



Title VI Program

Updated Plan June 2019-2022

Arkansas Department of Transportation

**In Cooperation with U.S. DOT
Federal Transit Administration**

NOTICE OF NONDISCRIMINATION

The Arkansas Department of Transportation (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, Limited English Proficiency (LEP), or Low Income Status in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head – EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501)569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

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INTRODUCTION

The Arkansas Department of Transportation (Department) is the agency responsible for administering Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) programs in the State. Department programs are administered in a nondiscriminatory manner.

Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, or national origin, including the denial of meaningful access for Limited English Proficient (LEP) persons.

The objectives of the Department's Title VI Program are as follows:

1. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
2. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin; and
3. Ensure meaningful access to transit-related programs and activities by persons with Limited English proficiency.

The Department makes "Assurances" (Refer to Attachment One) that it complies with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation. The Department's Title VI Program is responsive to Federal Transit Administration (FTA) Circular FTA C 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients", dated October 1, 2012.

ARKANSAS HIGHWAY COMMISSION

Amendment 42 to the Constitution of Arkansas created the current State Highway Commission. The five members are vested with powers and duties for administering the Arkansas Department of Transportation (Department) and fully and effectively carrying out relative regulations and laws. Appointed by the Governor, with the advice and consent of the Arkansas Senate, members serve ten-year terms. Four members are over age 60 and one is under age 60.



Name	Board Position	City	Ethnic Group	Gender
Thomas B. Schueck	Chairman	Little Rock	White	Male
Robert S. Moore, Jr	Vice Chairman	Arkansas City	White	Male
Dalton A. Farmer, Jr	Commissioner	Jonesboro	White	Male
Philip Taldo	Commissioner	Rogers	White	Male
Keith Gibson	Commissioner	Fort Smith	White	Male

ASSIGNMENT OF RESPONSIBILITIES

Civil Rights Officer

- The EEO Section Head reports directly to the Director of the Department.
- Joanna P. McFadden, EEO Section Head, is designated as the Civil Rights Officer for the Department.
- The Civil Rights Officer, by order of the Director, has overall responsibility for planning, developing, managing, implementing, coordinating, and monitoring all program areas of the Department's civil rights functions.
- The Civil Rights Officer is designated as the Title VI Coordinator for the Department.
- The EEO Section is adequately staffed to effectively implement the Department's Civil Rights Program.
- The Civil Rights Officer is assisted in carrying out the requirements of Title VI Program by the Title VI Multi-Disciplinary Team (Team).

Title VI Multi-Disciplinary Team

- Employing a pro-active methodology, the Team's responsibilities include reviewing, evaluating and implementing the Department's Title VI program. Team members ensure a "Multi-Disciplinary Approach to Non-Discrimination" to ensure Title VI issues are addressed in the normal course of business.

The team consists of the following members:

Jay Thompson, AHP Chief, Highway Police
Jennifer Williams, Division Head, Right of Way
Charles Martin, Assistant Division Head, Roadway Design
Jerry Trotter, Assistant State Construction Engineer, Construction
Ruby Jordan, Section Head-Public Involvement, Environmental
David Hall, Division Head, Surveys
Bryan Freeling, Division Head, State Aid
Joanna P. McFadden, EEO/DBE Section Head and Title VI Specialist
Patricia Slater, Public FTA Grants Officer, Transportation Planning and Policy
Danny Straessle, Public Information Officer
Tymli Frierson, Advanced Research Engineer, System Information and Research
Andrew Brewer, Assistant Division Head, Transportation Planning and Policy
Jared Wiley, Division Head, Program Management

The Public Information Office maintains the Department's website and manages information releases to the media. The Team relies on the Public Information Officer, a member of the team, who utilizes public media and the Department's website to share Title VI information and engage the public in development of the Title VI Program. The Public Information Officer presides at all public listening sessions, meetings and hearings.

PROGRAM ADMINISTRATION

FTA regulations governing Sections 5310 and 5311 require that State Management Plans, which are on file in the FTA Region VI Office and in TrAMS, include: (Source C 4702.1B, V.2)

- A demographic profile of the State that includes identification of the locations of minority populations in the aggregate;
- Demographic maps that overlay the percent minority and non-minority populations as identified by Census or American Community Survey data at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the State as a designated recipient;
- An analysis of impacts that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact;
- A description of the statewide transportation planning process that identifies the transportation needs of minority populations;

- A description of the procedures the State uses to pass through FTA financial assistance to subrecipients in a non-discriminatory manner; and
- A description of the procedures the State uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations.

Attachment Two lists all counties that submitted applications to the Department for funding under the Sections 5305, 5310, 5311, and 5339 programs for the period of January 2016 through January 2018. This list indicates the county or counties the applicant serves. All qualified applicants received some level of funding during this period. The table also shows that these applicants provide transit service in all seventy-five Arkansas counties.

U.S. Census Bureau, 2017 American Community Survey (ACS) Estimates, show that Arkansas has a non-minority population of 77.2%, and a minority population of 22.8%. Refer to Attachment Two for the percentage of minority population, broken down by county.

Low income counties are those counties with a median household income below the state median of \$43,813. (Source: 2017 ACS-1-Year Estimate in 2017 Inflation Adjusted Dollars). The rest of the table's demographics are based on data obtained from U.S. Census Bureau, 2010 American Community Survey Estimates.

The 5307 recipients receive funds directly from FTA and submit their own Title VI Plan and Assurances.

MONITORING AND TECHNICAL ASSISTANCE TO SUBRECIPIENTS

The Department's Public Transportation Programs Section (PTP) is required by the Federal Transit Administration (FTA) to ensure that subrecipients of FTA programs comply with federal requirements. To meet this federal mandate, the Department's monitoring and support consists of collecting and responding to data using complementary approaches, including:

- 1) On-site management reviews, vehicle and facility inspections. A Title VI Checklist, used to ensure subrecipients' compliance, is included as Attachment Three.
- 2) Technical assistance provided through a web of supports tailored to meet the needs of the very different agencies serving very different communities. A "Program Reporting Manual" guides Section 5310 subrecipients, while Department staff utilizes an On-Site Management Review Guide to evaluate agency performance and provide detailed support. A "Management Review Guidebook" is provided for Section 5311 subrecipients. The Department provides one-on-one coaching and assistance, utilizing program reporting documents submitted by

applicants to determine if projects are following the Program of Projects (POP), as set forth in the agency's application. The Department and MPOs are required to place draft and final planning documents on their websites for public review and comment.

- 3) Financial assistance is awarded through an annual statewide application process. A "Notice of Funding Availability" is posted on the Department website and emailed to agencies that are currently receiving, have received funding in the past or have requested an application since the last application cycle. Department staff provides technical assistance to applicants, as requested, prior to the application deadline. Applications are reviewed for completeness before a selection committee formally considers each application. Approved projects are included in a Program of Projects (POP) which is formally adopted by the Department. Once federal funds are available, approved recipients are notified and necessary agreements are executed. Purchase orders and requests for reimbursement (expenses) are submitted by subrecipients for review.
- 4) Section 5310 subrecipients certify annually they are in compliance with Title VI and Equal Access for Persons with Disabilities. Section 5311 subrecipients are required to submit their reports with their annual application. Reports are reviewed and the agencies are contacted for additional information or clarification, as needed. Subrecipients are required to complete and submit Title VI investigations and complaint forms.

REPORTING REQUIREMENTS

As a primary recipient of FTA funding, the Department passes FTA funding through to eligible subrecipients. The Department is not a direct recipient of FTA funds.

In support of the Department's Title VI Program, the PTP Section of the Transportation Planning and Policy Division monitors certain reporting requirements and provides the Federal Transit Administration the following information in fulfillment of those reporting requirements.

1. Requirement to Provide Standard Title VI Assurances

The Department submits its Certifications and Assurances to FTA through Transit Award Management System (TrAMS). Subrecipients provide their Certifications and Assurances in conjunction with applications for program funding and these documents are retained with application materials.

The Department's Standard DOT Title VI Assurances are included in Attachment One, including Appendixes A, B, C, D & E.

2. Requirement to Develop Title VI Complaint Procedures

The Department has developed procedures for investigating and tracking Title VI complaints that may be filed against the Department or subrecipients and for making these procedures available to members of the public upon request. Subrecipients are required to have a similar tracking procedure for complaints as shown in Attachment Four.

3. Requirement to Record Title VI Investigations, Complaints and Lawsuits

In compliance with 49 CFR Section 21.9(b), the Department (and any sub-recipient) shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the Department (or sub-recipient) alleging discrimination on the basis of race, color, national origin or Limited English Proficiency. This list shall include the date the investigation, lawsuit, or complaint was filed and received by the Department, a summary of the allegation(s), the status of the investigation, lawsuit or complaint, actions taken by the Department (or sub-recipient) in response to the investigation, lawsuit, or complaint and the date that the Complainant was notified of the resolution of the case.

The Department's form for recording this information is included in Attachment Five. The list shall comprise of all the records of active investigations, lawsuits, and complaints recorded on these forms. During the processing of active investigations, lawsuits, or complaints, the Title VI Specialist or Title VI Coordinator shall update the record form as necessary. Upon resolution and closure of an investigation, lawsuit or complaint, the Title VI Specialist or Title VI Coordinator shall record such closure on this form, including the date that notice of resolution was provided to the complainant.

During the most recent reporting period, there were no Title VI complaints, investigations, or lawsuits filed against the Department or its subrecipients.

4. Requirement to Provide Meaningful Access to Limited English Proficient (LEP) Persons

In response to Executive Order 13166, the Department takes steps to ensure meaningful access to the benefits, services, information, and other important portions of its public transit program for individuals who are Limited English Proficient (LEP). Free language assistance is available upon request.

U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates (See Attachment Two) show the most common language spoken by LEP households in Arkansas is Spanish; thirteen counties count more than 1,000 Spanish or Spanish Creole speakers each. Over one thousand LEP households speak Vietnamese in one county

and Other Pacific Island languages in another. Both counties are already included above due to their significant Spanish or Spanish Creole LEP populations. Three counties present over 1,000 LEP individuals, but no one language meets the 1,000 threshold individually.

