

# TITLE VI PLAN



**MAG**

Expert Resources. Enriching Lives.

**MOUNTAINLAND ASSOCIATION OF GOVERNMENTS**

REGIONAL PLANNING

## Introduction

Mountainland Association of Governments (MAG) has been serving the communities of Utah, Summit, and Wasatch County for the past 45 years as an association of governments. In Utah County MAG serves as the designated MPO and is responsible for the creation and implementation of the Regional Transportation Plan which plans for all transportation needs including roads, transit, and pedestrian and bicycle trails for the next 20+ years and is updated every four years. MAG works to create a cooperative, comprehensive plan so that each jurisdiction can plan for coordinated and orderly regional growth. This means that demands upon regional systems are anticipated and the network is prepared for that growth and the system can function to meet the realized need in each area.

MAG's objective is to work in partnership with local communities to build consensus for regional transportation plans, anticipate and project growth, ensure environmental and air quality standards are kept, and develop programs designed to serve the overall mobility needs and preserve the quality of life that is currently enjoyed. MAG does so by providing technical assistance and services; conducting high priority studies that respond to the requests and demands of member local governments; fostering cooperation among various constituencies to forge a consensus on diverse regional issues; determining and meeting the needs of the private sector; and continuing public outreach efforts that promote two-way communication and enhance public awareness of regional issues.

Planning must be done with the involvement and for the benefit of all the region's residents. MAG is guided by federal Title VI and environmental justice mandates, and strives to not only meet these mandates, but to create an overall transparent, inclusive planning process. MAG is committed to making Title VI and environmental justice a part of its planning process, integrated in all its programs and plans, and a guide for its public participation efforts.

## About Title VI

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin in any program, service or activity that receives federal assistance. Specifically, Title VI assures 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 benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Title VI has been broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibit unfair and inequitable treatment of persons as a result of projects that are undertaken with federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title

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VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” signed in February 1994, requires federal agencies to achieve Environmental Justice as part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. Environmental Justice Initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. Also, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP),” provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

## **How we strive to meet Title VI objectives**

### **Environmental Justice Activity**

Title VI of the Civil Rights Act of 1964 requires outreach to underserved groups and “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.” A further 1994 Presidential directive dictates that “Each Federal agency shall make achieving environmental justice part of its mission by 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.”

Environmental Justice Activity is addressed in Mountainland MPO’s Transplan50 Regional Transportation Plan (RTP); the full RTP is available online at [www.mountainland.org](http://www.mountainland.org) and *Environmental Impacts* (Appendix B) provides environmental justice information such as demographic, public outreach, and benefits and burdens analyses.

### **Executive Order 12898**

*Groups impacted: low-income and minority populations,  
which may include sub-groups of elderly  
and disabled.*

Mountainland Association of Governments (MAG) will consider environmental justice through planning activity according to Federal legislation noted above. Furthermore,

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in order to involve and assist the under-represented and underserved, the MAG will adhere to the Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94), Safe Accountable Flexible Efficient transportation Equity Act: A Legacy for Users (SAFETEA-LU), and subsequent guidance from Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), as it is developed within the transportation planning process. A revised Public Participation Plan was adopted by the MAG Regional Planning Committee on May 2, 2019, and a copy of this document is attached as Attachment 7.

MAG will make every effort to hold public meetings in facilities that are Americans with Disabilities Act (ADA) compliant; and, arrange for reasonable accessibility and accommodation to person with disabilities. Further, to provide equally effective communication, MAG will make due preparation, when appropriate for a person or persons requiring assistance, such as the hearing or visually impaired, upon request.

MAG will assist persons with limited English proficiency to participate in the transportation planning process. Staff will make every effort to provide translators and document translation, where feasible, upon request. As needed, MAG employs interpretation and translation services. Elderly person or non-vehicle households who are unable to attend meetings may request information from the MAG office and have the requested materials sent or delivered to their residence. MAG staff, coordinating availability, is willing to speak with groups in an effort to eliminate participation barriers and involve citizens in the transportation planning process.

## **Assurances:**

### **General Assurance**

Mountainland Association of Governments HEREBY AGREES THAT, as a condition to receiving and Federal financial assistance it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252 42 U.S.C. 2000d-42 U.S.C. 200d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1954 (hereinafter referred to as the Regulations) and other pertinent directives, that no person in the United States shall, on the grounds of race, color, national origin, gender, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by the subsection (a) (1) of the Regulations, a copy of which is attached in Appendix A.

### **Specific Assurances**

#### **Federal-aid Highway Program Assurance**

More specifically and without limiting the above general assurance, Mountainland Association of Governments (MAG) hereby gives the following specific assurances with its Federal-aid

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## Highway Program.

