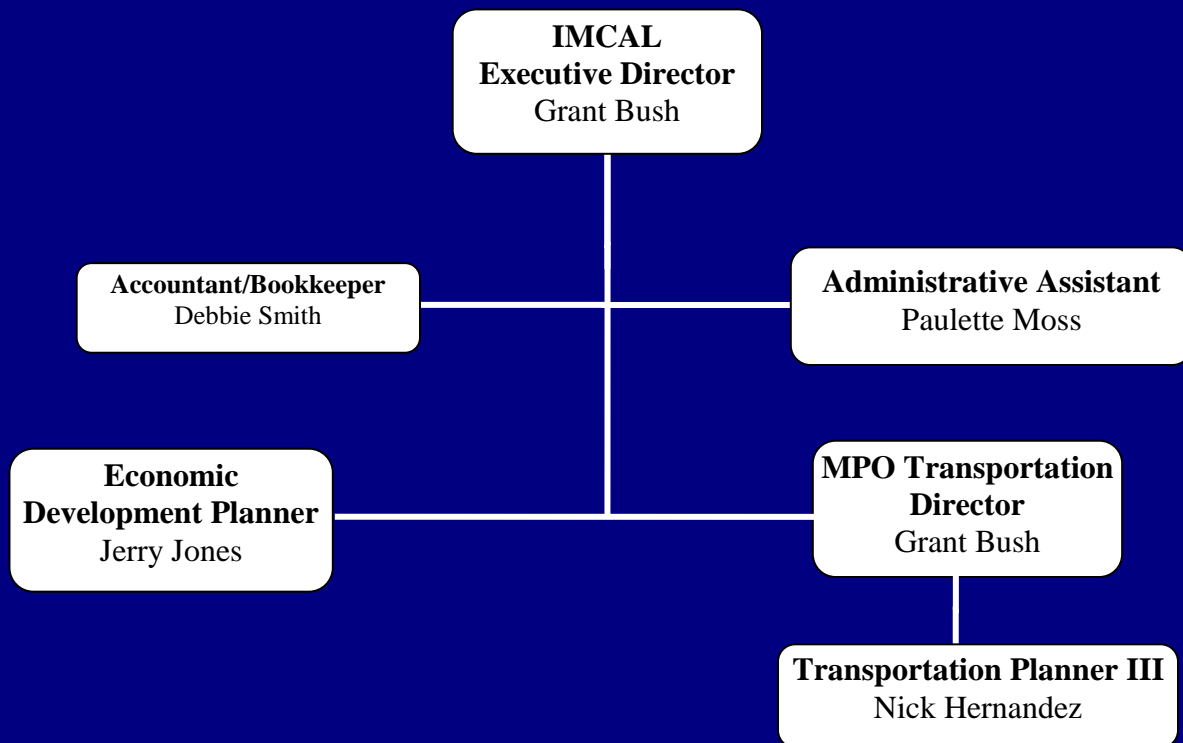
IV. Organization and Staffing of the LCMPO

Figure IV-1, an Organization Chart for the LCMPO along with the remaining staff members of the Imperial Calcasieu Regional Planning and Development Commission (IMCAL), is shown on the following page. The Executive Director of LCMPO is responsible for ensuring implementation of the agency's Title VI program. LCMPO's Title VI Coordinator is responsible for coordinating the overall day-to-day administration of the Title VI program, plan, and assurances (See Appendix B). This same individual is also responsible for administration of LCMPO's LEP and ADA programs.

As shown on the organization chart, LCMPO is headed by Executive Director Grant Bush, assisted by Transportation Planner III Nick Hernandez, who is serving in her role as Title VI, ADA and LED Coordinator, under the direct reporting function to the Executive Director. LCMPO has a staff of about 3, which included with the IMCAL staff the personnel is a total of 6.

IMCAL
Imperial Calcasieu Regional Planning & Development Commission
And
Serving as the Lake Charles Urbanized Metropolitan Planning Organization for the
Greater IMCAL (MPO)

Figure IV-1
ORGANIZATION CHART



V. General Responsibilities Under Title VI

General Title VI Program Responsibilities

Following are general Title VI responsibilities of LCMPO. The Title VI Coordinator is responsible for ensuring these elements of the plan are appropriately implemented, and maintained:

1. Data collection

Demographic data on race, age, color, national origin, income level, language spoken, and sex of the region's population is to be collected and maintained by LCMPO. This demographic data will be used to develop public outreach efforts and to conduct environmental justice analyses, as needed.

2. Annual Title VI Report

An Annual Title VI Report is to be submitted by the end of October each year, to LADOTD's Compliance Programs Director, the Federal Highway Administration (FHWA), and the Federal Transit Authority (FTA). The document is to include:

- *Title VI complaint procedures (complaints will be submitted to/filed with LADOTD; LCMPO will not process complaints.)*
- *Record of Title VI investigations, complaints or lawsuits (investigations will be conducted by LADOTD with LCMPO in a supporting role)*
- *Plan to involve persons with Limited English Proficiency (LEP)*
- *Title VI notice to the public*
- *A summary of public outreach and involvement activities and a description of steps taken to ensure that minority and disadvantaged persons had meaningful access to these activities.*

3. Annual Review of Title VI program

Each year, in preparing for the Annual Title VI Report, the Title VI Coordinator will review LCMPO's Title VI program to assure compliance with Title VI. In addition, the Coordinator will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

The Title VI Plan and associated Appendices will be revised annually or as appropriate, as policies and procedures change and members of the TAC and TPC committees change.

4. Dissemination of information related to the Title VI program

Information on the agency's Title VI program is to be disseminated to LCMPO employees, contractors, and beneficiaries, as well as to the public, as described in the "Program Area Responsibilities" section of this document, and in other languages when required.

5. Assist LADOTD with resolution of complaints

Any individual may exercise his or her right to file a complaint about LCMPO policies, plans or practices, if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, gender, age, and disability. LCMPO will work diligently in a supportive role to LADOTD's Title VI Compliance Team to resolve complaints informally at the lowest level, using the LADOTD's Complaint Processing Procedures. The Title VI complaint process and Title VI Discrimination Complaint Form is presented in Appendix H.

General Responsibilities of the Title VI Coordinator

The Title VI Coordinator is responsible for supervising all required action in implementing, monitoring, and reporting on LCMPO's compliance with Title VI regulations. In support of this, the Title VI Coordinator will:

- Identify, investigate, and eliminate discrimination when found to exist.
- Refer any complainants to LADOTD's Compliance team and website immediately. The Coordinator will supply phone numbers and email addresses to complainants for contacting the proper LADOTD authorities adhering to the timeframes in the complaint process.
- Note: A complaint must be filed no later than 180 days after the alleged discrimination.
- Meet with other LCMPO staff, annually, to train, monitor and discuss progress, implementation, and compliance issues.
- Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with other LCMPO staff to develop and submit the Annual Title VI Report to LADOTD, FHWA, and FTA by the end of October each year.
- Meet annually with consultants under contract to LCMPO to make sure they maintain compliance with Title VI.