A majority of the Rural Area Transit Agencies provide brochures in Spanish. In most areas less than one percent of LEP individuals are utilizing transit services; however, utilization is at 15% for one transit system in northwest Arkansas. This system is a bilingual agency with both dispatchers and drivers available to communicate and translate as needed. Agencies are testing tablet-based software that offers immediate translation to allow drivers and LEP passengers to communicate. The tablets are already onboard serving another purpose, so this could be a low-cost solution if it works out. The cost to translate brochures (route maps and schedules, policies, etc.) had limited impact on the budget due to staff support and support/resources from other organizations.

The Department continues to analyze the estimated number of LEP persons in the state and languages spoken as new data becomes available (see Attachment Six page three). Upon request, demographic information is provided to subrecipients. The Department recently added a link to demographic information to its webpage to allow subrecipients to do scenario planning to measure the potential impacts to minority, poverty and LEP communities from proposed route and fare adjustments. Additionally, the Department continues to identify steps to improve services to LEP persons. Refer to Attachment Six for a copy of the Department's LEP Plan. The LEP Plan contains a Four Factor Analysis and a Language Assistance Plan for transit highway and transit activities.

Attachment Two includes the amount of Federal, State, and local funds obligated by the Department for transit service in 2016-2018. Section 5307 funds awarded directly by FTA are not obligated by the Department and are not included in this analysis.

In Attachment Two, counties where the percentage of Minority, Poverty, Hispanic or Latino, and Limited English Proficiency (LEP) individuals or households are greater than the state average, cells are displayed in blue. Counties whose Median Household Income is below state average are also displayed in blue, as are counties where the number of LEP individuals exceeds Federal "Safe Harbor" provisions.

Attachment Six page nine, contains counties whose LEP resident populations are greater than Safe Harbor Provisions. Approximately 58 percent of the State's population lives in these counties, which include all large urban and several small urban areas where Section 5307 and other transit funding is provided directly from FTA. In addition to the funds awarded directly through FTA, 25 percent of the Department's transit funds were obligated to providers in these sixteen counties. This combination of funding demonstrates an equitable distribution of funds and that LEP Households have not been disproportionately impacted in the use of transit funds.

5. Requirement to Notify Beneficiaries of Protection under Title VI

All meetings are open to the public and public meetings are held in places accessible to persons with disabilities. If an individual requires accommodation, contact information is provided to ensure coordination.

The Department has established methods for notification to the public regarding its Title VI obligations, explaining how to access information regarding the Department's non-discrimination obligations, and procedures for filing a discrimination complaint against the Department or its subrecipients. Subrecipients are encouraged to adopt this notice format for their use and publish their notice on their websites, incorporate it in all public documents and display it at all public meetings. The Department's public Notice of Nondiscrimination is included in Attachment Seven.

6. Requirement to Provide Additional Information Upon Request

Upon written request, the Department (and subrecipients) will provide additional information beyond that required by the circular.

7. Requirement to Prepare and Submit a Title VI Program

The Department is required to submit a Title VI Program that has been approved by its governing board or highest official every three years. Mr. Scott E. Bennett, P.E. is the highest official for the Department. Therefore, the submission letter is verification of agency approval.

8. Conducting an Environmental Justice Analysis on Construction Projects

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)," was enacted to reinforce Title VI of the Civil Rights Act of 1964. Additional guidance is provided through FTA Circular 4703.1.

The Civil Rights Act states, "*No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*"

Executive Order 12898 states, "*Each Federal agency shall make achieving environmental justice part of its mission identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.*"

The Department enforces Environmental Justice in the same manner as Title VI. Environmental Justice is included as review criteria in the annual Title VI Compliance

Review and as part of the Categorical Exclusion (CE) Checklist. Refer to Attachment Eight.

There were no construction projects implemented during this reporting period.

9. Inclusive Public Participation Plan

The statewide transportation planning process includes the development, administration, and update of highway, transit, bicycle/pedestrian, rail, intermodal, and air plans and programs in accordance with federal and state laws, regulations and policies. The process relies heavily on ongoing public involvement efforts to involve stakeholders, the public, other state and local agencies, and local officials in the decision making process.

Arkansas has the following eight Metropolitan Planning Organizations (MPOs) that play a major role in public involvement. Refer to Attachment Nine for the Public Participation Plan.

Statewide Metropolitan Planning Organizations

CARTS	NARTS
Casey Covington (Study Director)	Tim Conklin (Assistant Director)
Tab Townsell (Executive Director)	Jeff Hawkins (Executive Director)
Metroplan	Northwest Arkansas Regional Planning Commission
501 W Markham St, Suite B	1311 Clayton Street
Little Rock, AR 72201	Springdale, AR 72762
Phone: 501-372-3300	Phone: 479-751-7125
Email: Ccovington@metroplan.org	Email: tconklin@nwarpc.org
Email: ttownsell@metroplan.org	Email: jhawkins@nwarpc.org
www.metroplan.org/	www.nwarpc.org/
ARDOT Districts: 6 & 8	ARDOT Districts: 4 & 9
ARDOT Coordinator: Paul Simms	ARDOT Coordinator: Paul Simms
FHWA Contact: Amy Heflin	FHWA Contact: Amy Heflin
TUTS	Frontier
Rea Donna Jones (MPO Director)	Reese Brewer (Study Director)
JoAnne Gray (Assistant Planner)	Sasha Grist (Executive Director)
Texarkana MPO	Frontier MPO
220 Texas Blvd	1109 S. 16 th Street
Texarkana, TX 75501	Fort Smith, AR 72901
Phone: 903-798-3927	Phone: 479-785-2651
Email: ReaDonna.Jones@txkusa.org	Email: sgrist@wapdd.org
Email: joanne.gray@txkusa.org	Email: rbrewer@wapdd.org
www.texarkanampo.org/	www.frontiermpo.org/
ARDOT District: 3	ARDOT District: 4
ARDOT Coordinator: Chris Dillaha	ARDOT Coordinator: Paul Simms
FHWA Contact: Valera McDaniel	FHWA Contact: Valera McDaniel
HSATS	JATS
Emmily Tiampati (Study Director)	Cecelie Cochran (Study Director)
Dwayne Pratt (Executive Director)	Alan Pillow (MPO Planner I)
Tri-Lakes MPO	NE Arkansas Regional Transportation Planning Commission
1000 Central Ave	300 South Church St
Hot Springs, AR 71901	Jonesboro, AR 72401
Phone: 501-302-5028	Phone: 870-933-4623
Email: etiampati@wcapdd.org	Email: etait@jonesboro.org
www.wcapdd.dina.org/index.php/hot-springs-area-mpo	www.jonesboro.org/191/Metropolitan-Planning-Organization
ARDOT District: 6	ARDOT District: 10
ARDOT Coordinator: Paul Simms	ARDOT Coordinator: Anthony Hunter
FHWA Contact: Valera McDaniel	FHWA Contact: Valera McDaniel

PBATS	WMATS
Larry Reynolds (Director)	Eddie Brawley (Study Coordinator)
Vickie White (Office Manager)	Bobby Williams (Transportation Planner) 796 West Broadway
Southeast Arkansas Regional Planning Commission	West Memphis MPO – Mayor Marco McClendon
1300 Ohio St, Suite B	205 South Redding
Pine Bluff, AR 71601	Both are located in West Memphis, AR 72301
Phone: 870-534-4247	Phone: 870-735-8148
Email: larryreynolds@cablelynx.com	Email: ebrawley@sbcglobal.net
www.searpc.com/	www.wmats.org/index.html
ARDOT District: 2	ARDOT District: 1
ARDOT Coordinator: Anthony Hunter	ARDOT Coordinator: Paul Simms
FHWA Contact: Valera McDaniel	FHWA Contact: Amy Heflin

The Department completed a study in 2012 to assess the need of public transit service and in 2018 a study to facilitate coordination of transit service among existing providers. Each study provided opportunities for public involvement by all Arkansas citizens.

TransSystems consultants completed a public transit needs assessment for each county in Arkansas. During the development of this assessment, three series of public involvement meetings were conducted in each of the eight Arkansas' Planning and Development Districts. A single statewide Public Transit Coordination plan was developed for the Section 5310 program in 2018. Six regional meetings were conducted to inform representatives of public, private, non-profit transportation and human services providers and participation by members of the public. The Arkansas Public Transportation Coordination Council approved the Needs Study January 10, 2013. Alliance Consultants helped develop the Public Coordination Plan, which was adopted in 2018.

**ATTACHMENT ONE
STANDARD DOT TITLE VI
ASSURANCES**

ARKANSAS DEPARTMENT OF TRANSPORTATION
Standard Title VI/Non-Discrimination Assurances

The Arkansas Department of Transportation (herein referred to as the "ARDOT"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to

a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The ARDOT, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

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

Arkansas Department of Transportation
(Name of Recipient)

By Scott E. Bennett
Scott E. Bennett, P.E.
Director of Arkansas Department
of Transportation

DATED 7/30/2018

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to 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. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the 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 to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Department will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federal-Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the ARDOT all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the ARDOT 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 Department, its successors and assigns.

The ARDOT, 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 ARDOT 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, Non-discrimination 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 abovementioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction]. * (*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the ARDOT 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 ^H as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the ARDOT will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the ARDOT 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 ARDOT and its assigns. *

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

APPENDIX D

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

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

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

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

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 USC. § 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).

