

BARREN RIVER



AREA DEVELOPMENT DISTRICT

TITLE VI IMPLEMENTATION PLAN

Barren River Area Development District

BRADD

December 1, 2022 – September 30, 2023

Eric Sexton, Executive Director
Austin Sims, Regional Transportation Planner & Title VI Coordinator

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I. Glossary/Definitions

Area Development Districts (ADD): Focus on developing and sustaining the fundamental building blocks for state, regions and local communities in today's rapidly changing global marketplace. Including but not limited to traditional emphasis on strategic planning and project funding for clean and safe drinking water systems, health care facilities, affordable housing, small business development and transportation improvements.

Affirmative Action: A good-faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscrimination practices.

African American (Black): A person having origins in any of the Black racial groups of Africa.

American Indian or Alaska Native: A person having origins in any of the original peoples of North and South American (including Central America) who maintains cultural identification through tribal affiliation or community attachment.

Applicant: An eligible public entity or organization that submits an application for financial assistance under a program administered on behalf of the State.

Asian: A person having origins in any of the original peoples of East Asia, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Assurance: A written "Policy Statement" or "Contractual Agreement" signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiary: Any person or group of people (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program (*i.e.*, relocated persons, impacted citizens, communities, etc.).

Complaint: A verbal or written allegation of discrimination that indicates that a federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color, or national origin.

Compliance: A satisfactory condition wherein an applicant, recipient, or sub recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

Contract: A mutually binding legal relationship or any modification thereof obligating the seller to furnish supplies or services, including construction, and obligating the buyer to pay for them. Throughout this document, a lease is considered a contract.

Contractor: Any person, corporation, partnership, organization, or incorporated association that participates, through a contract or subcontract, in any program or activity covered by this plan including lessees.

Discrimination: Involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability, failing to make a reasonable accommodation.

Division: One of the administrative subdivisions of an office of the Barren River Area Development District.

Executive Director: The BRADD Executive Director has authority to appoint Title VI Designee(s).

Federal Assistance:

- Grants and loans of federal funds
- The grant or donation of federal property and interests in property
- The detail of federal personnel
- The sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without
- Consideration or with nominal consideration, or with consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient.
- Any federal agreement, arrangement, or other contract that has, as one of its purposes, the provision of assistance.

Grantee: Any public or private agency, institution, or organization to whom federal financial assistance is intended for any program.

Hispanic or Latino: A person having origins of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.

Implementation Plan: The Title VI implementation plan developed and maintained by Barren River Area Development District (BRADD) to ensure compliance with 42 U. S. C. § 2000d et. seq. and KRS 344.015.

Indo-European: Relating to a group of languages that includes many of the languages spoken in Europe, in the parts of the world colonized by Europeans, and in parts of Asia.

Interpretation: The process of listening to something in one language and orally interpreting it in another. The mix of LEP services under the Oral Languages Services is as follows:

- Hiring bilingual staff
- Hiring staff interpreters
- Using telephone interpreter lines
- Using community volunteers
- Use of family members, friends, and other customers/passengers as interpreters

Limited English Proficiency or LEP: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient.

Minority: A person or groups of persons differing from others in some characteristics who may be subjected to differential treatment based on race, color or national origin. Includes *African Americans, Hispanics, or Latinos, American Indian or Alaska Native, Asians and native Hawaiian or Other Pacific Islander.*

Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Non-compliance: The condition wherein a recipient has failed to meet prescribed requirements and has shown a lack of good-faith effort in implementing all of the Title VI requirements.

Non-minority or non-minority group people: Caucasians

Persons: Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaska native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Primary recipient: KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipients' contracts for carrying out a program.

Program: Includes any highway, project, or activity that provides services, financial aid or other benefits to individuals, including education or training, work opportunities, health, welfare,

rehabilitation, housing or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contacts or other arrangements with the recipient (i.e. Planning, Environment, Design, Right-of-Way, Construction, Safety, & Research).

Program area officials: The officials who are responsible for carrying out technical program responsibilities.

Public participation: An open process in which the rights of the community to be informed to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals.

Recipient: Kentucky or any political subdivision or instrumentality thereof or any public or private agency, institution, or organization or other entity: or any individual in Kentucky to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term “recipient” does not include any ultimate beneficiary under any such program. Examples of recipients include MPOs, Council of Governments (COG), towns, cities, counties, school districts or any sub recipient.

Sub-grantee: Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

Sub-recipient: Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

Title VI Program: The System of requirements developed to implement Title Vi of the Civil Rights Act of 1964. When appropriate, the phrase “Title Vi Program” also refers to the civil rights provisions of other federal non-discrimination authorities to the extent that they prohibit discrimination on the grounds of race, color, national origin, sex, age and disability, including income level and Limited English Proficiency in programs or activities receiving federal financial assistance.

Translation: Translation is the replacement of a written text from one language into an equivalent written text in another language.

White: A person having origins in any of the original people of Europe, the Middle east, or North Africa.

II. Overview

Title VI of the Civil Rights Act of 1964 is a non-discrimination statute. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance" (42 U.S.C. Section 2000d). Each federal department and agency, which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, federal personnel, or any federal agreement contract is authorized and directed to make the provisions of Section 2000d of this title.

The BRADD Board of Directors is the governing body of Barren River Area Development District. As a recipient of federal funds through grant program(s), the BRADD is subject to Title VI of the Civil Rights Act of 1964. The BRADD works to ensure that nondiscriminatory services are offered throughout the region thereby enhancing both the quality of life and the economic vitality

Non-Discrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.)
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- U.S. DOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)

III. Policy Statement



177 GRAHAM AVENUE
BOWLING GREEN, KY 42101
P: 270-781-2381
P: 270-842-0768
www.bradd.org

Title VI Policy Statement

Pursuant to and consistent with Title VI of the Civil Rights Act of 1964, 78 stat. 252,42 U.S.C 2000d-4, and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, US Department of Transportation, Subtitle A, Office of the Secretary, {49 CFR, Part 21 Nondiscrimination in Federally Assisted Program of the Department of Transportation- Effectuation of the Title VI of the Civil Rights Act of 1964.

It is the policy of the Barren River Area Development District that no person, on the ground of race, color, nation origin, sex, age, disability, be excluded from participation in, be denied the benefits of, or be otherwise, subjected to discrimination under any program or activity conducted by the Barren River Area Development District, regardless of whether those programs and activities are federally funded or not.

Eric Sexton

Executive Director

BRADD

10/31/2022

Date

BRADD MISSION STATEMENT

To preserve and advance the quality of life and economic well-being for the citizens of the BRADD through regional collaboration.

ALLEN BARREN BUTLER EDMONSON HART LOGAN METCALFE MONROE SIMPSON WARREN

IV. Responsible Official

Eric Sexton, Executive Director, has overall responsibility for implementation, compliance, and reporting with respect to Title VI. Inquiries related to these activities should be directed to:

Eric Sexton, Executive Director
177 Graham Avenue
Bowling Green, KY 42101
(270) 781-2381
(270) 306-4064 fax
eric.sexton@bradd.org

Austin Sims, Transportation Planner, Title VI Coord.
177 Graham Avenue
Bowling Green, KY 42101
(270) 781-2381
(270) 306-4064 fax
austin.sims@bradd.org

Austin Sims is designated as the Title VI Coordinator and is responsible for the oversight and coordination of BRADD's compliance with Title VI and all related statutes, regulations and directives. The Title VI Coordinator has direct access to the BRADD's Executive Director. General responsibilities of the Title VI Coordinator include but are not limited to the following:

- Coordinating Title VI program development with Metropolitan Planning Organizations (MPOs), Local Public Agencies (LPAs) and division managers.
- Establishing procedures for processing Title VI program reviews and/or subrecipient/contractor reviews.
- Coordinating training Title VI training for BRADD staff, sub-recipients/contractors, and stakeholders.
- Preparing required reports
- Providing guidance and advice on the Title VI Program to BRADD staff.
- Annually updating BRADD's Title VI Program Plan

V. Statement of Assurances

The BRADD, its staff, any subrecipients of federal funds under grants administered by the BRADD and all other parties involved with such grants are in compliance with all provisions of Title VI of the Civil Rights Act of 1964 (42 U. S. C. § 2000d).

- A. Each subrecipient of federal funds under grants administered by the BRADD shall have agreed in writing to adopt BRADD's Title VI plan, or
- B. If the sub-recipient's Title VI plan differs from the BRADD's plan, the sub-recipient's Title VI plan shall be available for review from the Responsible Official.

BARREN RIVER



Standard Title VI Assurance

Barren River Area Development District

The Barren River Area Development District (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, or any other Federal Agency, it will comply with the Title VI of the Civil Rights Act of 1964, 78 stat. 252, 42 U.S.C. 2000d-4, (herein after to as the "ACT", and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S Department of transportation, Subtitle A, Office of the Secretary, (49CFR, Part 21 Nondiscrimination in Federally Assisted Program of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and any other pertinent directives, no person in the United States shall, on the grounds of race, color, national, origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or 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 received Federal Financial assistance from the U.S Department of Transportation, including the Federal Highway Administration of any other Federal Department, and hereby gives assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurances, the Recipient hereby gives the following specific assurances with respect to its Federal Highway Program as well as any other Federally Funded program:

1. The Recipient agrees that each "facility" and each "program" as defined in subsection 21.23(b) and 21.13 C of the regulations will be 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 an adapted form in all proposals or negotiated agreement.

Construction Proposals

The BRADD in accordance with the provisions of the Title VI of the Civil Rights Act of 1964, (78 stat. 252) and the regulations of the Federal Department of Transportation (49 CFR, part 21), issued pursuant to such Act, hereby notifies all bidders that will affirmatively ensure that the contract entered into pursuant of this advertisement will be awarded to the lowest responsible bidder without discrimination on the ground of race, color, nation origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability.