If a consultant under contract to LCMPO is found to not be in compliance with Title VI, Coordinator will work with the Consultant

to resolve the deficiency status and develop a remedial action plan if necessary.

- Review important Title VI-related issues with the Executive Director of LCMPO, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs, as appropriate.

VI. Program Area Responsibilities

Program Area 1: Communications & Public Participation

Note: The Communications & Public Participation Program Area applies to and affects the LCMPO work program as a whole, particularly agency efforts and responsibilities related to the Planning & Programming and Environmental Affairs Program Areas. It has been treated as a separate program area for purposes of clarity. (See LCMPO's Public Participation Plan for more details.)

The goal of LCMPO's communications and public participation program is to ensure early and continuous public notification about, and participation in, major actions and decisions by LCMPO. In seeking public comment and review, LCMPO makes a concerted effort to reach all segments of the population, including people from minority and low income communities, and organizations representing these and other protected classes.

LCMPO utilizes a broad range of public information and participation opportunities, including dissemination of proposals and alternatives, process for written comments, public meetings after effective notice, settings for open discussion, communication programs, information services, and consideration of and response to public comments.

Operational Guidelines

- LCMPO's Public Participation Plan
- *LCMPO's Limited English Proficiency (LEP) Policy*

Principles of LCMPO's Communications & Public Participation Program

- Equal access is an essential part of the public participation process.
- No major public policy decision is reached or large project implemented without significantly affecting someone.
- Professionals do not have a monopoly on good solutions.
- Even if a project or policy decision is sensible and beneficial, it must be arrived at properly to be acceptable.
- People are much more willing to live with a decision that affects different interests unequally if the decision-making process is open, objective, and considers all viewpoints.
- If project or policy staff doesn't provide all relevant information necessary for an informed decision, the public will rely on, and trust, others.
- Interacting with an official representative of an organization or group is no
- Substitute for interacting directly with that organization or group.

- Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

Elements of LCMPO's Communications & Public Participation Program

- **Website** – LCMPO maintains a website, imcal.webs.com, which is updated frequently to keep the public informed. The site contains information on the agency's responsibilities, programs, publications, and press releases; contact information for staff; a search function; the Title VI Plan, complaint procedures (via links to LADOTD); and a **comment form** so visitors may comment directly to LCMPO on any subject.
- **Information Center** – LCMPO maintains a comprehensive library of local and regional transportation documents. Any document(s) can be made available to the public, with one week's advance notice. LCMPO staff can be reached by phone or e-mail, and contact information is included in every publication produced by LCMPO. LCMPO staff regularly answer questions and respond to requests for information from citizens, businesses, and staff from cities, agencies, and organizations throughout the rural and urbanized regions. LCMPO will gladly accommodate persons of limited English proficiency (LEP). *Appendix D contains LCMPO's LEP Plan and Policy.*
- **Publications** – Each year, LCMPO issues a multitude of publications, reports, and maps as part of the agency's work program, and responds to and processes a large number of data requests. The information is used by planning and public works departments throughout the region, and can be accessed by the public through the LCMPO website. LCMPO will gladly accommodate persons of limited English proficiency (LEP). *Appendix D contains LCMPO's LEP Plan and Policy.*
- **Press releases** – Press releases, when sent, will include the abbreviated Title VI and ADA Notices to the public and contact information for agency staff.
- **Meetings open to the public** – All LCMPO board and committee meetings are open to the public. Time for citizen comments is reserved at all meetings and announced by the meeting chair. Meeting dates and times are posted well in advance on the agency's website and in frequent LCMPO emails to which any citizen may subscribe. All meeting agendas contain the following statement: **ADA Notice:** *For special accommodations for this meeting, contact LCMPO's ADA Coordinator via letter of request at least 48 hours in advance of a meeting.*
- **Opportunities for public comment** – LCMPO routinely provides opportunities for public comment, and continues to work to find new and innovative ways to solicit public comments and involve all segments of the

population within its region. Comments are accepted by phone, fax, email, US mail, Internet, and in person at any of their meetings.

- **Staff is accessible** – Staff is accessible in person, on the phone, by mail, by fax, by email, or by online comment forms. Contact information for all staff is provided on LCMPO’s website.
- **Mailings** – LCMPO routinely uses direct mail to keep the public informed of the agency’s programs, public comment periods, meetings, and publications. See the next section for details.
- **Events** – Events such as workshops and forums are held regularly, as needed, for large projects affecting the public.

Opportunities for Public Comments

LCMPO routinely offers four different ways for people to comment on activities, programs, and decisions made at the agency. As follows:

- **Comments are accepted at any time** – Comments are accepted via an online comment form, by phone, fax, email, U.S. mail, and in person at any board or committee meeting. Contact information for all staff is provided on the agency website, and contact information for the agency is included in every publication produced by the LCMPO. LCMPO responds to all comments received.
- **Citizen comments are requested at agency meetings** – All LCMPO board and committee meetings are open to the public. LCMPO generally holds 15-20 of these meetings per year. The meeting dates are posted well in advance on the agency’s Web site and in the LCMPO’s frequent emails. Time for citizen comments is included on meeting agendas, and the meeting chair requests citizen comments at least once in every meeting. No advance notice is required to speak during the citizen comment period at any of the meetings. Public comments and responses made during these times are kept on record in the official meeting summaries. LCMPO maintains a mailing list; anyone can request to be added to the mailing list. LCMPO uses voluntary Attendance/Sign-in Forms at agency meetings open to the public.
- **Formal public comment periods for major activities** – Formal public comment and review periods are used to solicit comments on major planning and programming activities, for example, major amendments to the Transportation Improvement Program (TIP), changes to important LCMPO policies (such as the Public Participation Plan), and major updates to the UPWP. Generally, information is reviewed and released by one of the policy boards at a bi-monthly meeting for a formal public comment period. The comment period is included in LCMPO emails containing the proposed

meeting agenda and on the website. Comments can be made in person at any LCMPO meeting, using a comment form on the agency's website, by email, by US mail, fax, or telephone. LCMPO responds to all comments received, and forwards comments to other agencies for a response as appropriate. Comments continue to be accepted until the close of the comment period – two weeks prior to the item's schedule for action. All comments and responses received throughout the comment period are reviewed and considered, prior to action by the Board.

- **Public Hearings** – LCMPO holds public hearings during major updates to the region's adopted transportation plans and the adopted regional growth and transportation strategy. Since major plan updates take place rarely and LCMPO does not implement transportation projects, LCMPO does not frequently hold public hearings separate and apart from regular committee/board meetings. Please refer to LCMPO's Public Participation Plan for further information.