ATTACHMENT TWO
2016-2018 FTA FUNDING
BY COUNTY AND CENSUS
DATA

FTA SECTIONS
5305, 5310, 5311, 5339
PROGRAMS

ARKANSAS: AND PUBLIC TRANSIT OBLIGATIONS AND CENSUS DATA

BY COUNTY - STATE FY 2016 - 2018

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		LEP (2016)		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent	Number	Percent			
STATEWIDE (2017)	3,004,279	684,637	22.8%	395,565	13.3%	\$43,813	213,246	7.1%	89,855	3.0%	60,969,154	100.0%	100.0%

By County (2010)

ARKANSAS	18,352	5,360	29.8%	2,695	15.0%	\$38,532	513	2.8%	280	1.6%	1,626,486	2.7%	0.6%
ASHLEY	20,771	6,710	33.1%	3,347	16.5%	\$36,407	1,069	5.1%	405	2.0%	921,148	1.5%	0.7%
BAXTER	41,093	1,282	3.1%	3,557	8.6%	\$40,072	688	1.7%	306	0.8%	508,760	0.8%	1.4%
BENTON	251,823	38,522	14.5%	21,570	8.1%	\$61,271	34,283	13.6%	14,655	6.8%	1,887,807	3.1%	8.4%
BOONE	37,212	1,279	3.4%	4,000	10.7%	\$40,727	674	1.8%	225	0.6%	921,529	1.5%	1.2%
BRADLEY	10,994	4,574	42.1%	1,890	17.4%	\$36,310	1,516	13.8%	538	5.1%	825,635	1.4%	0.4%
CALHOUN	5,194	1,367	26.1%	803	15.3%	\$37,225	152	2.9%	8	0.2%	2,035,918	3.3%	0.2%
CARROLL	27,782	2,853	10.2%	2,794	10.0%	\$39,686	3,489	12.6%	1,737	6.7%	1,139,434	1.9%	0.9%
CHICOT	11,008	6,936	65.2%	2,702	25.4%	\$32,412	542	4.9%	277	2.6%	929,475	1.5%	0.4%
CLARK	22,495	6,477	29.1%	3,232	14.5%	\$37,144	926	4.1%	224	1.0%	1,604,563	2.6%	0.7%
CLAY	15,190	401	2.7%	2,462	16.5%	\$32,219	217	1.4%	188	1.3%	163,149	0.3%	0.5%
CLEBURNE	25,361	840	3.4%	2,680	10.7%	\$42,312	517	2.0%	225	0.9%	303,541	0.5%	0.8%
CLEVELAND	8,332	1,237	15.1%	1,181	14.4%	\$44,840	145	1.7%	33	0.4%	865,231	1.4%	0.3%
COLUMBIA	23,992	9,856	41.7%	5,080	21.5%	\$37,072	533	2.2%	377	1.6%	1,212,008	2.0%	0.8%
CONWAY	20,954	3,356	16.0%	2,803	13.4%	\$39,638	757	3.6%	419	2.1%	390,851	0.6%	0.7%
CRAIGHEAD	104,246	18,120	16.9%	13,925	13.0%	\$45,672	4,277	4.1%	1,927	2.1%	1,520,394	2.5%	3.5%
CRAWFORD	62,119	6,754	10.7%	8,000	12.7%	\$43,504	3,760	6.1%	2,051	3.5%	780,169	1.3%	2.1%
CRITTENDEN	49,278	27,456	56.3%	9,019	18.5%	\$38,558	1,014	2.1%	391	0.8%	499,303	0.8%	1.6%
CROSS	17,164	4,375	25.9%	2,277	13.5%	\$41,081	266	1.5%	77	0.5%	201,861	0.3%	0.6%
DALLAS	7,585	3,640	49.2%	658	8.9%	\$35,794	188	2.5%	131	1.8%	2,279,945	3.7%	0.6%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		LEP		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent	Number	Percent			
DESHA	12,094	6,778	57.6%	3,117	26.5%	\$27,036	578	4.8%	255	2.2%	899,344	1.5%	0.4%
DREW	18,620	5,770	31.1%	3,672	19.8%	\$36,092	454	2.4%	205	1.2%	949,797	1.6%	0.6%
FAULKNER	121,282	17,817	14.4%	13,355	10.8%	\$50,316	4,435	3.7%	1,573	1.4%	1,080,414	1.8%	4.0%
FRANKLIN	17,803	904	5.1%	2,540	14.2%	\$39,472	371	2.1%	115	0.7%	175,650	0.3%	0.6%
FULTON	12,092	388	3.2%	1,881	15.6%	\$36,051	97	0.8%	47	0.4%	373,273	0.6%	0.4%
GARLAND	97,994	13,060	13.2%	12,826	13.0%	\$41,672	4,622	4.7%	2,186	2.4%	1,838,515	3.0%	3.3%
GRANT	18,076	913	5.0%	1,944	10.7%	\$49,968	392	2.2%	56	0.3%	817,480	1.3%	0.6%
GREENE	44,197	1,512	3.4%	5,181	11.5%	\$45,566	901	2.0%	318	0.8%	168,766	0.3%	1.5%
HEMPSTEAD	22,154	9,178	42.0%	3,979	18.2%	\$38,701	2,713	12.2%	1,267	6.1%	295,257	0.5%	0.7%
HOT SPRING	33,480	4,744	14.1%	3,693	11.0%	\$40,626	919	2.7%	254	0.8%	1,753,482	2.9%	1.1%
HOWARD	13,472	3,895	28.9%	2,224	16.5%	\$34,851	1,349	10.0%	618	4.8%	171,060	0.3%	0.4%
INDEPENDENCE	37,097	2,959	7.9%	5,176	13.8%	\$39,945	2,139	5.8%	924	2.7%	514,542	0.8%	1.2%
IZARD	13,521	578	4.2%	1,683	12.3%	\$39,135	208	1.5%	51	0.4%	373,273	0.6%	0.5%
JACKSON	17,429	3,634	21.2%	3,136	18.3%	\$32,783	436	2.5%	97	0.6%	323,612	0.5%	0.6%
JEFFERSON	71,373	44,928	65.0%	12,925	18.7%	\$37,630	1,219	1.7%	660	0.9%	1,527,735	2.5%	2.4%
JOHNSON	26,155	3,260	12.3%	4,195	15.8%	\$35,758	3,094	11.8%	1,000	4.2%	175,650	0.3%	0.9%
LAFAYETTE	7,051	3,003	43.8%	1,400	20.4%	\$32,500	131	1.9%	32	0.5%	41,472	0.1%	0.2%
LAWRENCE	16,777	463	2.8%	2,165	13.1%	\$37,603	158	0.9%	26	0.2%	233,805	0.4%	0.6%
LEE	9,614	6,043	65.9%	1,798	19.6%	\$27,901	168	1.7%	79	0.8%	850,478	1.4%	0.3%
LINCOLN	13,885	4,727	34.6%	1,856	13.6%	\$38,873	452	3.3%	160	1.2%	817,480	1.3%	0.5%
LITTLE RIVER	12,494	3,223	26.1%	1,718	13.9%	\$36,963	357	2.9%	58	0.5%	156,413	0.3%	0.4%
LOGAN	21,802	1,509	6.9%	3,085	14.2%	\$37,982	510	2.3%	294	1.4%	181,141	0.3%	0.7%
LONOKE	71,568	7,003	9.6%	6,415	8.8%	\$57,290	2,246	3.1%	561	0.9%	1,830,553	3.0%	2.4%
MADISON	15,907	1,006	6.2%	2,287	14.0%	\$42,894	759	4.8%	278	1.9%	516,897	0.8%	0.5%
MARION	16,374	507	3.1%	2,152	13.1%	\$36,113	287	1.8%	46	0.3%	413,660	0.7%	0.5%
MILLER	43,760	12,328	28.0%	7,565	17.2%	\$41,862	1,038	2.4%	130	0.3%	1,074,817	1.8%	1.5%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		LEP		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent	Number	Percent			
MISSISSIPPI	43,534	17,827	42.3%	8,685	20.6%	\$36,417	1,695	3.9%	589	1.4%	204,213	0.3%	1.4%
MONROE	7,420	3,565	50.3%	1,339	18.9%	\$31,584	132	1.8%	26	0.4%	923,712	1.5%	0.2%
MONTGOMERY	9,059	529	5.9%	1,231	13.8%	\$35,252	361	4.0%	134	1.5%	1,503,937	2.5%	0.3%
NEVADA	8,528	3,064	36.8%	1,574	18.9%	\$36,995	220	2.6%	81	1.0%	146,157	0.2%	0.3%
NEWTON	7,898	329	4.2%	845	10.8%	\$38,134	141	1.8%	25	0.3%	436,937	0.7%	0.3%
OUACHITA	24,378	11,237	47.1%	5,442	22.8%	\$32,136	408	1.7%	195	0.8%	1,603,198	2.6%	0.8%
PERRY	10,320	506	4.9%	1,128	10.9%	\$46,168	247	2.4%	35	0.4%	84,395	0.1%	0.3%
PHILLIPS	19,518	14,139	76.1%	4,736	25.5%	\$26,652	287	1.5%	109	0.6%	910,276	1.5%	0.6%
PIKE	10,893	1,128	10.5%	1,341	12.5%	\$36,893	727	6.7%	323	3.1%	1,503,937	2.5%	0.4%
POINSETT	24,098	2,494	10.3%	3,889	16.1%	\$37,487	543	2.3%	125	0.5%	204,213	0.3%	0.8%
POLK	20,212	1,518	7.5%	4,225	21.0%	\$33,870	1,190	5.9%	332	1.7%	285,706	0.5%	0.7%
POPE	63,372	6,481	10.2%	9,320	14.6%	\$40,668	4,168	6.6%	1,884	3.2%	419,666	0.7%	2.1%
PRAIRIE	8,309	1,186	14.4%	1,080	13.1%	\$41,244	81	1.0%	1	0.0%	948,282	1.6%	0.3%
PULASKI	392,848	162,697	41.3%	48,851	12.4%	\$48,850	22,168	5.6%	12,451	3.4%	2,127,492	3.5%	13.1%
RANDOLPH	17,514	630	3.6%	2,476	14.1%	\$35,930	283	1.6%	83	0.5%	272,420	0.4%	0.6%
SALINE	119,323	10,140	8.5%	6,443	5.4%	\$58,985	4,087	3.4%	1,437	1.4%	2,660,295	4.4%	4.0%
SCOTT	10,445	1,353	13.0%	1,546	14.8%	\$37,396	782	7.5%	312	3.0%	217,357	0.4%	0.3%
SEARCY	7,938	328	4.1%	953	12.0%	\$36,716	121	1.5%	13	0.2%	557,771	0.9%	0.3%
SEBASTIAN	128,107	29,400	22.9%	21,138	16.5%	\$40,932	15,445	12.1%	8,124	6.9%	1,498,041	2.5%	4.3%
SEVIER	17,115	5,109	29.9%	2,858	16.7%	\$43,675	5,220	30.5%	2,462	15.5%	227,378	0.4%	0.6%
SHARP	17,393	682	3.9%	3,113	17.9%	\$31,792	290	1.7%	238	1.5%	92,818	0.2%	0.6%
ST. FRANCIS	26,688	15,756	60.8%	5,601	21.6%	\$33,102	1,149	4.3%	713	2.8%	275,043	0.5%	0.9%
STONE	12,443	399	3.2%	1,793	14.3%	\$33,091	157	1.3%	40	0.3%	92,818	0.2%	0.4%
UNION	40,022	15,363	38.9%	6,193	15.7%	\$41,106	1,460	3.6%	682	1.8%	2,540,775	4.2%	1.3%
VAN BUREN	16,751	697	4.2%	2,542	15.4%	\$34,428	475	2.8%	181	1.1%	352,089	0.6%	0.6%
WASHINGTON	223,683	40,812	17.6%	26,680	11.5%	\$47,452	31,458	14.1%	20,091	10.2%	1,979,923	3.2%	7.4%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		LEP		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent	Number	Percent			
WHITE	78,706	6,651	8.4%	9,561	12.1%	\$44,074	2,879	3.7%	1,156	1.6%	210,773	0.3%	2.6%
WOODRUFF	6,763	2,185	33.3%	1,222	18.6%	\$30,097	87	1.3%	0	0.0%	256,312	0.4%	0.2%
YELL	21,601	2,959	13.7%	3,121	14.5%	\$39,696	4,230	19.6%	1,953	9.6%	261,447	0.4%	0.7%
By County Total	2,981,895	670,689		395,565			186,050		89,559		60,969,154	100.0%	100%