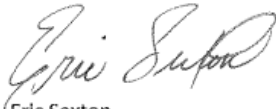
Agreement for Other Services

The Consultant shall complete, with the regulations of the BRADD, relative to nondiscrimination in Federally Assisted Programs of BRADD which are herein incorporated by reference and made a part of this contract.

1. That the Recipient shall insert on of these nondiscrimination clauses in every contract subject to the Act and Regulations.
2. That the recipient shall also insert into every relevant contract a closure stating that the contractor will not discriminate against any employee or applicant for employment because of race, color, nation origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability.
3. That where the Recipient received Federal financial assistance to contract a facility, or part of a facility, these assurances shall extend to the entire facility and facilities operated in connection there within.
4. That where the Recipient received Federal financial assistance in the form of, or for the acquisition of real property, these assurances shall extend to right to space on, over, and under such property.
5. That these assurances obligate the Recipient of 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, real property or interest therein or structures or improvements therein which case the assurance obligates the Recipient or any transferee for the longer of the following periods; (a) the period during which the purposed involving the provision of similar services or the benefit; of (b) the period during which the recipient retains ownership or possession for the property.
6. The Recipient shall provide for such methods of administration for the programs as are found by the Secretary of Transportation, or the delegated authority, to give a reasonable guarantee that other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will complete with all requirements imposed by or pursuant to the Act, the Regulations, and these assurances.
7. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and these assurances.

These assurances are given in consideration of and, for the purpose of, obtaining any and all Federal grants, loans, contracts, properly discounts, and/or Federal financial assistance extended after the date hereof, to the recipient, by the I.S Department of Transportation under the Federal-aid Highway Program. The person whose signature appears below is authorized to sign the assurances on behalf of the Recipient.

Signed and approved this 31st day of October, 2022.



Eric Sexton

Executive Director

BRADD

VI. Program Review Procedures

The BRADD is responsible for the following under Title VI:

- Collecting and analyzing data on minority and low-income populations to determine the potential impact of proposed plans, programs, and projects
- Ensuring all contract documents contain the appropriate Title VI provisions
- Consulting with the Title VI Officer, Coordinator or Liaison and the OCRSBD Executive Director when Complaints are received, or issues arise during a public hearing/meeting
- Ensuring that all people are treated equitably regardless of race, color, or national origin
- Monitoring Title VI accomplishments, notifying the Title VI Officer, Coordinator or Liaison of problem areas and summarizing activities for inclusion in the Title VI Plan Update
- Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects and activities
- Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on race, color, or national origin
- Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts
- Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference
- Providing reasonable accommodations, information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons

VII. Programs or Activities Subject to Title VI

- A. U.S Housing and Urban Development's Community Development Block Grant (CDBG), U.S Federal Highway Administration funding, funding, and U.S Health and Human Services, Administration for Community Living programs. Funds are designated for the following program areas:
- Housing
 - Community Projects
 - Public Services
 - Public Facilities
 - Economic Development
 - Community Emergency Relief Fund
 - Transportation Administration for Community Living

The U.S. Department of Housing and Urban Development (HUD) funded Community Development Block Grant (CDBG) program for DLG, Federal Highway Administration, Department of Labor, and Health and Human Services, Administration for Community Living to provide assistance to communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities to the Barren River region, and the provision of services for our Senior Citizens.

- B. The Land and water Conservation Fund (LWCF) provides federal grant funds to protect important natural areas, to acquire land for outdoor recreation and to develop or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trail, natural areas, and passive parks.

Potential Beneficiaries: Cities and counties, state and federal agencies are eligible to apply for funding. The maximum grant amount is \$75,000. The minimum amount is \$5,000. It is a 50% matching reimbursement program.

- C. The Recreational Trails Program provides grant funds to develop and renovate recreation trails for both motorized and non-motorized use. It does not fund equipment such as mowers and gators.

Potential Beneficiaries: Eligible applicants are city and county governments, state and federal agencies, and non-profit organizations.

- D. The ARC is a federal-state economic development program assisting in the economic development of Appalachia through a diversity of projects in the areas of public

infrastructure (water, sewer, solid waste, housing, and telecommunications), human resource development (education/workforce development, affordable/accessible healthcare, and leadership development) and business/entrepreneurial development.

Potential Beneficiaries Local governments, special districts, and non-profit entities that include Kentucky's 51 most eastern and south-central Counties are eligible to apply for the grant dollars. Thirty-two "distressed" counties also have access to a separate restricted allocation of funds.

- E. The National Forest Receipts program provides "pass-through" funds to counties. The State Local Finance Officer receives a notice of wire transfer from the US Department of Agriculture Forest Services for funds to be distributed annually to various counties.

Potential Beneficiaries: Counties.

The Flood Control Receipts program provides "pass-through" funds to counties. The State Local Finance Officer receives a check annually from the US Army Corps of Engineers. The check is deposited with the KY State Treasurer, authorization for payment to Counties is processed and checks are then prepared to send this money to the Counties in accordance with the statement from the federal government which was enclosed with the check.

Potential Beneficiaries: Counties.

The Kentucky Infrastructure Authority administers two federal grant programs from the environmental Protection Agency:

1. Capitalization Grants for Clean Water State Revolving Funds provides assistance for: (1) construction of publicly owned wastewater treatment works; and (2) nonpoint source management activities. Funds are loaned to local government entities.
2. Capitalization Grants for Drinking Water State Revolving Funds provides assistance for infrastructure improvement projects that are needed to achieve or maintain compliance with Safe Drinking Water Act requirements, protect public health, and assist systems with economic need. Funds are loaned to local government entities.

VIII. Complaint Procedures

1. How a complaint shall be filed:

Complaints in relation to alleged discrimination under Title VI of the Civil Rights Act of 1964 may be filed using the forms attached in the Appendix. If an individual refuses to submit a written complaint, the compliance officer shall record the information orally from the individual; and shall provide a copy to the individual with a request that the information be confirmed by the complainant. A complaint may be filed by anyone who believes that the BRADD has discriminated against a participant, beneficiary, or a class of beneficiaries on the basis of race, color, or national origin. Complaints must be filed within one hundred eighty (180) calendar days of the activity which prompts the filing of the complaint.

2. Where to file a complaint:

Complaints in relation to alleged discrimination under Title VI of the Civil Rights Act of 1964 may be filed with the BRADD's Title VI compliance officer and/or the Title VI Coordinator. Complaints should be submitted in writing and signed and may be filed via mail, fax, in person, or email (which includes a copy of the signed/dated complaint as an attachment);¹ for any person requiring a reasonable accommodation to the contact address listed below:

Eric Sexton, Executive Director
177 Graham Avenue
Bowling Green, KY
(270) 781-2381
(270) 306-4064 fax
eric.sexton@bradd.org

Austin Sims, Transportation Planner, Title VI Coord.
177 Graham Avenue
Bowling Green, KY
(270) 781-2381
(270) 306-4064 fax
austin.sims@bradd.org

3. Submitting Complaints:

Complaints should be submitted in the following format with the listed information:

- A signed (by the complainant or the complainant's representative) written explanation of what has happened
- The complainant's contact information
- Identification of the respondent, i.e., agency/organization alleged to have discriminated
- Sufficient information regarding the facts that led the complainant to believe that discrimination has occurred
- Date(s) of the alleged discriminatory act(s)

¹ While the referenced statement indicates a complaint should be in writing and signed, the receiving agency must accept complaints in alternate forms

- Signature of the complainant or the complainant's representative

4. Time frame which the complaint shall be processed by the agency:

Upon receipt of a written complaint, the compliance officer shall review the complaint and shall file, within ten (10) business days, a concise statement with the Responsible Official regarding the nature of the complaint and the steps to be taken to investigate or resolve the complaint. The Title VI Officer, Executive Director or Transportation Planner shall conduct a full investigation, when warranted, and furnish a preliminary written report, including recommendations for resolution for a final determination. Personnel trained in compliance investigations will conduct investigations. The entire process shall be completed within sixty (60) calendar days. Records pertaining to complaints, inquiries, and investigations will be maintained by the Title VI Coordinator.

5. Acceptance or Dismissal of complaints:

Upon receipt of a written complaint, the compliance officer shall review the complaint and shall file within ten (10) business days, a concise statement with the Responsible Official regarding the acceptance or dismissal, based on steps taken during investigation and/or resolution. The Title VI Officer, Executive Director or Transportation Planner shall conduct a full investigation, when warranted, and furnish a preliminary written report, including recommendations for resolution for a final determination. Personnel trained in compliance investigations will conduct investigations.

6. Withdrawal of a complaint:

A complainant may withdraw a complaint at any time before final action by filing with the compliance officer a written statement of his or her desire to withdraw the complaint.

Address:

Austin Sims

177 Graham Ave.

Bowling Green, KY 42101

A. Investigations, Reports of Findings, Hearings and Appeals.

1. Investigations

Upon receipt of the complaint by an individual or at the time the compliance officer and/or the Title VI Coordinator becomes independently aware of actions which may constitute a violation of Title VI, the compliance officer and/or Title VI Coordinator shall take necessary action within thirty (30) calendar days to investigate and recommend specific actions to resolve the complaint. A report shall be filed by the compliance officer with the Responsible Official within that period.

2. Report of Findings

The complainant shall be notified in writing of the results of the investigation and any actions taken.

The BRADD shall attempt to maintain the confidentiality of the complaint and the name of the complainant.

The complainant shall be notified in writing, within thirty (30) calendar days of the resolution of a complaint, by the Responsible Official or the Title VI compliance officer of the resolution of a complaint. A statement of corrective action shall include specific statements of actions to be taken or prohibited actions and shall include a timetable for implementation.