Strategies for Engaging Title VI Protected Groups

LCMPO uses U.S. and electronic mailing lists to disseminate information and give notice for public comment opportunities. Both mailing lists include community groups that represent Title VI protected groups throughout the region. LCMPO also sends press releases to newspapers that are published by and for Title VI protected groups. Groups representing Title VI populations are added to the agency's U.S. and electronic mailing lists regularly, as they are identified.

As described in the next section, the LCMPO routinely assesses the need for providing information in languages other than English. The LCMPO also evaluates the effectiveness of all communications and public participation efforts and makes appropriate adjustments to its communication strategy. The LCMPO also keeps a list of potential interpreters in the event that a need for translation services has been identified or requested.

Strategies for Engaging Individuals with Limited English Proficiency

According to the Department of Justice (DOJ) guidance, the agency should consider providing materials in a different language if over 5% of the affected population speaks that language at home. Since the parish's urbanized area only contains 2.1% Spanish-speakers and 5.9% French Acadian speakers totaling 8% Non-English speakers, LCMPO does not have a high demand for LEP services.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's public participation process. The Coordinator will:

- Ensure all communications and public participation efforts comply with Title VI.
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public (see Appendix C) in all press releases and on the website which includes a meeting schedule.
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.

Program Area 2: Planning & Programming

LCMPO is responsible for developing long- and short-range transportation plans to provide efficient transportation services to the region. A comprehensive transportation planning process is used, which entails the monitoring and collection of data related to transportation issues. LCMPO coordinates with LADOTD, cities, parishes, and transportation providers, seeks public participation, and provides technical support when needed.

Key Planning and Programming Activities

LCMPO is mandated by state and federal law to maintain the region's adopted, long range, Metropolitan Transportation Plan (MTP); and the Regional Transportation Improvement Program (TIP), a four-year program of federally funded projects in the region. LCMPO conducts and supports numerous state and federal planning, compliance, and certification programs, which enable parishes, cities, a transit agency, ports, and LADOTD to obtain state and federal funding.

Major Programs

- **Regional Transportation Improvement Program (TIP)** – Maintain a Regional TIP that incorporates all projects using federal funds, including funds managed by LCMPO and the state and all regionally significant projects, regardless of funding source; conduct ongoing analyses related to plan consistency, air quality, and financing; and provide training and assistance to agencies in the region.
- **Transportation Management Systems** – Develop the Congestion Management Program required by federal transportation law to monitor existing transportation system performance problems and identify potential solutions to guide decisions on use of federal transportation funds. Provide information and guidelines to state and local agencies on national and regional Intelligent Transportation Systems (ITS) issues.
- **Policy, Plan, and Project Review** – Ensure that local, regional, and state planning efforts are compatible and mutually reinforcing, and work with local governments, parish-wide growth management planning groups, and state agencies in the review of policies, plans, and projects for consistency with state and regional planning goals.
- **Technical Services and Regional System Data** – Provide demographic, economic, travel, and geographic data to member jurisdictions, other agencies, businesses, and the public; assist in planning activities of member jurisdictions; collect, analyze, maintain, and improve data; and identify, monitor, and forecast trends.
- **Communications and Information Services** – Develop and provide information materials on agency activities and services. Assist agency staff in reaching out to, involving, and meeting the needs of Regional Council members, other agencies, businesses, community organizations, and the public.

Consideration of Title VI

Considerations of Title VI legislation are made throughout LCMPO's planning and programming activities, for example:

- **Data collection** – A large part of the agency's work program involves analyzing, and reporting on data for the five parish region. This includes information on population, housing, employment, poverty, income, wages, transportation, traffic, and growth. Member agencies and other groups use this data for activities such as planning and the distribution of funds.
- **Regional Transportation Improvement Program (TIP)** – Included in the program of projects are federal STP, CMAQ, and FTA formula

funds managed by LCMPO. LCMPO's Policy Committee selects projects to receive these funds. The criteria used to identify projects to receive funds includes how well the project provides access for transportation users identified in the President's Order for Environmental Justice. The sponsors of all projects programmed in the TIP are required to submit an annual certification of compliance with Title VI and other applicable federal and state laws and regulations.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's planning process. In addition, the Coordinator will:

- Ensure all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on LCMPO's website and in the Information Center. (Appendix A contains an abbreviated Environmental Justice demographic profile for the region.)
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.

Program Area 3: Environmental Affairs

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

When LCMPO adopts new planning documents, or substantively amends existing documents, the agency is required to comply with federal environmental justice requirements. When this occurs, a systematic process is used to study and evaluate all necessary environmental aspects of the proposed action(s). Depending on the scope, complexity, and impacts of the project, the agency's Title VI Coordinator oversees the process, and ensures all federal and state requirements are met, and that the public has been involved as appropriate. Refer to "Program Area 1: Communications & Public Participation" for a

description of how interaction with the public is handled in regards to this Program Area and within LCMPO in general.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for Title VI environmental justice compliance in all aspects of LCMPO's work that triggers environmental review requirements. The Coordinator will:

- Ensure Title VI environmental justice compliance, of all Environmental Impact Statements (EIS) prepared by LCMPO and/or LCMPO consultants.
- Analyze the project regarding the population affected by the action.
- Analyze the project regarding the impacts of the project on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.
- Disseminate information to the public in accordance with all agency public participation procedures. This includes the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

Program Area 4: Consultant Contracts

LCMPO is responsible for selection, negotiation, and administration of its consultant contracts. LCMPO operates under its internal contract procedures and all relevant federal and state laws.

Contract Procedures

Title VI text is included in all LCMPO Requests for Proposals (RFP) and contracts.

Disadvantaged Business Enterprises (DBE) Program

The LCMPO participates with DOTD who manage all DBE text in all RFPs and contracts with consultants and notes its DBE policy. This is posted on the LCMPO website. LCMPO provides links to LADOTD's list of certified DBEs on its website.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's consultant contracts process. The

Coordinator will:

- Include Title VI language in contracts and Requests for Proposals (RFP) as described below:
 - Ensure the appropriate text in Appendix B and F is included in all agency contracts.
 - Notify all contractors that the text in Appendix B and F should be included in all subcontracts.
 - Ensure the Title VI Notice to the Public is included in all LCMPO RFPs.
 - Ensure the abbreviated Title VI Notice to the Public is included in all published announcements of LCMPO's RFPs (such as those published in newspapers).
 - Ensure the text in the Title VI Assurances (Appendix B) is included in all LCMPO RFPs.