NOTES and Data Sources:

Data is for Planning and Project Selection Purposes Only: Use of various data sources required extrapolation of some values

All Statewide Estimates: ACS 2017

By County Estimates: ACS 2010

Minority Estimates: Total Population Minus Whites

LEP Estimates: AHTD Title VI Program Updated Plan (June 2016)

Public Transit Obligations: Derived from Capital Spreadsheets for FY 2016-2018

Public Transit Obligations: County level data is extrapolated: dividing total funds allocated by counties served

Public Transit Obligations: Funds awarded to ARDOT as Primary Recipient and funds awarded by ARDOT /Sub-recipients as Local Match

Public Transit Obligations: Includes Sections 5305, 5310, 5311, and 5339 Program Funds

Public Transit Obligations: Direct Recipients funded directly by FTA are not reflected in this analysis

ATA and Remaining Values were totaled and distributed on a statewide basis by county (see working totals)

When necessary - project selection is based on data supported decision making, past performance, need, and institutional knowledge

<https://www.census.gov/acs/www/data/data-tables-and-tools/american-factfinder/>

ATTACHMENT THREE
SUBRECIPIENT
TITLE VI CHECKLIST

TITLE VI PROGRAM CHECKLIST

Agency: _____ Year: _____

All recipients must submit every three years:

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and Limited English Proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with Limited English Proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT's, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

Requirements of Transit Providers (Chapter IV)

All Fixed Route Transit Providers must submit:

- All requirements set out in Chapter III (General Requirements)
- Service standards
 - o Vehicle load for each mode
 - o Vehicle headway for each mode

- On time performance for each mode
- Service availability for each mode
- Service policies
 - Transit Amenities for each mode
 - Vehicle Assignment for each mode

Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Requirements of States (Chapter V)

States must submit:

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
- Demographic profile of the State
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the State’s transportation system investments that identifies and addresses any disparate impacts
- A description of the Statewide planning process that identifies the transportation needs of minority populations
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
- Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

Requirements of MPOs (Chapter VI)

Metropolitan Planning Organizations and other planning entities must submit:

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation
- Demographic profile of the metropolitan area
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
- Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)

Source: FTA C 4702.1B, App A-1, Dated October 1, 2012

**ATTACHMENT FOUR
INVESTIGATING AND
PROCESSING
COMPLAINTS**

ATTACHMENT FOUR INVESTIGATING AND PROCESSING COMPLAINTS

The investigation and processing of all alleged complaints of discrimination received by the Department will be accomplished by the EEO Section.

When an allegation of discrimination is filed directly with the Department or the Department is notified that an allegation has been filed with other federal, state, or local authorities, the Department will:

1. Notify the appropriate agency (Federal Transit Administration, Federal Highway Administration, Federal Railroad Administration, etc.) within ten (10) working days of the allegation. As a minimum, the following information will be included in every notification:
 - Name, address, telephone number of the complainant.
 - Names(s) and address(s) of alleged discriminating official(s).
 - Basis of complaint (i.e. race, color, religion, sex, national origin, disability, age).
 - Date of alleged discriminatory act(s).
 - Date complaint was received by the Department.
 - A copy of the complaint when it becomes available or a statement of the complaint until a copy is available.
 - Other agencies (state, local or federal) with which the complaint has been filed.
 - An explanation of the actions the Department has taken or proposes to resolve the issues raised in the complaint.
2. Acknowledge receipt of the allegation, informing the complainant of action taken or proposed to process the allegation and advising the complainant of other avenues of redress available, within ten (10) working days.
3. Contact the complainant to determine that the issues and concerns are understood and considered in the review.
4. Investigate the allegation and based on the information obtained, determine whether or not discrimination occurred.
5. Prepare a report of findings.
6. Notify the complainant within 45 days from the receipt of the allegation of the findings and decision reached including proposed disposition. The notification will advise the complainant of avenues for appeal if dissatisfied with the decision. The proposed resolution will require action adequate to correct and prevent similar occurrences of discrimination.

7. Provide the appropriate agency with the decision and a summary of the findings within 45 days after receipt of the allegation.
8. Periodically inform the appropriate agency regarding the status of complaints.
9. Informal attempts will be made to resolve the matters. These attempts and the results will be synopsized in the report of investigations.
10. The procedure outline herein will not prohibit interagency agreements between the Department and state or local Federal Employment Practice agencies.
11. The fact that an allegation has been filed directly with the Federal Transit Administration, Federal Highway Administration, Federal Railroad Administration, etc. will not relieve the Department of the responsibility for taking action pursuant to its own internal procedures.

ATTACHMENT FIVE
TITLE VI
COMPLAINT
FORM

ATTACHMENT FIVE

**ARKANSAS DEPARTMENT OF TRANSPORTATION
TITLE VI COMPLIANCE PROGRAM
RECORD OF TITLE VI COMPLAINT, INVESTIGATION, AND
RESOLUTION 49 CFR 21.9(b) and 49 CFR 21.11(b)**

Complainant Name: _____

Address: _____

Telephone Number: _____

Alleged Discriminating Official(s) Name: _____

Address: _____

Complaint Filed with Other Agencies (State, Local or Federal):

1. Date Title VI Complaint Received by the Department: _____

2. Summary of Complaint Allegation(s):

3. Status of Investigation of Complaint:

4. Action(s) Taken by the Department:

5. Date Complaint Resolved or Closed: _____

6. Date Complainant Notified of Resolution: _____

NOTE: Complainants have 180 days from the date of an occurrence to file a complaint with the Department.

ATTACHMENT SIX

**ARKANSAS DEPARTMENT OF
TRANSPORTATION TITLE VI**

**LIMITED ENGLISH
PROFICIENCY PLAN**

Arkansas Highway and
Transportation Department
Title VI Program



Limited
English
Proficiency
Plan

Table of Contents

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WHAT IS LIMITED ENGLISH PROFICIENCY

Limited English Proficiency (LEP) refers to individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English and, therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter.

AUTHORITY

Title VI of the Civil Rights Act of 1964 (Title VI) states 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.

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency (LEP)* set forth the compliance standards that recipients must follow to ensure that the program and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. Recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

DEPARTMENT RESPONSIBILITY

The following chart explains the Department's responsibility under Title VI and the EO13166.

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
Federal law	Federal policy
Enacted July 2, 1964	Signed August 11, 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight	Contains monitoring and oversight
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage
Provides protection on the basis of age, disability, sex, race, color, and national origin	Provides protection on the basis of national origin
Focuses on eliminating discrimination in federally funded programs	Focuses on providing LEP persons with meaningful access to
Annual Accomplishment and Upcoming Goals Report to FTA	Annual Accomplishment and Upcoming Goals Report to FTA

Since Arkansas' diverse population is ever evolving, it is important that the Department be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

The U.S. Department of Commerce, Bureau of the Census, conducts the American Community Survey (ACS). The ACS replaced the decennial census long form in 2010 and thereafter by collecting long form type information throughout the decade rather than only once every 10 years.

Questionnaires are mailed to a sample of addresses to obtain information about households -- that is, about each person and the housing unit itself. The American Community Survey produces demographic, social, housing and economic estimates in the form of 1-year, 3-year and 5-year estimates based on population thresholds. The strength of the ACS is in estimating population and housing characteristics.

The 2010-2014 American Community Survey 5-Year Estimates (Table DP05-ACS Demographic and Housing Estimates) is the source of the population information included in this program. In the ACS, respondents may identify as a single race or as a combination of races. People who identify their origin as Hispanic, Latino, or Spanish may be of any race. LEP is a subset of National or Hispanic Origin. A breakdown of the total population in Arkansas follows:

RACE AND HISPANIC OR LATINO	Estimate	Percent
Total population	2,947,036	100%
Hispanic or Latino (of any race)	198,109	6.70%
Not Hispanic or Latino	2,748,927	93.30%
White alone	2,178,191	73.90%
Black or African American alone	455,402	15.50%
American Indian and Alaska Native alone	16,689	0.60%
Asian alone	38,025	1.30%
Native Hawaiian and Other Pacific Islander alone	6,178	0.20%
Some other race alone	2,779	0.10%
Two or more races	51,663	1.80%
Two races including Some other race	884	0.00%
Two races excluding Some other race, and Three or more races	50,779	1.70%

According to the U.S. Department of Commerce, Bureau of the Census, there are 89,599 Arkansans who speak a language other than English and speak English less than well. The following table includes geographies and languages that surpass LEP Safe Harbor provisions. Attachment Three contains a breakdown of Limited English Proficiency (LEP) along with minority populations by county.