3. Hearings and Appeals

A complainant may file a written appeal from the Responsible Official's resolution of the complaint within thirty (30) calendar days of the receipt of the written notice of resolution. Appeals shall be directed to the BRADD Executive Director and shall be set forth in writing. The complainant shall be notified of the final resolution of the complaint with sixty (60) calendar days of the Executive Director's receipt of the appeal.

A complainant filing a written appeal may request an in-person hearing before the BRADD Executive Director. Such request shall be set forth in writing and shall be submitted contemporaneously with the written fifteen (15) days of the BRADD's receipt of the request.

Address:
Austin Sims
177 Graham Ave.
Bowling Green, KY 42101

IX. Compliance and Enforcement Procedures

- A. The BRADD shall make every effort to regulate, monitor, review, and report on the federal programs to assure compliance.
- B. Upon a finding by the BRADD of noncompliance, BRADD shall take the following actions with regard to:

- 1. Processing:

The compliance officer shall immediately notify the Responsible Official in writing of the violations held to constitute noncompliance with Title VI and of the steps necessary to correct these violations.

- 2. Reporting:

The compliance officer shall notify the sub-recipient or employee found to be in noncompliance, in writing within thirty (30) days of the compliance officer's report of noncompliance, of the violations and corrective measures necessary to remedy the violations.

- 3. Resolution:

The BRADD shall attempt to secure voluntary compliance with Title VI. In the event that efforts to secure voluntary compliance are not secured within a reasonable period of time, the compliance officer will notify the responsible official, in writing, of the recommended corrective action.

- 4. Enforcement of corrective actions:

The Responsible Official shall implement corrective actions within thirty (30) calendar days of receipt and acceptance of the notification of recommended corrective action.

Employees or grant sub-recipients who refuse to voluntarily comply with Title VI or to take corrective actions required by the BRADD shall face disciplinary action, or in the case of grant sub-recipients, may face termination or suspension of the contractual relationship with BRADD.

- 5. Monitoring of programs

The BRADD shall undertake to periodically monitor all programs funded through federal assistance for those sub-recipients who have been found by the BRADD to be in non-compliance with Title VI.

X. Training

The Title VI implementation plan will be disseminated to all BRADD employees along with compliant procedures. Sub-recipients of federal grants will be notified of the Title VI implementation plan and complaint procedures at the time of any grant award.

The BRADD will hold Title VI training seminars annually for all employees. In the event necessary, training will be conducted virtually. All new employees shall receive a copy of BRADD's Title VI plan as part of the orientation process. As with all policies they will be encouraged to direct questions to their supervisor or the Human Resources Director.

Last staff training date: May 26, 2022

XI. Goals and Accomplishments

The BRADD endeavors to reevaluate its Title VI goals on an annual basis, as part of the process of reviewing the agency's Title VI plan. The plan shall, each year, set forth BRADD's current goals and the process for evaluating and revising those goals and the agency's progress towards those goals.

A. Goals:

1. Report compliance activities in a timely manner.
2. Respond to and investigate all complaints within the timeframe and in accordance with the procedures outlined in Section VII.
3. Obtain feedback from employees to determine if the Title VI implementation plan is adequate to address their needs and the requirements of Title VI

B. Evaluation of Goals:

1. The Advisory Committee shall, at each meeting, review the agency's goals and its progress towards these goals, and evaluate the effectiveness of the plan's provisions as they relate to these goals.
2. The Advisory Committee shall, at each meeting, establish a timeline for achievement of goals, and implement a process for monitoring the progress towards these goals.

3. The Advisory Committee shall, at each meeting, promulgate a written report of the agency's progress towards the identified goals.
4. The Advisory Committee shall, at each meeting, discuss and evaluate whether any corrective procedures are necessary to bring the BRADD closer to its accomplishments.

XII. Public Notification Dissemination

The BRADD will disseminate Title VI information to employees, contractors, sub-recipients, and beneficiaries, as well as to the public. A variety of public notification and participation procedures will be used to encourage the early and continuous involvement of citizens, communities, and others interested in the planning process and decisions of the BRADD. The BRADD will discuss and/or distribute Title VI information using mass media including, but not limited to the following:

Policy Statement	Inclusion of Title VI Language in Contacts
New Employee Orientation	Federal EEO Posters
BRADD Website: bradd.org	Standard Procedures Manual
Significant Publications	Mailings
Meetings Open to the Public	Events

Notices of Title VI compliance will be posted in a prominent place including the following locations:

BRADD Website: bradd.org	BRADD Office Lobby
Personnel Policies	All State and Federal Contracts
Break Room/Common Areas by Federal EEO	

Three groups of people will notification of BRADD's Title VI plan, complaint forms, nondiscrimination policy, and programs and services: 1) BRADD employees who will receive copies of the implementation plan and the complaint procedures; 2) federal grants applicants and sub-recipients of federal grants who will be notified of Title VI requirements at the time of application and at the time of any grant award; and 3) members of the general public who request information via phone, fax, or email.

The BRADD Title VI Plan and LEP are available for the review at the BRADD office. Information is also available on the BRADD's website: bradd.org. Title VI application forms and checklists for sub-recipients are also available at the BRADD office.

BARREN RIVER



TITLE VI NOTICE TO THE PUBLIC

The Barren River Area Development District (BRADD) hereby gives notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related Nondiscrimination authorities in all program and activities. It is BRADD's policy that no person in the United States of America shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs or activities receiving Federal financial assistance.

Any person who believes they have been subjected to discrimination under the Title VI and related Nondiscrimination authorities has the right to file a complaint.

To request or receive additional information on its discrimination obligation, including its complaint procedures the person listed below or visit the administrative office at the address listed below.

Austin Sims, Regional Transportation Planner-Title VI/ADA/504 Coordinator

BRADD
177 Graham Avenue
Bowling Green, KY 42101
(270) 306-4046
(270)842-0768 fax
austin.sims@bradd.org
www.bradd.org

BARREN RIVER



TÍTULO VI AVISO AL PÚBLICO

El Distrito de Desarrollo del Área de Barren River (BRADD) por la presente notifica que es política de la agencia garantizar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de los Derechos Civiles de 1987 y las autoridades antidiscriminatorias relacionadas en todos los programas y actividades. Es política de BRADD que ninguna persona en los Estados Unidos de América, por motivos de raza, color, origen nacional, sexo, edad, discapacidad, bajos ingresos o dominio limitado del inglés, sea excluida de la participación en, ni se le nieguen los beneficios de, o ser sujeto de otra manera a discriminación bajo cualquiera de nuestros programas o actividades que reciben asistencia financiera federal.

Cualquier persona que crea que ha sido objeto de discriminación en virtud del Título VI y las autoridades antidiscriminatorias relacionadas tiene derecho a presentar una queja.

Para solicitar o recibir información adicional sobre su obligación de discriminación, incluidos sus procedimientos de denuncia, comuníquese con la persona que se indica a continuación o visite la oficina administrativa en la dirección que se indica a continuación.

Austin Sims, planificador de transporte regional, coordinador del Título VI/ADA/504

BRADD
177 Graham Ave.
Bowling Green, KY 42101
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BARREN RIVER



KICHWA VI TAARIFA KWA UMMA

Wilaya ya Maendeleo ya Eneo la Mto Barren (BRADD) inatoa notisi kwamba ni sera ya wakala kuhakikisha utii kamili wa Kifungu VI cha Sheria ya Haki za Kiraia ya 1964, Sheria ya Marejesho ya Haki za Kiraia ya 1987 na mamlaka zinazohusiana na Kutobagua katika programu zote na shughuli. Ni sera ya BRADD kwamba hakuna mtu katika Umoja wa Mataifa ya Amerika, kwa misingi ya rangi, rangi, asili ya kitaifa, jinsia, umri, ulemavu, kipato cha chini au Ustadi mdogo wa Kiingereza kutengwa kutoka kwa kushiriki, kukataliwa faida. ya, au kubaguliwa vinginevyo chini ya programu au shughuli zetu zozote zinazopokea usaidizi wa kifedha wa Shirikisho.

Mtu yeyote anayeamini kuwa amebaguliwa chini ya Kichwa VI na mamlaka husika ya Kutobagua ana haki ya kuwasilisha malalamiko.

Kuomba au kupokea maelezo ya ziada kuhusu dhima yake ya ubaguzi, ikijumuisha taratibu zake za malalamiko mtu aliyeorodheshwa hapa chini au kutembelea ofisi ya usimamizi kwenye anwani iliyoorodheshwa hapa chini.

Austin Sims, Mpagaji Usafiri wa Mkoa-Kichwa VI/ADA/504 Mratibu

BRADD
177 Graham Avenue
Bowling Green, KY 42101
(270) 306-4046
(270)842-0768 faksi
austin.sims@bradd.org
www.bradd.org

XIII. Data Collection/Reporting Analysis

Statistical data on race, color, national origin sex, age, disability, and LEP of participants in and beneficiaries of the BRADD's programs, (i.e., affected populations, and participants) will be gathered, analyzed, and maintained by the BRADD to determine the benefits and burdens to the population, including minority and low-income populations. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration. Analysis of the data collected by the program emphasis areas may include:

- The race, color, national origin, sex, age, disability, income and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment
- Persons to include in the decision-making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plan or projects
- Strategies to address impacts
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination.
- The present or proposed membership, by race, color, national origin, sex, disability, and age, in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information

A. Complaints:

1. Title VI Coordinator will maintain a log of all complaints filed with the BRADD.
2. Grant personnel will certify annually that all sub-recipients have been notified of the Title VI implementation plan and complaint procedures.

3. the Title VI Coordinator will maintain copies of complaint forms and will ensure that they are available for use.