- Assist DOTD in maintaining the Disadvantaged Business Enterprise (DBE) Program as described below:
 - Monitor, update, and maintain the agency's DBE Program.
 - Submit annual reports on DBE activities in the Title VI Annual Report
 - Adjust and modify the DBE program, as appropriate.
 - Annually review and evaluate DBE participation, and continue efforts to "create a level playing field" for DBE and non-DBE consultants.

Remedial Action Related to Consultant Reviews

LCMPO will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with this Title VI program, both within LCMPO and with LCMPO's contractors. In conducting reviews of subrecipients, if a subrecipient is found to not be compliance with Title VI, the Title VI coordinator will work with the subrecipient to resolve the identified issues.

If the issues cannot be resolved, LCMPO will issue a notification of deficiency status and remedial action for the subrecipient, as agreed upon by LCMPO and LADOTD, within a period not to exceed 90 calendar days. LCMPO will seek the cooperation of the subrecipient in correcting deficiencies, and will provide the technical assistance and guidance needed for the subrecipient to comply voluntarily. Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter and remedial action, to voluntarily correct deficiencies. If a subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, LCMPO will submit to LADOTD, FHWA, and FTA two copies of the case file and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply,

LCMPO may, with LADOTD's, FHWA's, and FTA's concurrence, initiate sanctions per 49 CFR 21.

Program Area 5: Education & Training

Minorities, women, individuals with a disability, and other individuals protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

Employees Encouraged to Participate in Training

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

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the education and training program. LADOTD will provide information on training opportunities open to LCMPO staff and subrecipients, including information on training provided by NHI and NTI. The Coordinator will:

- Assist LADOTD in the distribution of information to LCMPO staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified LCMPO employees

QUESTIONS

For questions on the LCMPO's Title VI Plan, ADA Plan, the LEP Plan or any related policies and procedures, please contact LCMPO's Title VI and ADA Coordinator at (337) 433-1771. For information on LCMPO's work program or publications, including reports data forecasting, maps, or other information available for use, contact LCMPO at (337) 433-1771. For information on all of the above, including current public comment periods and meetings open to the public, visit LCMPO's website at www.imcal.webs.com

Appendices

Appendix A -	Title VI Methodology for Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations
Appendix B -	Title VI Assurances
Appendix C -	Title VI Public Notice
Appendix D -	Policy and Plan for Engaging Individuals with Limited English Proficiency (LEP)
Appendix E -	ADA Notices
Appendix F -	DBE Policy
Appendix G -	Committee Notification Lists
Appendix H -	Title VI Complaint Form

Appendix A

Title VI Methodology

for Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations

The geographic basis for Title VI analysis is based on the latest U.S. Census data. For purposes of Title VI analysis, it is desirable to make the analysis on the smallest geographic unit available for which information is obtainable for all relevant groups. Census data is available at different levels, including political jurisdictions, urban area, place, census tract, block group and block. The Census Bureau does not calculate all of its data on each of these areas. The smallest geographic area that the Census Bureau calculates the appropriate information on each relevant group is the block group level. Therefore, the block group was chosen to analyze Title VI issues. LCMPO further displays U.S. Census data by Traffic Analysis Zone (TAZ) for planning purposes. LCMPO has identified seven relevant groups for Title VI analysis as described below.

- Low-income;
- Federal Assistance Recipients;
- Minority;
- Elderly;
- Limited English Proficiency (LEP) or English spoken as a second language;
- Disabled populations; and
- Zero car households.

Following the identifications of the relevant groups for analysis, the next step undertaken was to identify the general distribution of each Title VI population group throughout the LCMPO region and then define where each group is most concentrated.

Target Groups

Low Income – a person whose household income (or in the case of a community or group, whose median household income) “is at or below the U.S. Department of Health and Human Services poverty guidelines.”

The national poverty guidelines are issued annually by the Department of Health and Human Services. <http://aspe.hhs.gov/poverty/poverty.shtml>. National poverty guidelines vary based on family size and increases each year due to the Consumer Price Index. <http://www.bls.gov/new.release/cip.toc.htm>. “The Consumer Price Index is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.”

*Persons not part of households are not included in the Total Populations; the US Census does not count individuals who reside in group living situations.

Federal Assistance Recipients – People who receive grants or federal funds. The assistance might be in the form of public housing, food stamps, support services or persons receiving Temporary Assistance for Needy Families (TANF) funds.

Minority Populations – Persons considered being minorities are identified in the census as people of African, Hispanic, Asian, American Indian or Alaskan Native origin (U.S. Census, STF301/Tb1008 and Tb1011; 1990). Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice consider minority persons as persons to any of the following groups:

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

Elderly – Any persons over the age of 65.

Limited English Proficiency (LEP) – Any readily identifiable group of persons whose ability to read, write and speak English and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals and develop one's knowledge and potential. Households with a primary or home language other than English, who must, due to limited fluency in English, communicate in that primary or home language.

People with Disabilities – Persons who have mobility and/or self-care limitations as defined by the Census. The disability may be physical or mental (people with a health condition that lasts six or more months that make it difficult to go outside the home alone or difficult to take care of their own person needs).

Zero car households – Households without cars or access to one.

Monitoring

One technique used to minimize the potential adverse effects on affected populations is to identify and then create demographic profile maps of low-income and minority populations for the LCMPO area. These maps aid planners in understanding which communities are prone to environmental justice infractions. Once planners have an understanding where communities are located, future transportation plans and projects can include these communities in the planning process.


Planning studies outlined in the *Unified Planning Work Program (UPWP)* can utilize these maps and focus on the equitable distribution of transportation benefits and potentially adverse impacts caused by future projects. In addition to the benefits, such as added capacity, safety and mobility of a roadway along new rights-of-ways can often negatively impact certain populations because of increased noise, air pollution and reduced safety. Also, new road projects have a potential to split or isolate neighborhoods in whole or in part. Road projects along existing rights-of-ways are primarily reconstruction projects and not capacity expansions. Such projects do not tend to greatly increase noise or pollution, but do add safety to the facility and may feature enhanced passenger and freight transportation.


These same demographic profile maps can also be used to verify past compliance with Title VI. Identifying prior MPO projects and mapping them against demographic profile maps will let the MPO know if fair and equitable distribution of services, facilities and resources within the MPO planning area has been met.