Number of people 5 years and over speaking English less than "very well" by language*

Arkansas by County, 2010-2014

Geography	Total	Spanish or Spanish Creole	Chinese	Laotian	Vietnamese	Other Asian languages	Tagalog	Other Pacific Island languages
Arkansas	89,559	68,847	2,358	1,701	3,088	1,000	1,074	3,151
Benton County, Arkansas	14,655	12,475	131	197	231	475	66	310
Carroll County, Arkansas	1,737	1,663	16	0	0	0	5	0
Craighead County, Arkansas	1,927	1,387	96	0	64	0	37	116
Crawford County, Arkansas	2,051	1,672	52	169	55	0	0	0
Faulkner County, Arkansas	1,573	1,106	98	0	15	24	5	0
Garland County, Arkansas	2,186	1,526	18	12	68	7	89	0
Hempstead County, Arkansas	1,267	1,264	0	0	0	0	0	0
Johnson County, Arkansas	1,000	816	0	0	0	58	0	44
Pope County, Arkansas	1,884	1,582	41	22	0	0	87	51
Pulaski County, Arkansas	12,451	8,599	525	11	349	353	338	44
Saline County, Arkansas	1,437	998	256	51	0	0	4	0
Sebastian County, Arkansas	8,124	5,151	94	677	1,747	37	17	48
Sevier County, Arkansas	2,462	2,413	0	0	14	0	24	0
Washington County, Arkansas	20,091	14,614	542	339	305	19	197	2,503
White County, Arkansas	1,156	853	49	0	47	0	0	0
Yell County, Arkansas	1,953	1,873	0	23	0	0	0	0

Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates

*Languages and counties below safe harbor levels removed for clarity

FOUR FACTOR ANALYSIS

The key to providing meaningful access for LEP persons is to ensure that effective communication exists between the Department and the LEP person. To accomplish effective communication, the following actions and/or discussions will be performed:

- A needs assessment to determine the extent of the Department's obligation to provide LEP services. The assessment includes the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the Department or grantee; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity, or service provided by the Department to people's lives; and (4) the resources available to the Department and costs.
- Provide language assistance services (oral or written).
- Develop an effective implementation plan on language assistance for LEP persons. This plan will include: (1) identifying LEP individuals who need language assistance; (2) language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.

NEEDS ASSESSMENT

The U.S. Census reports that of the 89,599 persons in Arkansas, who could be considered LEP, 68,847, or 76.8%, speak Spanish or Spanish Creole. Spanish or Spanish Creole speakers are found in numbers or as a percentage of the population great enough to surpass Safe Harbor provisions in thirteen counties. Vietnamese and Other Pacific Island languages each surpassed the safe harbor provision in one county.

The Department also evaluated its programs and/or service areas utilizing the four-factor analysis and determined that the Department meets the criteria to have a LEP program for the Hispanic community.

- 1) There are twelve counties, primarily, in the western part of the State, with a higher percentage share of LEP persons than the overall State average (3.3%), although no county meets the LEP Safe Harbor population percentage threshold (5%).

The number of LEP persons exceeds the LEP population threshold (1,000) in sixteen counties: thirteen through Spanish/Spanish Creole speakers and one each in Vietnamese and Other Pacific Island language. One county's LEP population is a composed of a combination of languages that do not individually meet the LEP threshold. Therefore, the Department and its Subrecipients will provide language assistance in thirteen counties in the languages indicated above, as needed.

LEP persons interact with the Department's public transportation programs primarily in two ways. The first is through the development and review of planning documents – Annual Grants' Program of Projects, Transit Coordination Plans, State Management Plans, STIP/TIPs, UPWPs, etc. The second is through the delivery of transit service.

The Department is a Primary Recipient under FTA funding and is responsible for program oversight of Subrecipient transit providers. The Department is not a Direct Recipient under FTA funding and does not provide transit service. Therefore, the Department

ensures that schedules, route/fare changes and policies are adequately conveyed to LEP persons in the aforementioned counties through oversight and monitoring of its Subrecipients who consult census block and tract level data in their LEP analysis.

For planning documents and Notices of Federal Transit Funding Availability, the Department provides notices to the statewide Hispanic paper to inform this group of transit activities. There has been no reporting of communications problems.

- 2) Department staff rarely comes in contact with Hispanic or LEP persons. Even at public meetings for the Department or MPO planning documents, although always informed of the meeting, these groups rarely attend. The Department has not performed any bus ridership or operator surveys to ascertain the frequency of LEP person use.
- 3) The more frequently the Department's program and/or service come in contact with LEP persons, the more language assistance services will be provided. The 5311 Rural Transit programs have translators on staff or available to their program on an as needed basis.
- 4) The Department maintains a database on LEP interpreters and translators. These persons are available to public transportation staff and to transit agencies for public and other meetings as needed. Costs incurred by the Department's public transportation staff or by public transit agencies may be reimbursed by the Federal Transit Administration through the various transit programs.

LANGUAGE ASSISTANCE (ORAL AND WRITTEN)

If individuals need oral language assistance, the Arkansas Spanish Interpreters and Translators (ASIT) will be utilized.

Information for free language assistance will also be posted in public areas, such as welcome centers and rest areas.

Based on three of the four-factor analysis, the Department identified written documents and/or materials that were translated into Spanish, which comprises 77% of the state's LEP community.

The Department will continue to review documents and/or materials to determine if translation is necessary, utilizing the "safe harbor" approach. The Department, on a case-by-case basis, will determine if ASIT will translate the written documents/materials or if it would be more cost effective for the Subrecipient to translate the documents.

NOTIFICATION OF LANGUAGE ASSISTANCE

The Department will notify the identified LEP communities that they have a right to free language assistance that includes documents and/or materials printed in their language. Notification regarding the availability of the services will be provided through neighborhood community meetings, brochures, minority radio stations and newspapers, and information disseminated to the public by the Department. Detailed information on how a community was notified of the right to free language assistance is provided in the Department's Nondiscrimination Statement.

STAFF TRAINING

Training will be provided to staff members on policies and procedures concerning language assistance and ways to determine whether an individual needs assistance

services. The Department and Subrecipients will provide training to employees who are most likely to come in contact with LEP individuals who need language assistance.

MONITORING AND UPDATING THE LEP PLAN

The Department will provide notice of any changes in services to the LEP public and employees and develop a process for determining, on an ongoing basis, whether new documents, program services and activities need to be made accessible to LEP individuals. The Department will periodically evaluate the plan to determine if changes have occurred in:

1. Current LEP populations in the service area or population affected or encountered.
2. Frequency of encounters with LEP language groups.
3. Nature and importance of activities to LEP persons.
4. Available resources, including technological advances and sources of additional resources, and the cost imposed.
5. The needs of LEP persons.
6. The staff's knowledge and understanding of the LEP plan and how it is implemented.
7. The identified sources for assistance, to ensure they are still available and viable.

The data collected will be from various sources, such as the Department's staff, including members of the Title VI Multi-Disciplinary team, meetings with the State Director of the League of the United Latin American Citizens and the Arkansas Department of Education, among others.

VOLUNTARY COMPLIANCE EFFORTS

The goal for Title VI and Title VI regulatory enforcement is to achieve voluntary compliance. The requirement to provide meaningful access to LEP persons is enforced and implemented by the Department of Justice (DOJ) through the procedures identified in Title VI regulations. These procedures include complaint investigations, compliance reviews, efforts to secure voluntary compliance, and technical assistance.

Title VI regulations require the DOJ to investigate whenever it receives a complaint, report, or other information is received that alleges or indicates possible noncompliance with Title VI or its regulations.

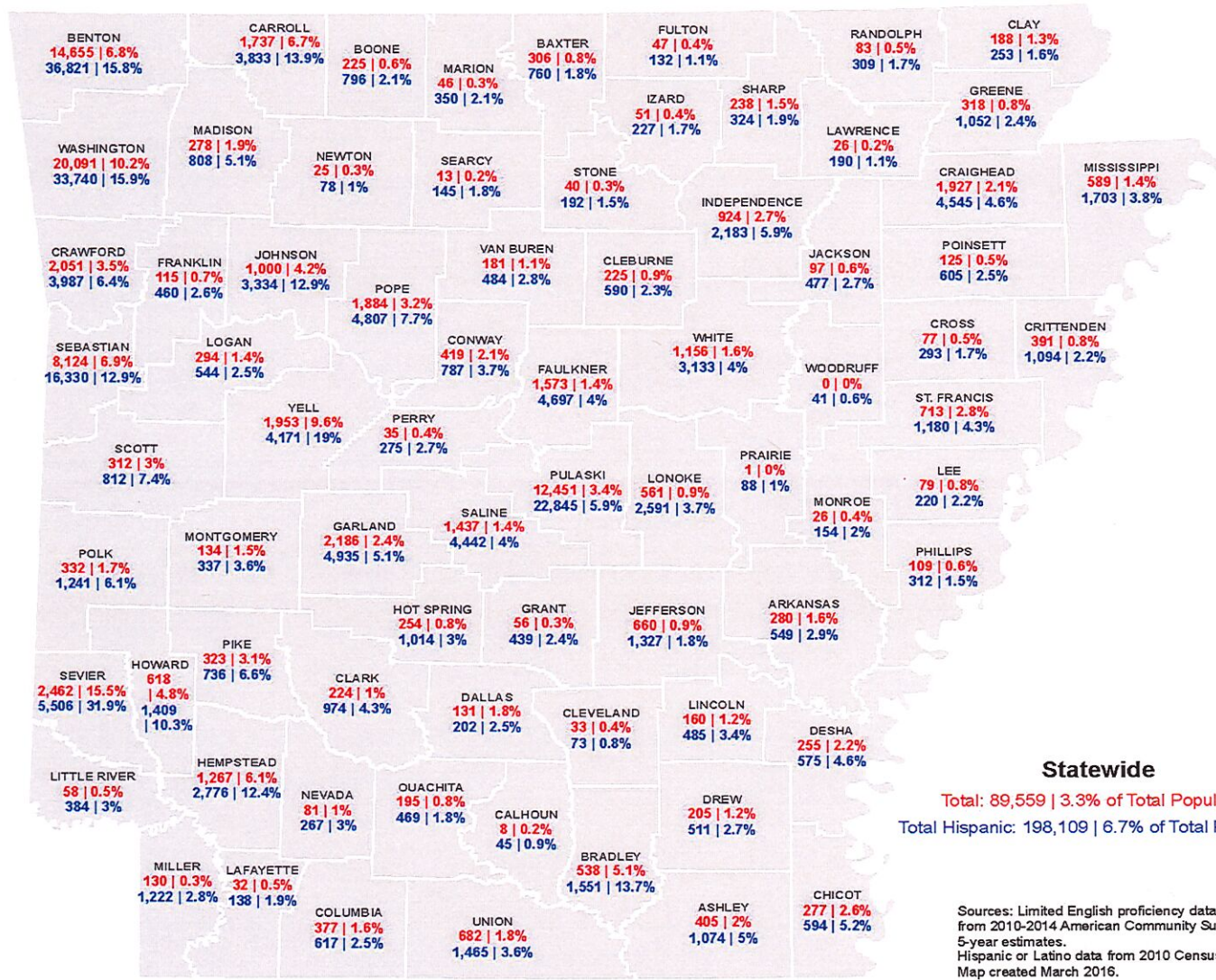
NOTICE OF NONDISCRIMINATION

The Arkansas Department of Transportation (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, Limited English Proficiency (LEP), or Low Income Status in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head – EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501)569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

Limited English Proficiency



Statewide

Total: 89,559 | 3.3% of Total Population
 Total Hispanic: 198,109 | 6.7% of Total Population

Sources: Limited English proficiency data from 2010-2014 American Community Survey 5-year estimates. Hispanic or Latino data from 2010 Census. Map created March 2016.