B. Reporting:

1. Changes in the Title VI implementation plan will be provided to employees and sub-recipients as changes are made.
2. Changes in the Title VI implementation plan will be forwarded to the KYTC and other appropriate Cabinets as necessary, as changes are made.
3. Grant personnel will maintain records of all sub-recipients in order that the BRADD can determine if eligible parties are participating in the grants.

- C. The changes made in sections VIII and IX of this plan are incorporated herein as part of BRADD's recordkeeping and reporting procedures.

XIV. Minority Representation

A. Minority Representation on Boards/Committees

Board/Committee	Members	Minority Reps	Percentage
BRADD			
White Females	8		
White Males	36		
Black Female	0		
Black Male	1		
Elected Positions	45		

B. Demographic Profile of the Metropolitan Area

The BRADD will utilize the US Census Bureau data, the American Community survey data, and the following checklist to identify targeted populations.

- Make a list of potential demographic groups to consider for the region or stat with the required EJ populations defined by the Executive Order and supportive guidance.
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits

of the transportation system or have encountered disproportionate impacts from past transportation decisions.

- Decide on the level of detail required for identifying groups of spatially and identifying data sources to use to conduct a spatial demographic profile.
- Engage leaders and representative of demographic groups to help identify target populations, spatially and non-spatially.

BODY	White	Black or African-American	Asian or Pacific Islander	Hispanic	Native American	Other	Vacancies
BRADD Region (2020 Census)	85%	6%	0.2%	4%	0.2%	3%	N/A
Bowling Green Metropolitan Area	65.4%	9.70%	10.13%	9.30%	0.61%	0.5%	N/A
Regional Transportation Committee	91.1%	1.79%	0%	0%	0%	0%	7.14%

XV. Efforts to Encourage Minority Participation

The BRADD continues to attempt to identify and employ qualified minority applicants. Where minority representation in particular areas of the agency is low, the BRADD endeavors to fill vacant positions with qualified minorities. Whenever a planning or advisory body, such as a board or committee is an integral part of BRADD’s programs, the BRADD shall take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members. Where members of a board or committee are appointed by the BRADD and where minorities comprise at least 5% of the affected area or the surrounding community, the facility or agency must appoint a minority representative to serve on the board or committee.

The BRADD has also created a Title VI advisory committee to review and make recommendations regarding its implementation plan and to identify areas where improvement is needed. The advisory committee is currently composed of three (3) people. The advisory committee shall meet at least once each year.

The BRADD regional Transportation Advisory bylaws state in Article II section I, membership shall be composed of 59 voting members and additional advisory members, at minimum the membership bylaws explicitly call for the inclusion of underserved and minority populations representation.

The advisory committee will be actively evaluating discrimination patterns and will address any repeated occurrences in efforts to prevent future instances.

A. The summary of race and national origins for BRADD employees is as follows:

Race/National Origin	Number	Percentage
White Females	36	72%
White Males	11	22%
Black Females	1	2%
Black Males		
Hispanic Females		
Hispanic Males		
American Indian Females		
American Indian Males		
Other Females	1	2%
Other Males	1	2%
Total	50	

XVI. Sub-Recipient Review Procedures

Sub-recipients of federal aid in the Barren River Area Development District (BRADD) include the BRADD service area of 10 counties and 25 cities represented within:

Allen, Barren, Butler, Edmonson, Hart, Logan, Metcalfe, Monroe, Simpson, and Warren counties

The BRADD's Transportation Planner will review all ADDs and MPOs triennially using FHWA's Nondiscrimination/ Title VI Review Guidelines. The Transportation Planner/Title VI Coordinator will collaborate with Program Area Title VI Liaisons to conduct periodic pre-grant and post-grant reviews of select sub-recipients of FHWA funds or other federal funds for other roadway projects (i.e., bridges) to ensure adherence to Title VI requirements. A risk-based method is used for selection of sub-recipients. Reviews use a combination of desk and onsite audits. Appropriate staff members will routinely confirm that guidelines provided to consultants,

contractors, and sub-recipients include Title VI language, provisions, and related requirements, where applicable.

BARREN RIVER AREA DEVELOPMENT DISTRICT DISCRIMINATION COMPLAINT FORM			
Instructions: Complete and sign this form and mail, fax, or deliver to the Barren River Area Development District Address: BRADD:177 Graham Avenue Bowling Green, KY 42101 Attn: Title VI Coordinator Fax: BRADD:177 Graham Avenue Bowling Green, KY 42101 (270) 842-0768			
SECTION 1: COMPLAINT INFORMATION			
FIRST NAME	MI	LAST NAME	
PHONE		ALTERNATE PHONE	
MAILING ADDRESS (<i>street</i>)	CITY	STATE	ZIP
SECTION 2: COMPLAINT DETAILS			
<u>Please Indicate the Basis of Your Complaints:</u> Race _____ Gender _____ National Origin _____ Disability _____ Low Income _____ Age _____ Limited English Proficiency (LEP) _____			
Please provide the date and places of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.			
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 was a factor in the discrimination. Include how other persons were treated differently than. <i>Attach additional pages if necessary.</i>			
The law prohibits intimidation or retaliation against anyone because he/she has either taken actions 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. Describe what action which you took was the cause for the allege retaliation. <i>Attach as additional pages if necessary.</i>			

Names of individuals, agency, or department responsible for the discriminatory action(s):		
Name:	Address:	Phone:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
Names of Persons (witnesses, fellow employees, or others) who contact for additional information to support or clarify your complaint: Attach additional pages if necessary.		
Name:	Address:	Phone:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
SECTION 3: ACTIONS		
Have you filed or do you intend to file a complaint regarding the matter raised with any of the following? If yes, please provide the filing date. (Check all that apply)		
U.S Department of Transportation _____ Office of Federal Contract Compliance Programs _____		
Federal Highway Administration _____ U.S Equal Employment Opportunity Commission _____		
Federal Transit Administration _____ U.S Department of Justice _____		
Other _____		
Have you discussed this complaint with any other BRADD representative? Yes ___ No ___		
If yes provide the name, position, and date of discussion.		
Name of BRADD Representative	Position of Representative	Date of Discussion
Do you have an attorney regarding this matter? Yes ___ No ___		
If yes, please provide attorney's contact information.		
Name of Law Firm	Name of Representing Attorney	
Mailing Address	Phone	

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

We can not accept an unsigned complaint. Please sign and date below.

Complaint's Signature

Date

FOR OFFICE USE ONLY

Date Complaint Received: _____ Case # _____

Processed By: _____ Date Referred: _____

Referred to U.S DOT ___ FHWA ___ FTA ___ OFCCP ___ U.S. EEOC ___ Other _____

DISTRITO DE DESARROLLO DEL ÁREA DEL RÍO ESTÉRIL FORMULARIO DE QUEJA DE DISCRIMINACIÓN			
Instrucciones: Complete y firme este formulario y envíelo por correo, fax o entrega al Distrito de Desarrollo del Área del Río Estéril Dirección: Fax:			
BRADD:177 Graham Avenue Bowling Green, KY 42101		BRADD:177 Graham Avenue Bowling Green, KY 42101	
A la atención de: Coordinador del Título VI		(270) 842-0768	
SECCIÓN 1: INFORMACIÓN SOBRE LA QUEJA			
NOMBRE	Me	APELLIDO	
TELÉFONO		TELÉFONO ALTERNATIVO	
DIRECCIÓN POSTAL (<i>calle</i>)		CIUDAD	ESTADO .ZIP
SECCIÓN 2: DETALLES DE LA QUEJA			
Por favor, indique la base de sus quejas: Race _____ Género _____ Origen Nacional _____ Disability _____ Bajo Income _____ Age _____ Dominio limitado del inglés (LEP) _____			
Sírvanse indicar la fecha y los lugares de la(s) presunta(s) medida(s) discriminatoria(s). Sírvanse incluir la fecha más temprana de discriminación y la fecha más reciente de discriminación.			
¿Cómo te discriminaron? Describa la naturaleza de la acción, decisión o condiciones de la presunta discriminación. Explique lo más claramente posible lo que sucedió y por qué cree que su estado de protección fue un factor en la discriminación. Incluya cómo otras personas fueron tratadas de manera diferente a. Adjunte páginas adicionales si es necesario.			
La ley prohíbe la intimidación o las represalias contra cualquier persona porque haya tomado medidas o participado en acciones para garantizar los derechos protegidos por estas leyes. Si cree que ha sido objeto de represalias, aparte de la discriminación alegada anteriormente, explique las circunstancias. Describa qué acción tomó fue la causa de la presunta represalia. Adjunte como páginas adicionales si es necesario.			