Population Age 65+


Legend

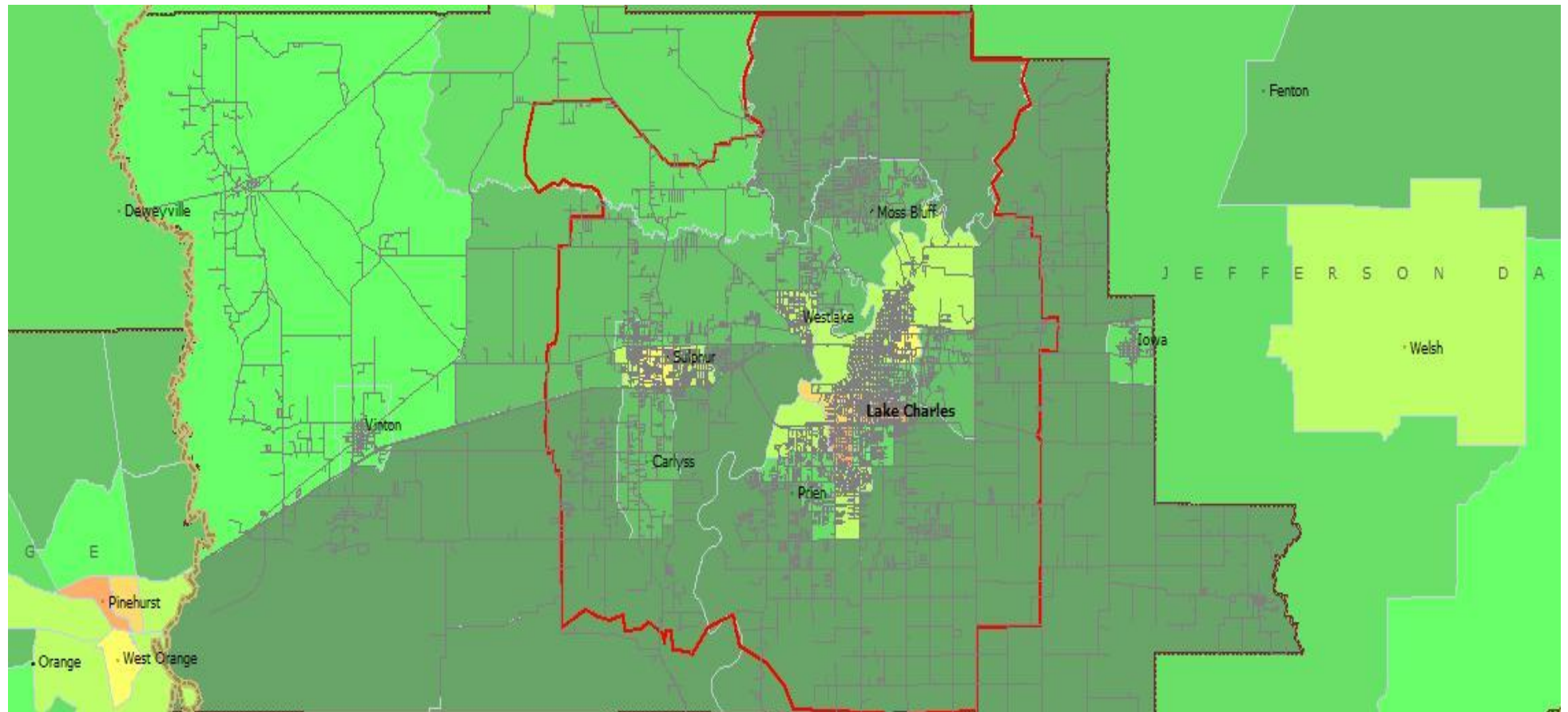
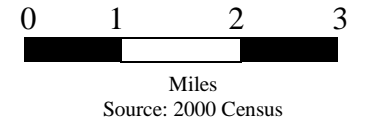
 MPO Boundary

 0.0% to 8.0%

 16% to 18%

 14% to 16%

 20% to 25%





IMCAL LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION
4310 RYAN ST. SUITE 330, LAKE CHARLES, LOUISIANA
PHONE: (337) 433-1771 FAX: (337) 433-6077 WWW.IMCAL.WEBS.COM


Hispanic Population


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
 MPO Boundary

 2.0% to 3.0%

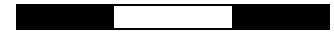
 3.0% to 5.0%

 5.0% to 10.0%

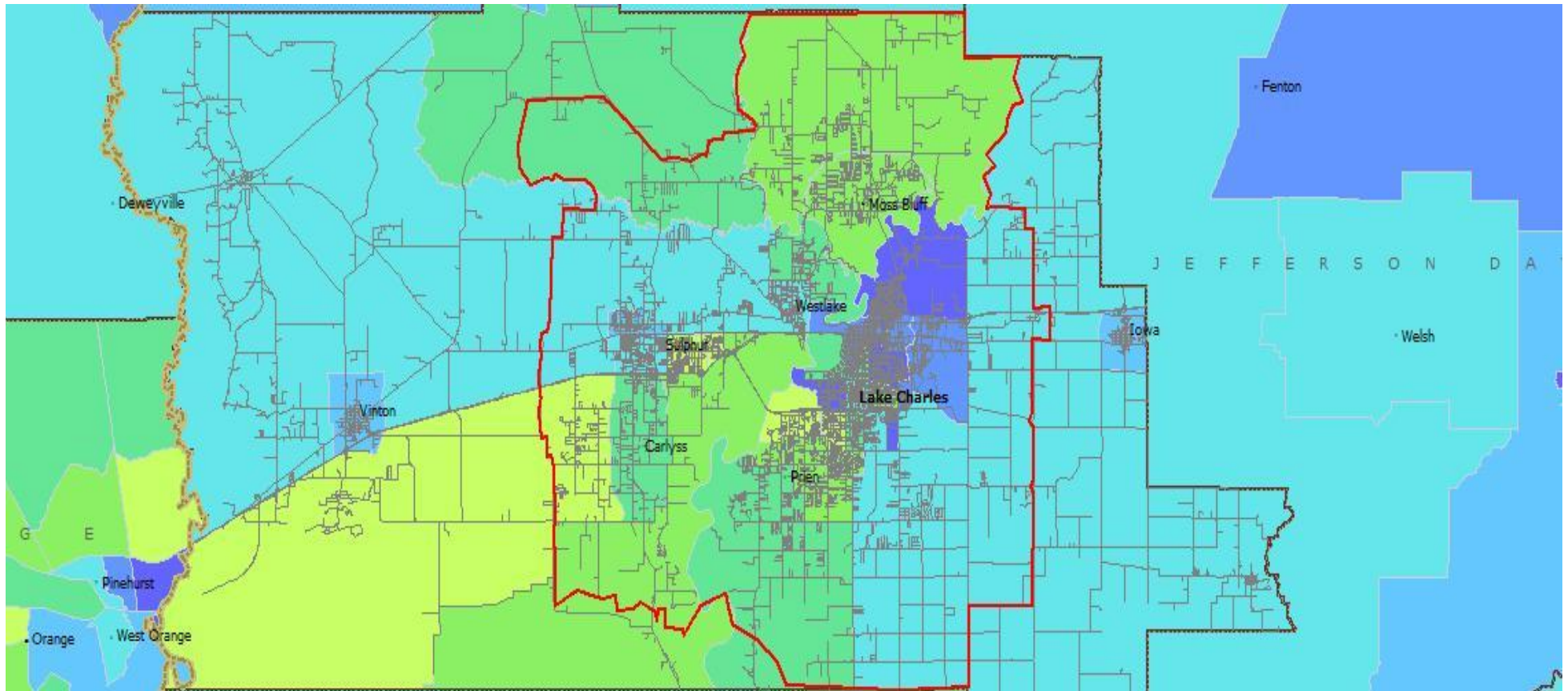
 1.0% to 2.0%

 0.0% to 0.5%

0 1 2 3



Miles
Source: 2000 Census




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
Families Below Poverty Level