Number of people 5 years and over speaking English less than "very well" by language*										
Arkansas by County, 2010-2014										
Geography	Total County/State Pop	Total LEP Pop	Spanish or Spanish Creole	Chinese	Laotian	Vietnamese	Other Asian languages	Tagalog	Other Pacific Island languages	Public Transit Obligations
Arkansas	2,947,036	89,559	68,847	2,358	1,701	3,088	1,000	1,074	3,151	\$28,658,882
Benton County, Arkansas	232,611	14,655	12,475	131	197	231	475	66	310	\$921,728
Carroll County, Arkansas	27,626	1,737	1,663	16	0	0	0	5	0	\$429,348
Craighead County, Arkansas	99,835	1,927	1,387	96	0	64	0	37	116	\$675,552
Crawford County, Arkansas	61,825	2,051	1,672	52	169	55	0	0	0	\$344,123
Faulkner County, Arkansas	117,804	1,573	1,106	98	0	15	24	5	0	\$432,359
Garland County, Arkansas	96,804	2,186	1,526	18	12	68	7	89	0	\$774,417
Hempstead County, Arkansas	22,419	1,267	1,264	0	0	0	0	0	0	\$99,772
Johnson County, Arkansas	25,791	1,000	816	0	0	0	58	0	44	\$139,692
Pope County, Arkansas	62,687	1,884	1,582	41	22	0	0	87	51	\$138,630
Pulaski County, Arkansas	388,752	12,451	8,599	525	11	349	353	338	44	\$538,979
Saline County, Arkansas	111,811	1,437	998	256	51	0	0	4	0	\$1,010,230
Sebastian County, Arkansas	126,801	8,124	5,151	94	677	1,747	37	17	48	\$592,418
Sevier County, Arkansas	17,250	2,462	2,413	0	0	14	0	24	0	\$70,438
Washington County, Arkansas	212,238	20,091	14,614	542	339	305	19	197	2,503	\$825,354
White County, Arkansas	78,275	1,156	853	49	0	47	0	0	0	\$143,633
Yell County, Arkansas	21,934	1,953	1,873	0	23	0	0	0	0	\$137,725

Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates

*Languages and counties below safe harbor levels removed for clarity

Public Transit Obligations include funds awarded to the Department as Primary Recipient & funds provided by the Department/Subrecipients as local/state match. Section 5305, 5310, 5311 and 5339 totals are included. Direct Recipients are funded directly by FTA and those funds are not reflected.

ATTACHMENT SEVEN
NOTICE OF
NONDISCRIMINATION

ATTACHMENT SEVEN

ARKANSAS DEPARTMENT OF TRANSPORTATION

NOTICE OF NONDISCRIMINATION

The Arkansas Department of Transportation (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, Limited English Proficiency (LEP), or Low Income Status in the admission, access to and treatment in the Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden Section Head – EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501)569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

ATTACHMENT EIGHT
CATEGORICAL
EXCLUSION

Federal Transit Administration-Region 6

Categorical Exclusion Worksheet

This Worksheet will assist grantees in complying with the National Environmental Policy Act (NEPA). Please contact Region 6 at 817-978-0550 or your FTA Planner if you need any assistance with filling out this form.

Section I:

Project Title: [Click here to enter text.](#)

Project Description (Include the following information in the description):

- Reason for the proposed project
[Click here to enter text.](#)
- Project size or scale
[Click here to enter text.](#)
- Scope of Work
[Click here to enter text.](#)

Attach an image of the project site. If the project involves construction include:

- Project location or map
[Click here to enter text.](#)
- Basic construction site plan showing access points and construction site boundaries
[Click here to enter text.](#)

Section II

Land Use/Zoning:

- Attach a land use map showing the project location and its surrounding parcel's land use classification.
- Attach a zoning map showing/describing the project's zoning classification.

Traffic:

- Describe potential parking/traffic impacts, if any?
Click here to enter text.
- Indicate whether the existing roadways have adequate capacity to handle increased bus or other vehicular traffic.
Click here to enter text.
- Describe connectivity to other transportation facilities and modes, and coordination with relevant agencies.
Click here to enter text.
- If the project will modify an existing roadway configuration include a map/diagram.

Noise:

Does the project have the potential to increase noise?

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 4-1 of FTA's Noise and Vibration Manual.

Yes, please attach a general noise assessment. Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

Vibration:

Does the project cross or have the potential for vibration impacts?

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 9-2 of FTA's Noise and Vibration Manual.

Yes, please include a general vibration assessment. Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

Environmental Justice:

Note: Refer to [FTA's Circular on Environmental Justice](#)

- Determine the presence of minority/low-income populations within the project area.
Click here to enter text.
- Indicate whether the project will have disproportionately high and adverse impacts on minority/low-income populations.
Click here to enter text..
- Describe any outreach efforts targeted specifically at minority/low-income populations
Click here to enter text.

Historic/Cultural Resources:

Note: [Refer to Section 106 process and Section 4\(f\) Handbook](#)

- Describe any cultural, historic, or archaeological resource that is located in or around the immediate vicinity of the proposed project.
Click here to enter text.
- Describe the potential for the project to affect that resource. (Attach any relevant documentation and correspondence). If the project has the potential to affect historic resources the Section 106 process must be followed. Contact your FTA planner for further guidance.
Click here to enter text.

Section 4(f) Resources (Public Parks/Recreation Areas, Historic Sites):

Note: Refer to [Section 4\(f\) Handbook](#)

Is the project located in or adjacent to a publicly-owned park, recreation area or wildlife or waterfowl refuge, or a publicly or privately owned historic district/property?

No

Yes, describe the potential impacts to the park/recreation area

Click here to enter text.

Biological Resources:

Note: Refer to [U.S. Fish & Wildlife Service](#) and the [National Marine Fisheries Service](#)

Are there any species located within the project vicinity that are listed as threatened or endangered under the Endangered Species Act?

No

Yes, describe any critical habitat, essential fish habitat or other ecologically sensitive areas within or near the project area.

Click here to enter text.

Property Acquisition/Relocations:

Will property be acquired for this project?

No

Yes, indicate whether acquisition will result in relocation of individuals/businesses. Attach maps or graphs of affected parcel including relocations.

[Click here to enter text.](#)

Wetlands:

Will the project affect potential/on site/adjacent wetlands?

No

Yes, describe the impact and attach correspondence with the US Army Corps of Engineers

[Click here to enter text.](#)

Water Quality:

Does the project have the potential to impact water quality, including during construction?

No

Yes, describe potential impacts and best management practices which will be in place

[Click here to enter text.](#)

Will there be an increase in new impervious surface or restored pervious surface?

No

Yes, describe potential impacts and proposed treatment for storm water runoff

[Click here to enter text.](#)

Is the project located in the vicinity of an EPA-designated sole source aquifer?

No

Yes, provide the name of the aquifer which the project is located in and describe any potential impacts to the aquifer. Also, include the approximate amount of new impervious surface created by the project.

[Click here to enter text.](#)

Air Quality:

Note: Refer to [Air Quality guidance](#)

Is the project located in an Environmental Protection Agency designated non-attainment or maintenance area?

- No
- Yes, indicate the criteria pollutant below and contact FTA to determine if a hot spot analysis is necessary.
 - Carbon Monoxide (CO)
 - Ozone (O₃)
 - Particulate Matter (PM_{2.5})
 - Particulate Matter (PM₁₀)
 - Oxides of Nitrogen (NO_x)
 - Oxides of Sulfur (SO_x)

Describe any impacts to air quality resulting from the project.

[Click here to enter text.](#)

Does the project require conformity analysis?

- No, it is exempt from conformity analysis under 40 CFR Part 51 §93.126
- Yes, it is not exempt under §93.126 or §93.127

If the non-attainment area is also in a metropolitan area, was the project included in the MPO's Transportation Improvement Program (TIP) air quality conformity analysis?

- No
- Yes, Date of USDOT conformity finding: [Click here to enter a date.](#)

Hazardous Materials:

Is there any known/potential contamination at the project site?
Contamination may include lead/asbestos, above/underground storage tanks, or a history of industrial sites.

No, describe the analysis used to determine whether hazardous materials were present

Click here to enter text.

Yes, describe mitigation and clean-up measures that will be taken to remove hazardous materials. If the project includes property acquisition, a Phase I Environmental Site Assessment may be required for the land to be acquired. Contact the FTA planner to discuss the Phase I Environment Site Assessment requirements.

Click here to enter text.

Prime and Unique Farmlands:

Note: Refer to [Farmland Protection Policy Act](#)

Does the proposal involve the use of any prime or unique farmlands?

No

Yes, describe potential impacts and any coordination with the Soil Conservation Service of the U.S. Department of Agriculture.

Click here to enter text.

Safety/Security:

Describe all measures that would need to be taken and that have been included for the safe and secure operation of the project after its construction.

Click here to enter text.

Construction Impacts:

Describe temporary impacts associated with construction activities such as noise, air quality, sidewalk and road closures, traffic detour/access change, construction schedules (e.g., local ordinance may restrict late night work activity in residential neighborhoods). Describe mitigation measures to address the impacts, if applicable.

Mitigation Measures:

Describe all measures, if any, to be taken to mitigate project impacts.

Click here to enter text.

Submitted by:

Click here to enter text.