Nombres de las personas, agencias o departamentos responsables de la(s) acción(es) discriminatoria(s): Nombre: Dirección: Teléfono: 1. _____ 2. _____ 3. _____		
Nombres de personas (testigos, compañeros de trabajo u otras personas) que se comunican para obtener información adicional para respaldar o aclarar su queja: Adjunte páginas adicionales si es necesario. Nombre: Dirección: Teléfono: 1. _____ 2. _____ 3. _____ 4. _____		
SECCIÓN 3: ACCIONES		
¿Ha presentado o tiene la intención de presentar una queja con respecto al asunto planteado con cualquiera de los siguientes? En caso afirmativo, sírvase indicar la fecha de presentación. (Marque todo lo que corresponda) Oficina de Cumplimiento de Contratos Federales del Departamento de Transportation _____ de los Estado Programs _____ s Unidos Federal Highway Administration _____ Comisión de Igualdad de Oportunidades en el Empleo de los Estados Unidos _____ Federal Transit Administration _____ Departamento de Justicia de los Estados Unidos _____ Otra cosa _____		
¿Ha discutido esta queja con algún otro representante de BRADD? Yes ___ No ___ En caso afirmativo, proporcione el nombre, la posición y la fecha de la discusión.		
Nombre del Representante de BRADD	Cargo de Representante	Fecha de la discusión
¿Tiene un abogado con respecto a este asunto? Yes ___ No ___		

En caso afirmativo, proporcione la información de contacto del abogado.	
Nombre del bufete de abogados	Nombre del Abogado Representante
Dirección postal	Teléfono
Explique brevemente qué remedio o acción está buscando para la presunta discriminación.	
<p>No podemos aceptar una queja sin firmar. Por favor, firme y fecha a continuación.</p> <p>_____</p> <p>Fecha de firma de la queja</p>	
SOLO PARA USO EN LA OFICINA	
Fecha de recepción de la queja: _____	
Procesado por: _____	
Referido a U.S DOT ___ FHWA ___ FTA ___ OFCCP ___ U.S. EEOC ___ Other _____	

**Barren River Area Development District
177 Graham Avenue
Bowling Green, KY 42101
Phone:(270) 781-2381
Fax:(270) 842-0768**

Report of Investigation

I, _____, representing the BRADD, have investigated the complaint filed on - _____, 20____ by _____ alleging that discrimination occurred which was in violation of the violation o the provisions oh Title VI of the Federal Civil Rights Act.

The results of the investigation were as follows:

- ____A. The agency or person was found to be in violation of Title VI.
- ____B. The agency or person was not found to be in violation of Title VI.
- ____C. The complainant withdrew the complaint.

A copy of the investigation report is attached.

Withdrawal of Complaint (if applicable) _____

If the agency or person was found to be in violation of Title VI, a brief description of the remedial action taken to assure future compliance follows:

Signed: _____ Date: _____

XVII. Language Access Plan

Barren River Development District Language Access Plan (LAP) For Persons with Limited English Proficiency (LEP)

The Barren River Area Development District (BRADD) has established this policy as means to take reasonable steps in ensuring meaningful access to agency services, programs and activities for persons who have limited English proficiency. This plan applies to the federally funded programs provided through BRADD.

Overview

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that recipients of federal funds take responsible steps to ensure meaningful access by persons with Limited English Proficiency (LEP persons). The BRADD is a recipient of federal funds through the U.S Department of Housing and Urban Development (HUD), the Federal Highway Administration (FHWA), the Department of Labor (DOL), and Health and Human Services (HHS) EDA Economic Development Association of Funds, CDBG for a portion of its programs and, thus, is obligated to reduce language barriers that can preclude meaningful access by LEP persons to DLG programs.

Definitions

For the purposes of this plan:

A. *Grantee* means the BRADD.

B. *Recipient* means the BRADD. This means any entity that receives any federal HUD assistance, directly from BRADD or from another Recipient. This includes, but is not limited to, any unity of local government, public housing authority, community housing development organization, public or private nonprofit agency, developer, private agency or institution, mortgagor, limited dividend sponsor, builder, property manager, resident management corporation, resident counsel, or cooperative association. Recipient also includes any successor, assignee, or transferees of any such entity, but does not include any ultimate beneficiary under the respective federal grant program.

C. *LEP* means Limited English Proficiency. Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit or encounter.

D. *LAP* means Language Access Plan.

Limited English Proficiency (LEP)

BRADD is committed to compliance with Title VI of the Civil Rights of 1964 and all related regulations and directives. A person who does not speak English as their primary language has a limited ability to speak, read, write or understand English are Limited English Proficient (LEP). LEP persons may be entitled to language assistance depending on the type of services or program. The BRADD 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. Therefore, in accordance with Presidential Executive Order 13166-*Improving access to services for persons with limited English Proficiency*, the BRADD will take reasonable steps to provide meaningful access to services for persons with LEP. BRADD will train its employees on the language access plan which includes the four-factor analysis within the plan. BRADD employees will also hold access to the Title VI plan which included the four-factor analysis with access to the plans wide range of language assistance options, which included but are not limited to the following:

- Conduct Needs Assessment
- Kentucky Relay Services- TDD/Voice Users
- "I speak" Cards
- Written Language Service
- Access to Qualified Interpreters
- Community Based Organizations/Volunteers
- Develop Written Assessment
- Monitor and Evaluate access to Language Assistance

BRADD adheres to the safe harbor provisions as adopted by DOT and set forth by DOJ regarding the translation of written materials for LEP populations.

Four-Factor Analysis

There are four (4) flexible, fact-dependent factors to be considered in developing language materials and Limited English Proficiency plan. The following four-factor analysis will serve as the guide for determining which language assistance measures will be undertaken to guarantee access to BRADD's federally funded programs by LEP persons. Additionally, all future recipients of federal assistance are required to use the same four-factor analysis prior to the release of funds.

1. The number or portion of LEP persons eligible to be served or likely encountered through its federally funded programs.
 - a. For determining the LEP population, BRADD utilized the U.S Census Bureau Language Use data (ACPS-DP02) for Language Spoken at Home and English-Speaking ability by State (See Appendix A)
2. The frequency with which LEP individuals come in contact with the designated federal programs.

- a. BRADD does not provide direct assistance to individuals. All BRADD funds are awarded to units of local government, certified contactors, or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at this level. However, during periods of the public comment, some citizen participation may be directed to the BRADD.
3. The nature and importance of the program, activity or service provided by the federal programs.
 - a. BRADD does not provide direct assistance to individuals. All BRADD funds are awarded to unites of local government, certified contractors, or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at the state level. However, during periods of public comment, some citizen participation may be directed to the BRADD.
4. The resources available to the recipient and the cost. There are two types of assistance service-oral (interpretation) and written (translation).
 - a. Given the resources currently available to BRADD, the LAP measure appears reasonable.

Types of Language Assistance to be Provided by BRADD

As stated previously, although LEP persons rarely come into contact with BRADD programs at the regional level, some citizen participation matters are directed to the BRADD, particularly during periods of public comment. Therefore, BRADD has determined it will make available, upon request, translations of its federal grants action plans and amendments. If there is a consistent need for translation, by populations of LEP Kentuckians, BRADD will consider additional appropriate measures to serve the language access needs of those persons.

Requirements for Recipients and Safe Harbor Provision

Recipients of federal funds awarded or drawn through BRADD are required to ensure that meaningful access to services is assured for their LEP clients. Recipients must provide language assistance services that result in timely, accurate and effective communication at no cost to LEP clients and/or their beneficiaries. Such language assistance services are to be provided in accordance with the guidelines set forth in the U.S Departments for Health and Human Service "Guidance to Federal Financial Assistance Recipients Regarding Title Vi Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-Discrimination in Federally-Assisted Programs of the Department of Transportation effectuation of Title VI of the Civil Rights Act of 1964. BRADD is available to assist Recipients in identifying and developing appropriate language assistance measures.

If an application is funded, the local government or nonprofit agency will be required to conduct a four-factor analysis, develop a LAP, if necessary, and provide a description of outreach efforts

during the Letter of Conditional Commitment stage. Particular attention will be given to plan details for projects including acquisition and/or relocation, housing rehabilitation, and/or water/sewer hookups.

In order to determine if language assistance is required by recipients of federal funds through BRADD, all Recipients are required to follow the measures outlined below in relation to the Department of Justice's Safe Harbor Provisions for recipients regarding translation of written material for LEP population.

In order to determine if language assistance is required by recipients of federal funds through BRADD, all Recipients are required to follow the measures outlined below in relation to the Department of Justice's Safe Harbor Provisions for recipients regarding translation of written materials for LEP population.

1. Conduct the four-factor analysis prior to advertising for application public hearing.
2. If the four-factor analysis reveals there are 1,000 or more LEP persons, or 5 percent or more LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) translating all vital documents; 2) posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and 3) providing translation services at public hearings, if requested to do by LEP persons.
3. If the four-factor analysis reveals there are less than 50 LEP persons and less than 5 percent LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and 2) providing translation services at public hearings, if requested to do so by LEP persons.
4. If the four-factor analysis reveals there are less than 50 LEP persons and less than 5 percent LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) providing translation services at public hearings, if requested to do so by LEP persons.

If a LAP is required, the Recipient's LAP will include certifications that LAP has been developed, adopted, and will be implemented for all federally funded projects. The Recipient's LAP will include an identification of all LEP populations exceeding 1,000 or 5 percent of total jurisdiction population, whichever is less, the identification of materials to be made available to identification of any other translation services which may be necessary. Recipients will be monitored for implementation of their LAPs.

Should participants within the BRADD service area have LEP populations which qualify for Safe Harbor Provisions the above steps will be followed. Please see Appendix A and B for Language demographics. As shown Bradd does not have LEP groups which speak less than "very well" that exceed either 5% or 1,000 people. BRADD will provide good faith efforts to meet the

needs of LEP populations when necessary. Safe Harbor provisions applies o the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. BRADD may determine, based on the four-factor analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may be an effective means to provided language assistance measures.

Monitoring Evaluation and Updating

All agencies receiving federal funds through the BRADD will report annually on services provided to LEP persons. Agencies will review their respective plans each year to evaluate their effectiveness and to make any needed changes. BRADD will assist agencies in finding appropriate translation resources and disseminate translated HUD notices, brochures, posters, and other documents.

BRADD will monitor the delivery of any required language assistance on an ongoing basis. It will review the LAPP, evaluate the effectiveness of its implementation, and update the LAP, on an annual basis, in order to ensure continued responsiveness to community needs.

The LAP evaluation will consist of:

- Revision of the LAP, as necessary, by monitoring changes in demographics and services provided, updating available resources and tools, modifying methods of implementation, and addressing any issues of concerns.
- Analysis of language assistance usage, including the amount of language service requests, surveying the languages most frequently encountered, identifying the primary modes of communication, and costs associated with services rendered.
- Assessment of response to requests b LEP individuals and Recipients regarding the delivery of language assistance services.