Legend

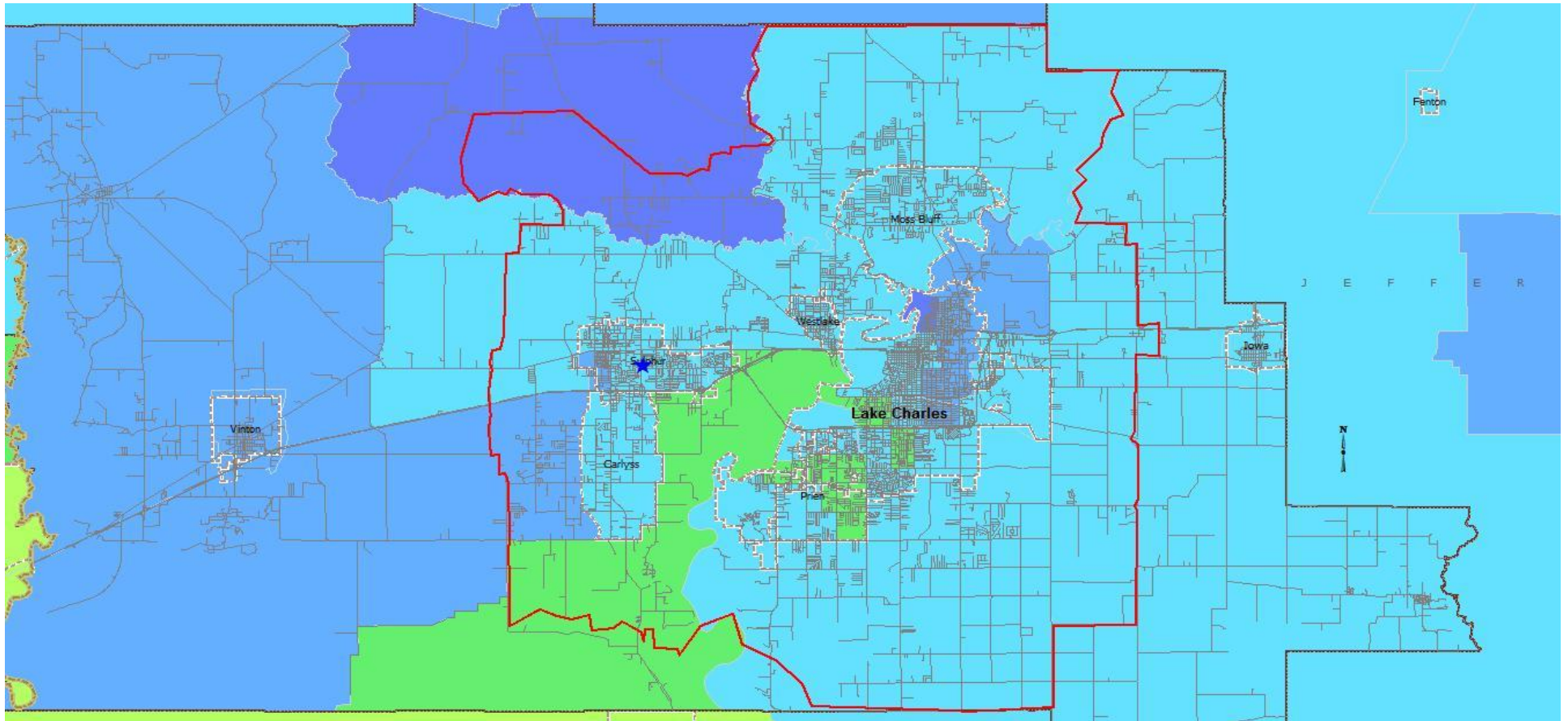
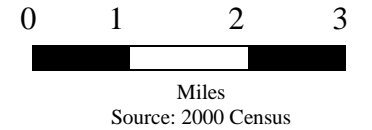
 MPO Boundary

 10.0% to 15.0%

 20.0% to 25.0%

 5.0% to 7.5%

 15.0% to 20.0%



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Appendix B

Title VI Assurances

The Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, income, gender, age, and disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program:

1. That the Recipient agrees that each “program” and each “facility”, as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:

“The Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO), in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21: Nondiscrimination in Federally Assisted Programs of the Department of Transportation Issued Pursuant to Such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, national origin, income, gender, age, and disability in consideration for an award.”

3. That the Recipient shall insert the clauses of Part 1 of this Assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Part 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Part 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, 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 shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Grant Bush
Executive Director
IMCAL
Lake Charles Urbanized Metropolitan Planning Organization

Date

Part 1

The text below, in its entirety, is in all contracts entered into by LCMPO. All of the text except the final section, entitled “Incorporation of Provisions,” should be included in any contract entered into by any LCMPO consultant. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “Contractor”), agree as follows:

1. Compliance With Regulations

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, income, gender, age, and disability, in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, national origin, income, gender, age, and disability,.

4. Information and Reports

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a

contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO), or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Part 2

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

Granting Clause

NOW, THEREFORE, the Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization (LCMPO)-as authorized by law, and upon the condition that the state of Louisiana will accept title to the lands and maintain the project constructed thereon, in accordance with and in compliance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways; the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation; and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d-4)—

does hereby remise, release, quitclaim, and convey unto the state of Louisiana all the right, title, and interest of the LCMPO in and to said land described in Exhibit A attached hereto and made a part thereof.

Habendum Clause

TO HAVE AND TO HOLD said lands and interests therein unto the state of Louisiana 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 the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the state of Louisiana, its successors, and assigns.

The state of Louisiana, 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 shall, on the grounds of race, color, national origin, income, gender, age, and disability,, 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*, (2) that the state of Louisiana shall use the lands, and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination of Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the agency shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and become the absolute property of, LCMPO and its assigns as such interest existed prior to this instruction.

Part 3

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by LCMPO pursuant to the provisions of Assurance 7.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a LCMPO program or activity is extended, or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by LCMPO pursuant to the provisions of Assurance 7.