Title:

Click here to enter text.

Date:

Click here to enter a date.

**ATTACHMENT NINE
PUBLIC PARTICIPATION
PLAN**

IMPROVING PUBLIC ENGAGEMENT FOR THE LONG-RANGE INTERMODAL TRANSPORTATION PLAN

Existing Efforts & Commitments	Web Site: www.wemovearkansas.com www.wemovearkansasfreight.com	
	Mailing List: <ul style="list-style-type: none"> - TPAG members - PDD/EDD Offices - Public Meeting Sign In - MPO Offices - ARDOT Divisions/Districts - Web Site Sign Up 	
	ARDOT Web Site: <ul style="list-style-type: none"> • The Project is one of the six rotating screens on the ARDOT website; linking to the project web site. 	
	Facebook Presence: <ul style="list-style-type: none"> • www.facebook.com/ARLRITP2040 <ul style="list-style-type: none"> ○ Need Scheduled posts to keep it fresh (Content and Frequency) 	
Proposed Efforts	Twitter Presence: <ul style="list-style-type: none"> • Through the ARDOT Twitter feed • Need Scheduled posts to keep it fresh <ul style="list-style-type: none"> ○ Content ○ Frequency 	Presentation (Meeting) in a Box <ul style="list-style-type: none"> • Provide a standard presentation for anyone to use for District Engineers, MPO meetings, other standing committees • Use technology (iPad, Tablet, mobile devices, etc.) to access site during meeting
	Project Newsletter: <ul style="list-style-type: none"> • One page • Monthly? • Direct to the lists above (pdf) • Posted to website, Facebook, twitter <ul style="list-style-type: none"> ○ Provide to Municipal League, Good Roads, AGC, AAC, Department of Health, Department of Education, AARP for inclusion in their newsletters, AR Trucking Assn. 	Leverage Existing Committees/Meetings TRC Advisory (external members), Intermodal Authority meetings, Safety Committee, Adopt-a-Highway contact list, Bike-Ped Contact list, Transit providers, Waterways Commission (May– Newport; July – Fort Smith)
	Passive Advertising: <ul style="list-style-type: none"> • Project Logo and URL in email signatures of Department staff • Make this a group effort – each Section in TPP plays a role in the development and implementation of the LRP; we need to educate TPP staff and get 'buy in' on importance of LRITP; then let the staff educate the public. 	Non Traditional Audiences: Community Economic Development (CED) at UCA, APA – Arkansas Chapter, Universities with Planning/Public Admin curriculum, Popup Tent at the Little Rock Marathon, Chambers of Commerce, Religious Organizations (tie to social issues), Leadership classes (local and state-level), State Board of Realtors (tie to property value), UAMS, AGIO, GIS Board Meeting
	Proactive Advertising: <ul style="list-style-type: none"> • Materials at regular meetings of Municipal League, Association of Arkansas Counties, include an insert in the City/County mail out from PLAS for the annual expenditure survey for stat reports 	Cultivate Media: Radio, NPR, Talk Business and Politics (one of the Commissioners is a contributor) We will work with the project team to draft content for an article.

Current Practices at the Arkansas Department of Transportation

The following excerpt from the Statewide Long-Range Intermodal Transportation Plan (LRTP) – approved by the Arkansas Highway Commission in 2007— describes in detail the current Public Involvement Procedures in place at the Department.

Note: A new LRTP is being developed and current best practices are being employed to ensure that public involvement shapes the final product and ensures future public involvement under the plan.

PUBLIC INVOLVEMENT PROCEDURES

The Arkansas Department of Transportation has developed the following public involvement methods and processes to ensure opportunities for public review for transportation planning programs administered by the Department as required by federal regulation 23 CFR 450.210. This process is separate and discrete from transportation policy and project development in metropolitan areas with a population greater than 50,000.

The Department will use the following process to consult, notify, solicit input, receive comments and give notice of availability to interested parties for the Statewide Transportation Improvement Program (STIP) and the Statewide Long Range Intermodal Transportation Plan (Long-Range Plan). Maps and charts will be used as visual techniques as much as possible for presenting information included in these documents. Additionally, the Department believes that an effective public involvement process should engage those individuals who could be traditionally underserved in the transportation planning and programming process. In keeping with the Americans with Disabilities Act, the Department will hold meetings at locations that are accessible to people who have disabilities. Upon request, the Department provides assistance in public meetings to persons who are traditionally underserved, including but not limited to hearing impaired, sight impaired, limited English proficiency, minority groups, etc.

The STIP is a document that contains Federally funded highway and transit projects to be undertaken by the Department and the MPOs in the next four years. The STIP describes specific projects, their funding source, route, job limits, and anticipated construction letting dates and is updated every four years.

The Long-Range Plan contains policies that will guide transportation planning for a minimum of 20 years into the future. It is intermodal, that is, it considers policies for highways, rail, air, waterways, rural transit and pedestrian/bicycle forms of transportation. Unlike the STIP, the Long-Range Plan does not contain specific transportation projects. However, it may identify corridors for transportation improvements. The Long-Range Plan is updated every five years.

Transportation planning studies conducted by the Department are also a part of the transportation planning process. These studies provide an evaluation of a particular segment or corridor of the State Highway System. The results of the studies are used as guidelines when proceeding to environmental and design phases of project development.

Current documents may be viewed on the Internet at www.ardot.gov. Additional information may be obtained or questions answered about the public involvement procedures in the following ways:

By Telephone:

By Writing:

Contact Jessie Jones at 501-569-2201

Ms. Jessie Jones, Division Engineer

Transportation and Policy Planning Division

P.O. Box 2261

Little Rock, AR 72203

Process for Public Involvement of Interested Parties on the STIP

Early Involvement

As the Arkansas Highway Commission is structured, each member is a voice for transportation needs throughout the State. As such, the Commission members communicate with local elected officials, community leaders, and business leaders to understand the local and regional transportation strengths and needs.

Arkansas Highway Commission members and Department personnel routinely attend local civic meetings during the year throughout the State to gather information regarding transportation in Arkansas. In addition, meetings are held with local elected officials and other transportation stakeholders on a continual basis. These meetings are vitally important in the development of the STIP and the Long-Range Plan. A dialog is established to discuss the benefits, conditions and needs of the Arkansas transportation network.

Also, regional meetings may be offered by the Department to further discuss statewide, regional, and local needs and opportunities. It is from these meetings as well that corridor needs and specific projects may be identified for possible inclusion into the STIP.

Likewise, formal public meetings are conducted periodically during the planning and early environmental review process. Comments from local officials and transportation stakeholders are received and appropriately incorporated into project planning and design phases. The public is also afforded the opportunity to request improvements or project development via the Department's Public Affairs Office and the Department's web site at www.ardot.gov

Finally, local officials, public transit operators, human service providers and transit dependent persons are afforded an opportunity to comment on roadway and transit projects at an early stage. Agencies applying for transit funding assistance through the Department must publish an opportunity for public comment about their project as part of the application process. In addition, transit agencies are afforded an opportunity to comment on the distribution of Federal and State transit funds and the type of transit projects initiated.

These activities constitute the initiation of the STIP development. In addition, local officials routinely recommend improvement projects for inclusion in the STIP. As projects and improvements are brought forward to the Commission's and Department's attention, they are noted as appropriate for further program development. They are then reviewed and evaluated for inclusion in the STIP as it is being developed.

Development of the STIP

1. Early and continuous involvement occurs as described previously providing input into the preparation of a Draft STIP.
2. A Draft STIP is developed by the Department and approved by the Director relying on information provided by the public and local officials throughout the years, including the Metropolitan Planning Organizations' long-range transportation plans. This draft is also made available on the Department's Internet site at www.ardot.gov
3. A legal notice is published in a statewide newspaper, including those publications that typically serve minority populations, informing the public and local officials that the Draft STIP is available for comment.
4. A press release, including a listing of projects/funding by county, is given to the media informing them of the availability of the Draft STIP for comment.

5. *Letters or notices stating the availability of and soliciting oral and written comments on the Draft STIP are sent to the following officials, community leaders, interest groups and State and Federal agencies*
 - a. *Arkansas Senators and Representatives*
 - b. *Mayors*
 - c. *County Judges*
 - d. *Arkansas Municipal League*
 - e. *Association of Arkansas Counties*
 - f. *Representatives of public transportation employees*
 - g. *Freight shippers*
 - h. *Natural resource agencies*
 - i. *Private providers of transportation*
 - j. *Representatives of public transportation users*
 - k. *Representatives of bike/pedestrian facilities users*
 - l. *Representatives of persons with disabilities*
 - m. *Freight transportation providers*
 - n. *Low income persons*
 - o. *Minority groups*
 - p. *Indian Tribes*
 - q. *Metropolitan Planning Organizations (MPOs)*
 - r. *Planning and Development Districts or Economic Development Districts (PDD/EDDs)*
6. *The Draft STIP is made available in various formats: by download from the Department's website, by mailing copies upon request and by placing them in the District Headquarters, the MPO offices, the PDD/EDD offices and the State Clearinghouse.*
7. *A thirty-day comment period is provided.*
8. *Comments received by the Department are addressed and responses are made to the originator of the comment when appropriate.*
9. *The Draft STIP goes through a final internal review process, including the review of all comments received.*
10. *The Draft STIP (with any revisions) is then submitted to the Arkansas State Highway Commission (Commission).*
11. *The Commission approves the STIP by Minute Order.*
12. *Notification of the availability of the final document is published in a statewide newspaper, including those publications that typically serve minority populations.*
13. *The Department's Internet site is updated with the Final STIP.*

Process for Public Involvement of Interested Parties on the Statewide Long-Range Plan

Early Involvement

As the Arkansas Highway Commission is structured, each member serves an area as its advocate for transportation as well as being a voice for transportation needs throughout the state. As such, the Commission members communicate with local elected officials, community leaders, and business leaders to understand the local and regional transportation strengths and needs.

Arkansas Highway Commission members and Department personnel routinely attend local civic meetings during the year throughout the State to gather information regarding

transportation in Arkansas. In addition, meetings are held with local elected officials and other transportation stakeholders on a continual basis. These meetings are vitally important in the development of the STIP and the Long-Range Plan. A dialog is established to discuss the benefits, conditions and needs of the Arkansas transportation network.