Availability and Access

The BRADD Lap is available to the public on our website at www.bradd.org. This information is available in a form accessible to persons with disabilities and others upon written request to: Executive Director, BRADD, 177 Graham Avenue, Bowling Green, Kentucky, 42101.

Citizens, public agencies, and other interested parties will have reasonable and timely access to information and records relating to the LAP. All public records under KRS Statue 61.870-884 will be made accessible to interested individuals and groups during normal working hours.

Complaints

At any time, citizens may submit complaints related to the LAP by writing the Executive Director, BRADD, 177 Graham Avenue, Bowling Green, Kentucky, 42101.

The BRADD will provide a written response to every written citizen complaint that relates to the BRADD LAP withing 15 working days.

XVIII. Title VI Equity Analysis

Title 49 CFR, Appendix C, Section (3) (iv) requires the “the location o projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelter, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operation centers, etc. In order to comply with the regulations, BRADD will ensure the following:

1. BRADD will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. BRADD will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternative, and the analysis must occur before the selection of the preferred site.
2. When evaluating location of facilities, BRADD will give attention to the other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the census tract of block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If BRADD determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, BRADD may only locate the project in the location if there is a substantial legitimate jurisdiction for location of the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. BRADD must demonstrate and document how both tests are met. BRADD will consider and analyze alternatives to determine whether those alternatives would have less discriminatory alternative.

The BRADD has not recently constructed any facilities, nor does it currently have nay facilities in the planning stage. As stated in Transportation Cabinet applications, “While not directly involved in the day-to-day operation of vehicles, the BRADD will assist in coordination of their use to serve more of the demand and reduce operation costs by further assisting operator with

touring, scheduling, insurance, maintenance, and contracts for service. “Therefore, BRADD does not have any Title VI Equity Analysis report to submit with this plan. Your community transit will utilize the demographic maps included in this plan for future Title VI analysis.

XIX. Review of STA Directives

State Procedures, Manuals, and Directives Applicable to the Federal Highway Administration (FHWA) programs.

The BRADD’s Title VI Implementation Plan is designed to comply with the statues and requirements under the law and as directed by FHWA to accomplish the goals of the Title VI Act of 1964. The table below is a list of internal and external manuals that include procedure and directives used by the Kentucky Transportation Cabinet that pertain to the BRAD Regional Transportation Planning Section 5304 Transit Planning Programs.

DIVISION/OFFICE	PROCEDURES, MANUAL, DIRECTIVE
Environmental Analysis	Information, Procedures, and Guidance Manual
Highway Design	Access Management Manual (Revised 3/2017)
Highway Design	Guidelines for Pedestrian & Bicycle Accommodations (Rev.3/2017)
OCRSBD	DBE Program Policy Statement (Revised 6/2016) KYTC Title VI/Nondiscrimination Guidebook for sub-recipients (Revised 6/2017)
Office of Local Programs	Transportation Enhancement, Transportation Alternatives Program, Transportation Community and System Preservation
Office of Transportation Delivery	Oversight and implementation of various statewide public transit grants. Transportation grant offers general public transit services and assists in the mobility for the elderly, low income, and person with disabilities
Professional Services	Professional Services Guidance Manual (Revised 3/2017)

Training Resources

Fundamentals of the Title VI/Environmental Justice: Presents a framework for using a variety of approaches and tools for accomplishing environmental justice goals in federal aid programs and other transportation projects. Nation Highway Institute (NHI)
<http://fhwa.dot.gov/reourcescenter.teams.civilrights.index.cfm>

Federal-aid Essentials offers a central online library of informational videos and resources, designed specifically for local public agencies. <http://www.fhwa.dot.gov/federal-aidessentials/index.cfm>

XX. Appendices

Appendix A

Data gathered from 2021 American Community Survey, 1-Year Estimates-Kentucky-S1601
 Languages Spoken at Home 5 Years and Over.

Kentucky						
	Total Population	Percent of Population	Speaks English Only or “Very Well”		Speaks English Less than “Very Well”	
			# Population	% Pop	# Pop	% Pop
Speaks only English	4,001,319	94.1%				
Speaks a language other than English	248,797	5.9%	140,442	56.4%	108,355	43.6%
Spanish or Spanish Creole	114,915	2.7%	62,094	54%	52,821	46%
Other Indo-European	67,217	1.6%	43,645	64.9%	23,572	35.1%
Asina and Pacific Islands	41,303	1%	22,025	53.3%	19,278	46.7%
Other Languages	25,362	0.6%	12,678	50%	12,684	50%

Appendix B

2016-2020 American Community Survey 5-Year Estimates S1602: Limited English-Speaking Households.

Supporting documentation on code lists, subject definitions, data accuracy and statistical testing is found on the American Community Survey (ACS) website, Data and Documentation section. Sample size and data quality measures (including coverage rates, allocation rates and response rates) can be found on the ACS website in the Methodology section.

Although the ACS produces populations, demographic, and housing unit estimates, it is the U.S Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

County	Total Households	Limited English-Speaking Households			
		Spanish	Other Indo-European	Asian and Pacific Island	Other Languages
Allen	7,816	89	273	28	0
		1.2%	3.5%	0.4%	0%
Barren	16,965	491	196	81	0
		2.9%	1.2%	0.5%	0%
Butler	4,996	140	51	9	23
		2.8%	1%	0.2%	0.5%
Edmonson	4,886	35	62	37	14
		0.7%	1.3%	0.8%	0.3%
Hart	7,311	66	373	57	15
		0.9%	5.1%	0.8%	0.2%
Logan	10,565	161	137	24	2
		1.5%	1.3%	0.2%	0.0%
Metcalf	3,998	51	92	13	0
		1.3%	2.3%	0.3%	0%
Monroe	4,414	157	58	0	11
		3.6%	1.3%	0%	0.2%
Simpson	6,914	106	88	34	11
		1.5%	1.3%	0.5%	0.2%
Warren	47,142	1,927	1,251	1,124	754
		4.1%	2.7%	2.4%	1.6%
BRADD	115,007	3,223	2,581	1,407	830
		2.8%	2.2%	1.2%	0.7%

Appendix C

List of Formal Interpreters (for any language if necessary and cost is not prohibitive):

- Catholic Charities- Louisville, KY (502) 636-9263
- The International Center- Bowling Green, KY (270) 781-8336
- Language Service Associates- eMARS
- Language Line- www.language.com 1(877) 886-3885

Additional local translators and interpreters can be found at Kentucky's Finance and Administration Cabinet's Office of Procurement Services (OPS) at www.eprocurement.ky.gov/translators.

Written translation of HUD documents can be found at:

http://portal.hud.gov/hudportal.HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep

Appendix D

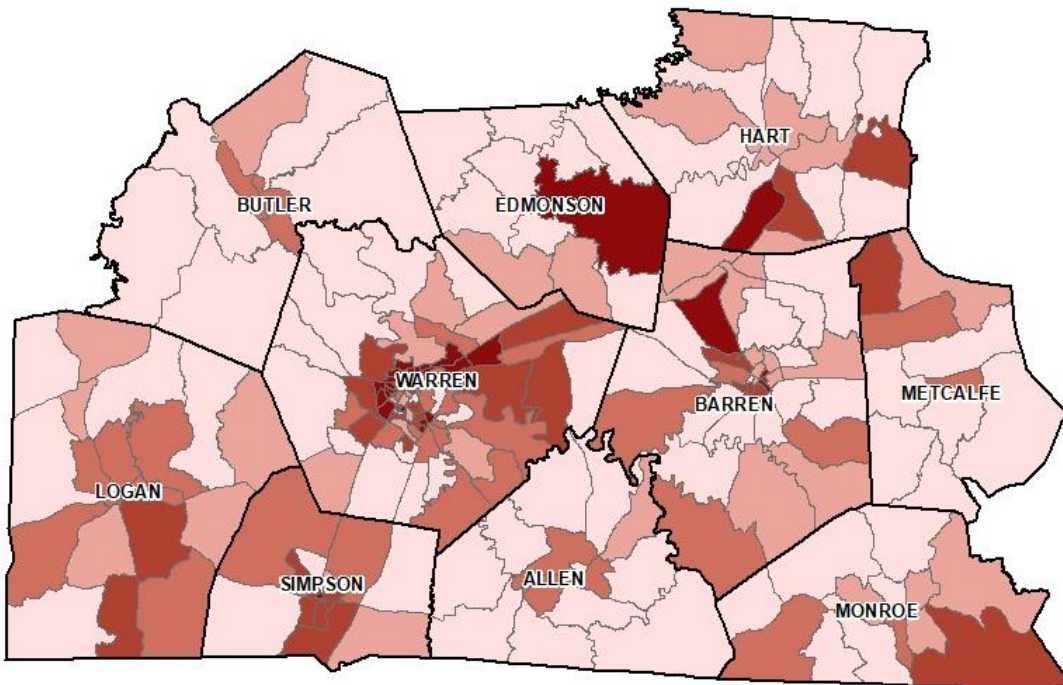
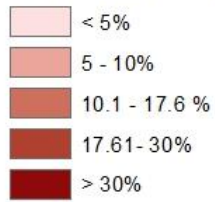
Examples of Vital Documents:

- Citizen Participation Notes
- Survey instruments
- Housing-Related Documents
 - Lead-Bases Paint Notification
 - Application
 - Lease
 - Note
 - Mortgage
- Drug-Free Certification

Appendix E

**Map 1: Percent of Racial Minority Population
By Census Block Group**

Percent of Racial Minority



Source: 2020 American Community Survey
5 Year Data (2016-2020) Table B03002-
Hispanic or Latino Origin by Race