The LESSEE, for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, national origin, income, gender, age, and disability, shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, national origin, income, gender, age, and disability, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Appendix C

Title VI Public Notice

The paragraph below will be inserted in all significant publications that are distributed to the public, such as future versions and updates of the Metropolitan Transportation Plan; and Regional Transportation Improvement Program for the LCMPO region. The text will remain permanently on the agency's website, www.imcal.org, and intranet (available to all employees). The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

Title VI Notice: The Capital Region Planning Commission (LCMPO) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes, executive orders, and regulations in all programs and activities. LCMPO operates without regard to race, color, national origin, income, gender, age, and disability. Any person who believes him/herself or any specific class of persons, to be subjected to discrimination prohibited by Title VI may by him/herself or by representative file a written complaint with the Louisiana Department of Transportation and Development (LADOTD). LADOTD's Title VI Program Manager may be reached via phone at 225-379-1382. A complaint must be filed no later than 180 days after the date of the alleged discrimination.

LCMPO meetings are conducted in accessible locations and materials can be provided in accessible formats and in languages other than English. If you would like accessibility or language accommodation, please contact the Title VI Coordinator at LCMPO at 337-433-1771 (voice), 337-433-6077 (fax). If you wish to attend a LCMPO function and require special accommodations, please give LCMPO one week's notice in advance.

Abbreviated Title VI Notice to the Public

The following shortened version of the above paragraph can be used in publications where space or cost is an issue as in classified newspaper announcements.

LCMPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see www.imcal.webs.com or call our Title VI Coordinator at (337) 433-1771.

Appendix D

Policy and Plan for Engaging Individuals With Limited English Proficiency (LEP) Limited English Proficiency Policy

The Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization policy for engaging individuals with limited English proficiency is to provide translation services to anyone who requests them, if reasonable accommodation can be made.

LCMPO keeps an up to date list of all staff members with intermediate language skills. LCMPO's receptionist is prepared with this information and contact information for on call translators in case someone comes into the office who has limited English proficiency.

Background Information:

LCMPO followed U.S. Department of Justice guidance using a “four-factor analysis” process to determine the number and proportion of LEP individuals in the region and how to cost effectively provide information services to these individuals. The guidance also offers a safe harbor of 5% of the effected population or 1,000 people in the effected neighborhood. The “four-factor analysis” process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the importance of the program to people’s lives, and the resources available to provide translation services. ¹

The results of the “four-factor analysis” showed that there is not a great need for translation services. The Lake Charles Urbanized Lake Charles Urbanized Metropolitan Planning Organization’s urban service area is under 200,000 population and only covers the portions of the Parish of Calcasieu, which include the cities of Sulphur, Lake Charles, and Westlake.

A minimal number of languages are spoken within the urban area, but proportionally the percentages of people speaking a language other than English at home is relatively low. The number of people reporting that they also speak English “very well” or “well” offset this even more.

¹ This language was taken directly from the U.S. Government’s Limited English Proficiency Web site, <http://www.lep.gov/reciproch.html>.

According to the Census 2000, the top three languages spoken at home in the region are English, Acadian French, and Spanish.

The frequency and extent with which LEP individuals come into contact with LCMPO programs is estimated to be quite low. As an association of the cities and parish, ports, and state agencies that serves as a forum for developing policies and making decisions about regional growth and transportation issues, the LCMPO does not provide any direct projects or services to the population of the region. However, LCMPO encourages public comment on its policies, programs, and funding cycles, and therefore would like to increase opportunities for public comment, particularly by historically underserved populations including LEP individuals. LCMPO remains committed to providing translation services to people who request them and have come up with creative solutions to assist LEP individuals and show the agency's interest in providing translation services.

Adopted:

Grant Bush
Executive Director
IMCAL

Date

Lake Charles Urbanized Metropolitan Planning Organization

Limited English Proficiency Plan

Introduction

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the MPO, private and non-profit entities, and subrecipients.

Plan Summary

The IMCAL Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to LCMPO services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the LCMPO' extent of obligation to provide LEP services, LCMPO undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the LCMPO service area or likely to encounter a LCMPO program, activity, or service;
- 2) the frequency with which LEP individuals come in contact with LCMPO service;

- 3) the nature and importance of the program, activity or service provided by LCMPO to the LEP population; and
- 4) the resources available to LCMPO and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible to be served or likely to encounter a LCMPO program, activity, or service

LCMPO examined the US Census Bureau's data for the 2000 year census and was able to determine that approximately 8.7% of the MPO boundary population age 5 and older spoke a language other than English at home. Hispanics speaking Spanish reported 2.1% and French Acadian reported 5.9%, which comprised the largest non-English speaking language groups in the MPO Boundary. French Acadian's reported to speak a non-English language speak French as a second language with English first. Translation assistance is extremely minimal.

2. The frequency with which LEP individuals come in contact with LCMPO program, activity, or service

The frequency and extent with which LEP individuals come into contact with LCMPO programs is estimated to be quite low. However, LCMPO encourages public comment on its policies, programs and funding cycles and therefore would like to increase opportunities for public comment, particularly by historically underserved populations including LEP individuals.

3. The nature and importance of the program, activity, or service provided by LCMPO to LEP community

While essential to the long-term livability and economic vitality of the region, long range transportation and growth management planning may not be as important of a service to LEP individuals as health care, employment or financial assistance. However, any opportunity to increase public comment on long-range decision making is a worthwhile investment.

4. The resources available to the LCMPO and overall costs

LCMPO has limited resources to pursue translation services; therefore an ideal solution would be to find a low cost point of access for LEP individuals. This gives LEP individuals a way to find out about activities and provides a method for LCMPO to determine the demand for translation services.

ACTION: LCMPO has established the following policy for providing information to individuals with Limited English Proficiency (LEP):

“LCMPO are always seeking opportunities to increase opportunities for public comment on its activities, including policies, programs and funding cycles. LCMPO is particularly interested in increasing opportunities for historically underserved populations to provide input regarding its planning activities. The

results of the “four-factor analysis” showed that there is not a great need for translation services, but that it is a good time to find a starting place for providing access to individuals with limited English proficiency.

LCMPO will obtain a Spanish translator from within our staff, the local university, through a volunteer or a paid individual. **Notice of this service will be placed on both LCMPO websites.** Written procedures will be developed as needed to ensure consistent service delivery.

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- Examine record requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings; and
- When LCMPO sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee’s ability to speak and understand English, ask a question that requires a full sentence reply.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first determine what language is required. If LCMPO staff cannot provide verbal interpretation and if a formal interpretation is required, staff shall use the assistance from McNeese State University or local Court Reporters possessing the needed language.

Staff Training

All LCMPO staff will be provided with the LEP Plan and will be educated on procedures and services available. This information will also be part of the LCMPO staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services LCMPO offers;
- How to access an interpreter;
- Documentation of language assistance requests;
- How to handle a complaint; and

Providing Notice of Available Language Service to LEP Persons

- Post signs that language assistance is available on the website, LCMPO meeting notices, and press releases.