Also, regional meetings may be offered by the Department to further discuss statewide, regional, and local needs and opportunities. It is from these meetings as well that corridor needs and specific projects may be identified.

Likewise, formal public meetings are conducted periodically during the planning and early environmental review process. Comments from local officials and transportation stakeholders are received and appropriately incorporated into project planning and design phases. The public is also afforded the opportunity to request planning studies, improvements or project development via the Department's Public Affairs Office and the Department's web site at www.ardot.gov

Finally, local officials, public transit operators, human service providers and transit dependent persons are afforded an opportunity to comment on roadway and transit projects at an early stage. Agencies applying for transit funding assistance through the Department must publish an opportunity for public comment about their project as part of the application process. In addition, transit agencies are afforded an opportunity to comment on the distribution of Federal and State transit funds and the type of transit projects initiated.

Development of the Statewide Long-Range Plan

1. Early and continuous involvement occurs as described previously providing input into the preparation of a Draft Statewide Long-Range Plan.
2. A Draft Statewide Long-Range Plan is developed by the Department and approved by the Director relying on information provided by the public throughout the years. This draft is also made available on the Department's Internet site at www.ardot.gov
3. A legal notice is published in a statewide newspaper informing the public and local officials that the Draft Long-Range Plan is available for comment.
4. A press release is given to the media informing them of the availability of the Draft Long-Range Plan for comment.
5. Letters or notices stating the availability of and soliciting oral or written comments on the Draft Long-Range Plan are sent to the following officials, community leaders, interest groups and State and Federal agencies:
 - a. Arkansas Senators and Representatives
 - b. Mayors
 - c. County Judges
 - d. Arkansas Municipal League
 - e. Association of Arkansas Counties
 - f. Representatives of public transportation employees
 - g. Freight shippers
 - h. Natural resource agencies
 - i. Private providers of transportation
 - j. Representatives of public transportation users
 - k. Representatives of bike/pedestrian facilities users
 - l. Representatives of disabled
 - m. Low income persons
 - o. Minority groups
 - p. Indian Tribes
 - q. Metropolitan Planning Organizations (MPOs)

r. Planning and Development Districts or Economic Development Districts (PDD/EDDs)

6. *The Draft Long-Range Plan is made available in various formats: by download from the Department's website, by mailing copies upon request, and by placing them in the District Headquarters, the MPO offices, the PDD/EDD offices, and the State Clearinghouse.*
7. *A thirty-day comment period is provided.*
8. *Comments received by the Department are addressed and responses are made to the originator of the comment as appropriate.*
9. *The Draft Long-Range Plan goes through a final internal review process, including the review of all comments received on the plan.*
10. *The Draft Long-Range Plan (with any revisions) is then submitted to the Commission.*
11. *The Commission approves the Long-Range Plan by Minute Order.*
12. *Notification of the availability of the final document is published in a statewide newspaper, including those publications that typically serve minority populations.*
13. *The Department's Internet site is updated with the Final Long-Range Plan.*

Process for Public Involvement for Developing Transportation Planning Studies

The Department has developed guidelines for the review of transportation planning studies within the Department. The guidelines also indicate at what point local officials and the public is provided an opportunity to comment on the draft study. These are only guidelines and may be modified depending on the scope and complexity of the study. These guidelines are for those studies conducted by Department staff. Transportation studies conducted by consultants often have a public involvement process developed specifically for that study.

The following steps are an abbreviated list of the guidelines. A complete and detail copy of the procedures may be obtained from the Department at the address listed above.

1. *Study initiated by local elected officials, local agency or the Department.*
2. *Department staff meets with community leaders to discuss the scope of the study.*
3. *Draft document prepared by Planning and Research Division.*
4. *Draft reviewed and approved by Planning and Research staff.*
5. *Revised draft reviewed and approved by Assistant Chief Engineer for Planning.*
6. *Revised draft reviewed and approved by other Department Divisions.*
7. *Revised draft discussed with local officials from affected jurisdictions, including appropriate MPO staff.*
8. *Revised draft reviewed and approved by Deputy Director and Chief Engineer and then by the Director.*
9. *Revised draft reviewed by Highway Commission.*
10. *Final document prepared for adoption by Highway Commission.*
11. *Following adoption, copies of the Executive Summary are prepared for external and internal distribution.*

Process for Evaluating the Effectiveness of the Public Involvement Plan

(23 CFR 450.210(a)(1)(ix))

1. *The Department will rely primarily on participants' comments at civic and public meetings to evaluate the effectiveness of the Public Involvement Plan.*

2. *During civic and public meetings the Department may collect information from written surveys, general discussions from participants, and/or demographic profiles of participants.*
3. *Specifically for public meetings, the Department may measure effectiveness by comparing such data as the number actually attending the meetings, the number invited to attend, the number of comments received, etc.*

Process for Updating the Public Involvement Plan (23 CFR 450.210(a)(2))

1. *The Department will evaluate and revise its Public Involvement Plan as needed.*
2. *Representatives of the interest groups, including traditionally underserved groups, and individuals expressing an interest in the Public Involvement Process will be asked to review and comment on existing procedures.*
3. *If changes are developed, a draft is prepared for Department review.*
4. *The Draft Public Involvement Plan is approved by the Director.*
5. *A legal notice is published in a statewide newspaper informing the public and local Officials that the Draft Public Involvement Plan is available for comment.*
6. *A press release is given to the statewide media informing them of the availability of the Draft Public Involvement Plan for comment.*
7. *A forty-five-day comment period is provided.*
8. *The Department prepares a final Plan.*
9. *The Department's Internet site is updated with the Final Public Involvement Plan.*

PUBLIC INVOLVEMENT METHODS AND PROCESSES

For Consulting with Non-Metropolitan Local Officials

The Arkansas Department of Transportation has developed the following public involvement methods and processes to ensure consultation with local officials in non-metropolitan areas for transportation planning programs administered by the Department as required by federal regulation 23 CFR 450.212(h)-(i). This process is separate and discrete from transportation policy and project development in metropolitan areas with a population greater than 50,000. In metropolitan areas, transportation plan development is administered by the Metropolitan Planning Organization (MPO). The MPO conducts public involvement activities in accordance with local procedures.

The Department will use the following process to consult, notify, solicit input, receive comments and give notice of availability to the officials in non-metropolitan areas for the Statewide Transportation Improvement Program (STIP) and the Statewide Long Range Intermodal Transportation Plan (SWLRP). Exact methods will depend on the situation and, when appropriate, will embrace a combination of the following methods.

The following methods and processes will apply to the STIP. The STIP is a document that contains federally funded projects to be undertaken by the Department and the MPOs in the next three years. The STIP describes specific projects, their funding source, route, job limits, and anticipated construction letting dates. It is updated every two years.

The following methods and processes will also apply to the SWLRP. The SWLRP contains policies that will guide transportation planning for a minimum of 20 years into the future. It is intermodal, that is, it considers policies for highways, rail, air, waterways, rural transit and pedestrian/bicycle forms of transportation. Unlike the STIP, the SWLRP does not contain specific transportation projects. However, it may identify corridors for transportation improvements. The SWLRP is updated every five (5) years.

Process for Consultation with Local Officials in Non-Metropolitan Areas on the STIP:

1. The Draft STIP is developed by the Department and approved by the Director.
2. A Legal Notice is published in a statewide newspaper informing the local officials that the Draft STIP is available for comment.
3. A press release, including a listing of projects/funding by County, is given to the statewide media informing them of the availability of the Draft STIP for comment.
4. Letters or Notices stating the availability of and soliciting oral or written comments on the Draft STIP are sent to the following non-metropolitan local officials:
 - a. Mayors of towns, cities or municipalities not a member of an MPO.
 - b. County Judges representing counties not a member of an MPO.
 - c. Planning and Development Districts or Economic Development Districts (PDD/EDDs).

5. The Draft STIP is made available in various formats: by download from the Department website, by mailing copies upon request, and by placing them in the District Headquarters, the PDD/EDD offices, and the State Clearinghouse.
6. Comments received by the Department are addressed and responses are made to the originator of the comment.
7. The Draft STIP goes through a final internal review process, including the review of all comments received.
8. The Draft STIP (with any revisions) is then submitted to the Arkansas State Highway Commission (the Commission).
9. The Commission approves the STIP by Minute Order.
10. Notification of the availability for distribution is sent to the following non-metropolitan local officials:
 - a. Mayors of towns, cities or municipalities not a member of an MPO;
 - b. County Judges representing counties not a member of an MPO;
 - c. PDD/EDDs.
11. The Department web site is updated with the Final STIP.

Process for Consultation with Local Officials in Non-Metropolitan Areas on the SWLRP:

1. The Draft SWLRP is developed by the Department and approved by the Director.
2. A Legal Notice is published in a statewide newspaper informing the public and local officials that the Draft SWLRP is available for comment.
3. A press release is given to the statewide media informing them of the availability of the Draft SWLRP for comment.
4. Letters or Notices stating the availability of and soliciting oral or written comments on the Draft SWLRP are sent to the following non-metropolitan local officials, community leaders, and state and federal agencies:
 - a. Mayors of towns, cities or municipalities not a member of an MPO;
 - b. County Judges representing counties not a member of an MPO;
 - c. PDD/EDDs.
5. The Draft SWLRP is made available in various formats: by download from the Department website, by mailing copies upon request, and by placing them in the District Headquarters, the PDD/EDD offices, and the State Clearinghouse.
6. Comments received by the Department are addressed and responses are made to the originator of the comment.
7. The Draft SWLRP goes through a final internal review process, including the review of all comments received on the plan.
8. The Draft SWLRP (with any revisions) is then submitted to the Commission.
9. The Commission approves the SWLRP by Minute Order.
10. Notification of the availability for distribution is sent to the following non-metropolitan local officials:

- a. Mayors of towns, cities or municipalities not a member of an MPO;
- b. County Judges representing counties not a member of an MPO;
- c. PDD/EDDs.

11. The Department web site is updated with the Final SWLRP.

This document can also be viewed at the Department's web site: www.ardot.gov . More information may be obtained or questions answered in the following ways:

By Telephone:	Contact Jessie Jones at 501-569-2201.
By Writing:	Ms. Jessie Jones, Division Engineer Transportation and Policy Planning Division P.O. Box 2261 Little Rock, AR 72203
By Email:	jessie.jones@ardot.gov