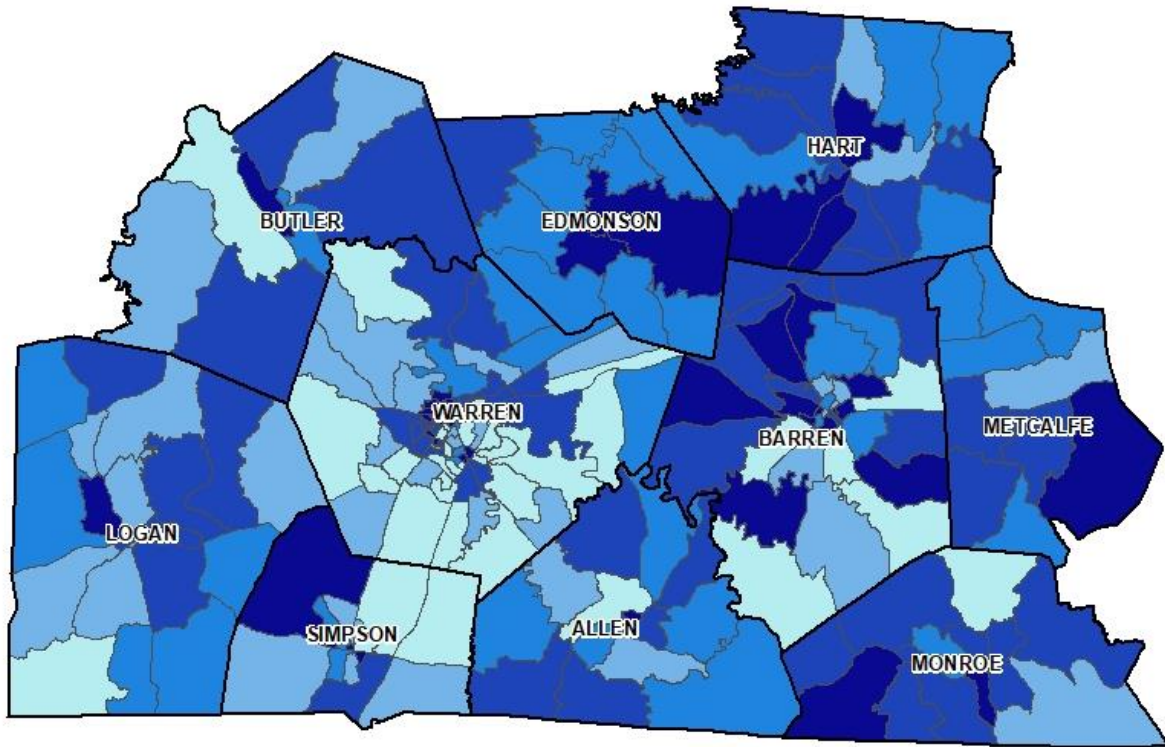
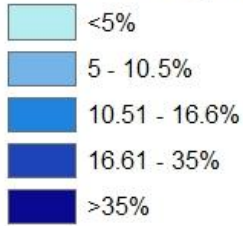


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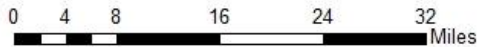


Map 2: Percent of Population Under Poverty Line By Census Block Group

Percent of Population in Poverty

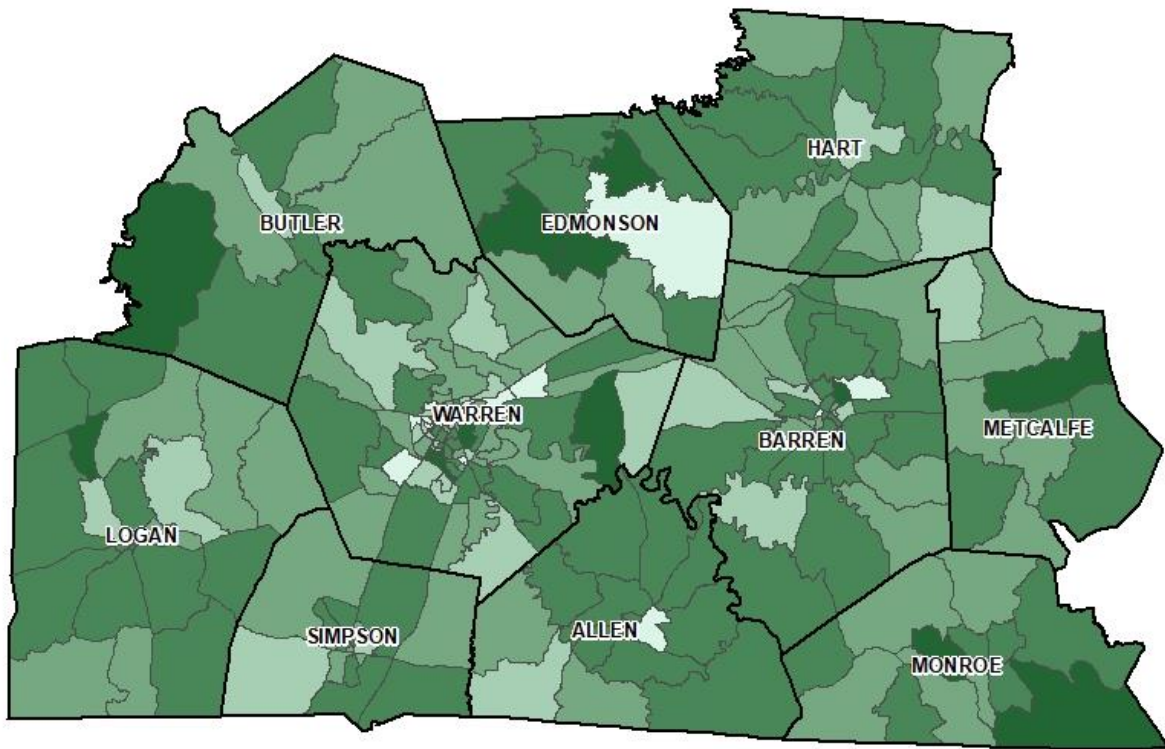
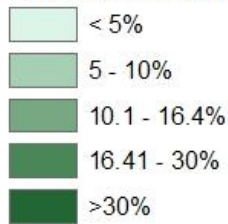


Source: 2020 American Community Survey
5 Year Data (2016-2020) Table B17021-
Poverty Stats of Individuals in the Past 12 Months
by Living Arrangement

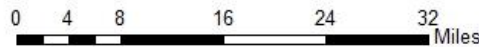


Map 3: Percent of Population Over 65 Years of Age By Census Block Group

Percent of Population over 65

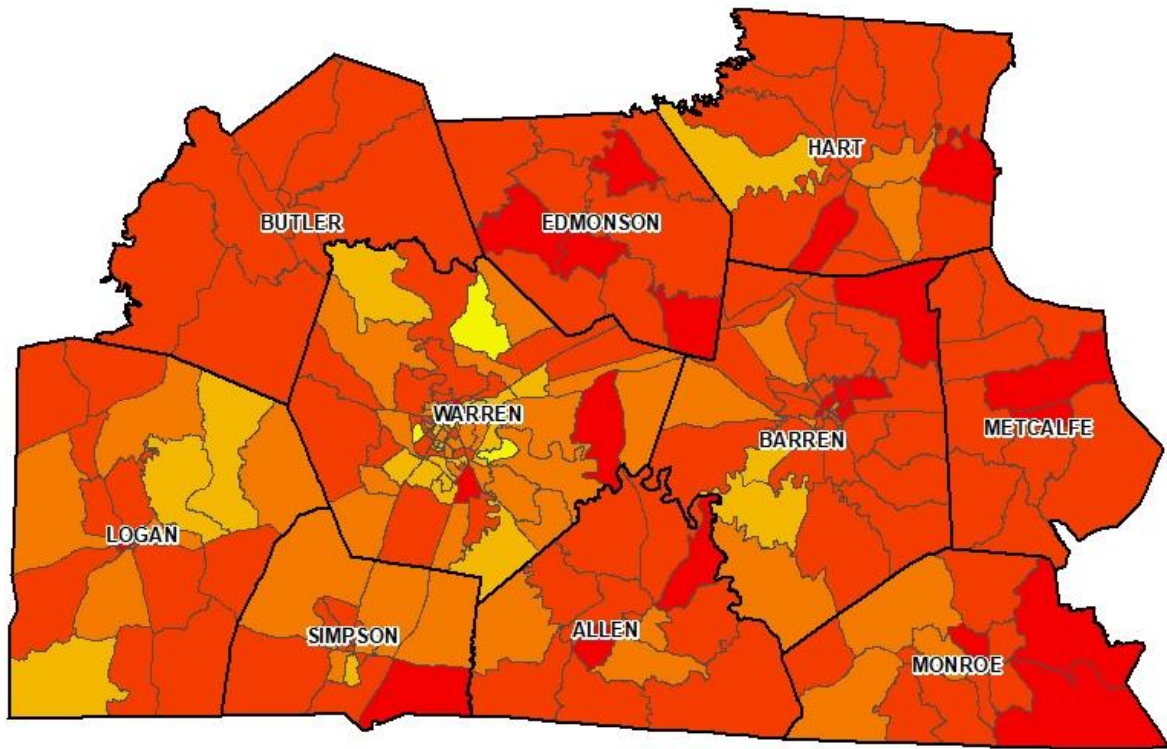


Source: 2020 American Community Survey
5 Year Data (2016-2020)
Table B01001- Age by Sex