Outreach Techniques

- If staff know that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, LCMPO will have meeting notices, fliers, advertisements, and agendas printed in an alternative language, such as Spanish.
- When running a general public meeting notice, staff should insert the clause:

“Un traductor del idioma español estará disponible”

This means “A Spanish translator will be available”. Or if not sure of the need, staff should insert this clause:

“Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la “La Familia Resource Center” al teléfono (337) 312-2906, cuando menos 72 horas antes de la junta”, which asks persons who need Spanish language assistance to make arrangements with LCMPO within three days of the publication notice.

- If notified in advance, Spanish speaking staff or a hired interpreter will be on hand at public meetings intended for gathering public input.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, LCMPO will follow the Title VI Program update schedule for the LEP Plan.

Each update examines all plan components such as:

- How many LEP persons were encountered?;
- Were their needs met?;
- What is the current LEP population in the parishes comprising the urbanized area?;
- Has there been a change in the types of languages where translation services are needed?;
- Is there still a need for continued language assistance for previously identified LCMPO services? Are there other programs that should be included?;
- Have the LCMPO's available resources, such as technology, staff, and financial costs changed?;
- Has the LCMPO fulfilled the goals of the LEP Plan?; and
- Were any complaints received (and forwarded/referred to LADOTD)?

Dissemination of the LCMPO Limited English Proficiency Plan

LCMPO will post the LEP Plan on its website at www.imcal.org

Any person, including social service, non-profit, law enforcement agencies and other community members with internet access will be able to access the plan. For those without personal internet service, all parish libraries offer free internet access. Copies of the LEP Plan will be provided to the any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the LCMPO Title VI Coordinator.

Appendix E

ADA Notices

Notice of Nondiscrimination on the Basis of Disability (Americans with Disabilities Act of 1990)

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the IMCAL Lake Charles Urbanized Metropolitan Planning Organization (LCMPO) will not discriminate against qualified individuals with disabilities on the basis of disability in the LCMPO's services, programs, or activities.

LCMPO's Commitment

Modifications to Policies & Procedures

LCMPO will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to attend all LCMPO public meetings. For example, individuals with service animals are welcomed in LCMPO public meetings, even where animals are generally prohibited.

Effective Communication

LCMPO will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the LCMPO's public meetings.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a LCMPO public meeting should contact the LCMPO's ADA Coordinator via phone (337) 433-1771 as soon as possible but no later than one week before a scheduled meeting.

The ADA does not require the LCMPO to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. LCMPO will strive to provide its services, programs and activities in the most accessible manner that is feasible.

Notification that a LCMPO meeting is not accessible to persons with disabilities should be directed to:

**ADA Coordinator or Director of Transportation-
IMCAL MPO
4310 Ryan St. Suite 330
Lake Charles, Louisiana 70605**

ADA Notice to Be Posted At the Bottom of All LCMPO Meeting Notices

ADA Notice: For special accommodations for this meeting, contact our ADA Coordinator via phone (337) 433-1771 at least one week in advance.

Appendix F

DBE Policy - Participation By Disadvantaged Business Enterprises pertaining to the Imperial Calcasieu Regional Planning and Development Commission and its Lake Charles Urbanized Area MPO Programs – LaDOTD manages the policy for the Imperial Calcasieu Regional Planning and Development Commission (IMCAL) for disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, and shall have an opportunity to participate in the performance of IMCAL contracts in a nondiscriminatory environment. The objectives of IMCAL’s Disadvantaged Business Enterprise (DBE) Program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The Imperial Calcasieu Regional Planning and Development Commission, and its consultants and subconsultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work for the Lake Charles Urbanized Area MPO in a non-discriminatory environment.

The IMCAL shall require its consultants not discriminate on the basis of race, color, national origin, income, gender, age, and disability in the award and performance of its contracts.

Grant Bush Executive Director IMCAL Lake Charles Urbanized Metropolitan Planning Organization	Date
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DBE Clause to Be Included Within the Body of All Future Contracts Issued by LaDOTD and IMCAL

Participation By Disadvantaged Business Enterprises In Lake Charles Urbanized Area MPO Programs - It is the policy of the IMCAL that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of IMCAL contracts in a nondiscriminatory environment.

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, income, gender, age, and disability in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of USDOT/FTA assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as LaDOTD and IMCAL deems appropriate.

Appendix G

IMCAL Lake Charles Urbanized Metropolitan Planning Organization

Transportation Policy Committee (TPC) Roster

Mayor Christopher Duncan, Chair
City of Sulphur

Mayor Randy Roach, Vice-Chair
City of Lake Charles

Wes Crain
Calcasieu Parish Police Jury

Mayor Bob Hardy
City of Westlake

Todd Landry
District 7 Office, DOTD

NON-VOTING MEMBERS:

Laura Wallace
FHWA, Louisiana Division

Chandra Bondzie
FTA Region VI

TECHNICAL ADVISORY COMMITTEE (TAC) ROSTER

John Cardone
City of Lake Charles

Gary Williams
City of Westlake Public Works

Randy Chiasson
City of Sulphur Public Works

Tim Conner
Calcasieu Parish Police Jury Engineering

Heath Allen
Lake Charles Regional Airport Authority

Randy Robb
Chennault Industrial Airpark Authority

Todd Landry
DOTDO District 7 Office

Donald Brinkman
Port of Lake Charles

NON-VOTING MEMBERS:

Dan Broussard - DOTD State Planning Section

Casey Lewis - DOTD Urban Programming

Chandra Bondzie - FHWA, Louisiana Division

Laura Wallace - FTA Region VI

LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION (MPO) STAFF

Grant Bush
Executive Director

Nick Hernandez
Transportation Planner III

Appendix H

Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 states “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title 42 U.S.C. Section 2000d

Please provide the following information necessary in order to process your complaint. A formal complaint must be filed out within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact the IMCAL office at (337) 433-1771.

Complete this form and return to:

IMCAL
4310 Ryan St. Suite 330
Lake Charles, LA 70605

Complainant's Name: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home) : _____ (Work): _____

Person(s) discriminated against (if other than complainant)

Name: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home): _____ (Work): _____

What is the discrimination based on?

- Race/Color National Origin Sex Disability
 Low Income Limited English Proficiency

Date of the alleged discrimination: _____ Location: _____

Agency or person that who was responsible for alleged discrimination:

Describe the alleged Discrimination. Explain what happened and whom you believe was responsible (for additional space, attach additional sheets of paper to this form.

List names and contact information of persons who may have knowledge of the alleged discrimination.

How can this complaint be resolved? How can the problem be corrected?

Please sign and date. The complaint will not be accepted if it is has not been signed. You may attach any written materials or other supporting information that you think is relevant to your compliant.

Signature

Date