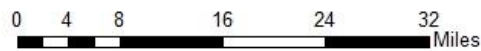


Map 4: Percent of Population of Adults with a Disability By Census Block Group

Percent of Adults with a Disability

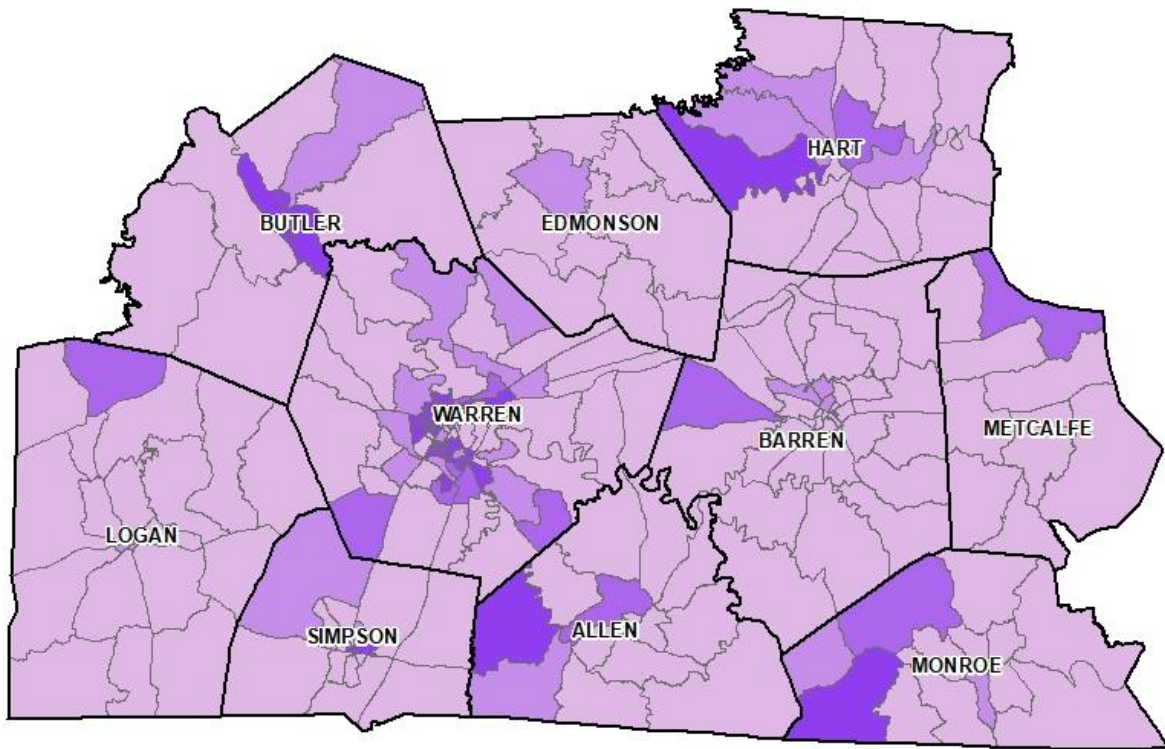
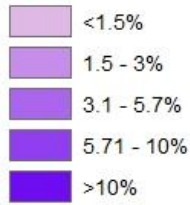


Source: 2020 American Community Survey
5 Year Data (2018-2020)
Table C21007- Disability Age 18 Years and Older

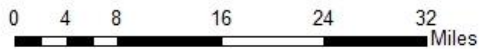


Map 5: Percent of Population Over 5 Years with Limited English Proficiency (LEP) By Census Block Group

Persons Over 5 with LEP



Source: 2020 American Community Survey
5 Year Data (2016-2020) Table B16004-
Age by Language Spoken at Home
by Ability to Speak English
For the Population 5 Years and Over



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Appendix F

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 Regulation:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in federally assisted programs of the U.S Department of Transportation, Federal Highway Administration, 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 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 Federal Highway Administration 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 Federal Highway Administration, 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 nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration 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 Federal Highway Administration 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.

Appendix G

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 Department of Transportation as authorized by law and upon the condition that the (*Title of Recipient*) will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of Federal 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 and provisions of Title Vi of the Civil Rights Act of 1964 (79 Stat. 252; 42 U.S.C. § 2000d to 2000dd-4), does hereby remise release, quitclaim and convey unto the (*Title of Recipient*) 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 (*Title of Recipient*) 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 (*Title of Recipient*), its successors and assigns.

The (*Title of Recipient*), 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 (*Title of Recipient*) 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 or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in become the absolute property of the U.S. Department of transportation and its assigns as such interest existed prior to this instruction].

Appendix H

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 (*Title of Recipient*) 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 maintained 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 o said facilities.
- B. With respect to licenses, leases. Permits, etc., in the event of breach of any of the above Non-discrimination covenants, (*Title of Recipient*) will have the right to terminate the (lease, license, permit, et.) 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 Non-discrimination covenants, the (*Title of Recipient*) 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 (*Title of Recipient*) and its assigns.

Appendix I

Clauses for Construction/Use/Access to Real Property Acquired Under the Activity or Program

The following clauses will be included in deeds, license, permits, or similar instruments/agreements entered into by (*Title of Recipient*) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, license, 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 9in 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 subject 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 nondiscrimination covenants, (*Title of Recipient*) 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, (*Title of Recipient*) will there upon revert to, vest in, and become the absolute property of (*Title of Recipient*) and its assigns.

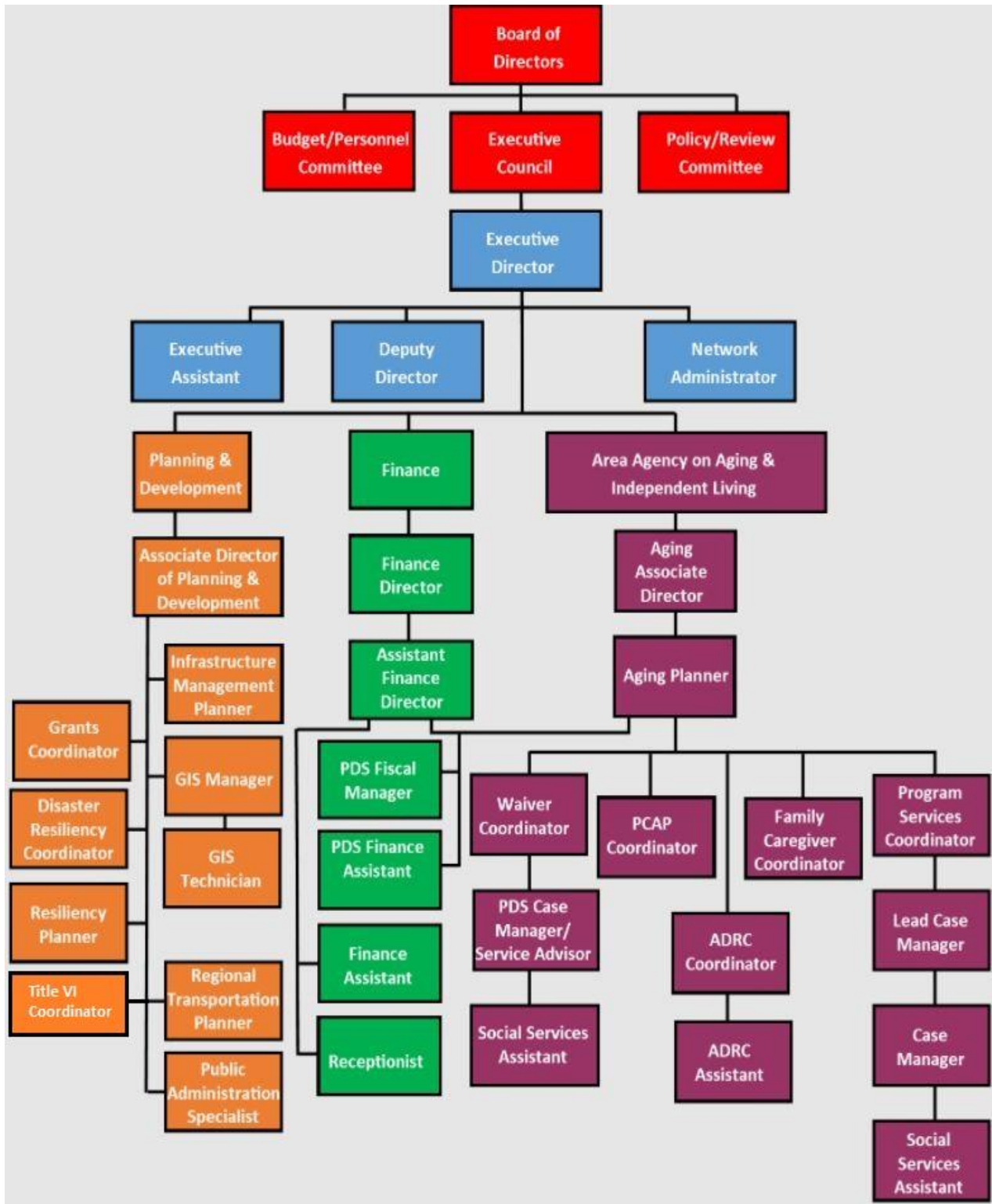
Appendix J

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 non-discrimination statutes and authorities; including but not limited to the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 200d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR 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 aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on 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 Improvements 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 Non-discrimination 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 non-discrimination 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.*)

XXI. Organization Chart



XXII. Environmental Justice (EJ)


XXII. Environmental Justice (EJ)

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions in minority and low-income communities to promote nondiscrimination in federal programs substantially affecting human and the environment and to provide minority and low-income communities access to public information on and an opportunity for public participation in matters relating to human health or the environment.

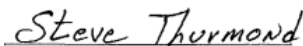
The BRADD will utilize the U.S Census Bureau data, the American Community Survey data, and the following checklist to identify targeted populations.

1. Make a list of potential groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance.
2. Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system, or have encountered disproportionate impacts from past transportation decisions.
3. Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile.
4. Engage leaders and representatives of demographic groups to help identifying target populations, spatially and non-spatially.

Approved: *October 31, 2022*



Chair Signature



Chair Printed Name