1. That agrees that each “program” and each “facility” as defined in subsection 21.23(e) and 21.23(b) of the Regulations will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. MAG requires that all contractors sign and agree to a professional services contract (see Appendix E) which explicitly outlines Title VI requirements and regulations.
3. That where MAG receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection within.
4. That where MAG receives Federal financial assistance in form or for the acquisition of real property or an interest in real property, the assurance shall extend to right to space on, over, or under such property.
5. That this assurance obligates MAG 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 MAG 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 MAG retains ownership or possession of the property.
6. MAG shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he or she delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
7. MAG agrees that the United States has right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

## **Federal Transit Administration Assurance**

Mountainland Association of Governments (MAG) HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

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1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. MAG will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation Title VI regulation, 49 CFR Part 21.9.
3. MAG will make it known to the public that those person or person alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

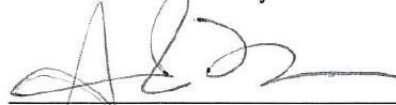
### Certification

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to Mountainland Metropolitan Planning Organization by the Department of Transportation under the Federal-aid Highway Program/Federal Transit grant Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in the interest and other participants in these same Federal-aid programs. The person whose signature appears below is authorized to sign this assurance on behalf of MAG.

DATED 7-16-2019.

Mountainland Association of

Governments By



MAG Executive Director

### MAG Organization

#### *Mountainland Association of Governments*

Mountainland functions as an Association of Governments for the Utah, Wasatch and Summit County areas, and as an association of governments is governed by its Executive Council. Members include the following communities:

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Alpine; American Fork; Cedar Fort; Cedar Hills; Charleston; Coalville; Daniel; Draper; Eagle Mountain; Elk Ridge; Fairfield; Francis; Genola; Goshen; Heber City; Henefer; Hideout; Highland; Interlaken; Kamas; Lehi; Lindon; Mapleton; Midway; Oakley; Orem; Park City; Payson; Pleasant Grove; Provo; Salem; Santaquin; Saratoga Springs; Spanish Fork; Springville; Vineyard; Wallsburg; Woodland Hills; Summit County; Utah County; Wasatch County.

MAG Jurisdictional Area:



### **MAG Executive Council**

The MAG Executive Council is the governing board and final policy-making body of the Association and provides oversight to all program activities and budgets.

Responsibilities include administration of the Metropolitan Planning Organization (MPO) for Utah County, Area Agency on Aging for the three-county region, Community & Economic Development for all three-county region, and Rural Planning Organization in Wasatch County (RPO).

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## MAG Organizational Structure:



## Mountainland MPO

MAG functions as a metropolitan planning organization for the Provo-Orem Urbanized area which is inclusive of most of the Utah County area.

### Regional Planning Committee

Supervises all transportation activities of the Metropolitan Planning Organization (MPO) (Utah County), including project prioritization, air quality matters, and funding strategies.

### List of Member Communities

The MAG Regional Planning Committee is the forum for cooperative decision-making on transportation related matters. This 29-member council is comprised of principal elected officials from local member governments and representatives from the State Air Quality Control Division as well as the Utah Department of Transportation (UDOT) - Transportation Commission and Trustee of the Utah Transit Authority.

### MAG Regional Planning Committee Representation:

1. Alpine
  2. American Fork
  3. Cedar Fort
  4. Cedar Hills
  5. Draper
  6. Eagle Mountain
  7. Elk Ridge
  8. Fairfield
  9. Genola
  10. Goshen
  11. Highland
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12. Lehi
13. Lindon
14. Mapleton
15. Orem
16. Payson
17. Pleasant Grove
18. Provo
19. Salem
20. Santaquin
21. Saratoga Springs
22. Spanish Fork
23. Springville
24. Vineyard
25. Woodland Hills
26. Utah County
27. Utah Division of Air Quality
28. Utah Department of Transportation
29. Utah Transit Authority

The MAG Regional Planning Committee provides policy guidance and direction for the metropolitan transportation planning process.

The Technical Advisory Committee (TAC) is an advisory committee to the Regional Planning Committee. The TAC is comprised of Transportation and Public Works staff and Planners from the member governments, and afore mentioned entities.

### [Title VI General Requirements](#)

Title VI Notice to the Public Utah Department of Transportation (UDOT) has developed a Non-Discrimination Title VI Poster in order to inform the public of their rights under Title VI. The notice includes instructions on how to file a complaint of discrimination both at the state or the local level. As a subrecipient of Federal Transit Administration (FTA) and Federal Highways Administration (FHWA) funds, MAG includes the UDOT Title VI Poster as the Title VI Notice to the Public contained in the MAG Title VI Program. The notice is posted in Spanish and English in the MAG lobby and on the MAG Website. The notice is included as Attachment 1. MAG has also developed a Title VI Policy Statement, included as Attachment 2 and Assurances which are included as Attachment 3.

### [Title VI Complaint Procedures and Form](#)

MAG has established a Title VI Complaint Procedure in order to receive and work to resolve any grievance appropriately.

The Title VI Complaint Procedures are communicated internally amongst staff at staff meetings and Title VI trainings. English and Spanish versions of the complaint procedures and form are posted on the MAG website, displayed at public meetings and

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open houses, and referenced in documentation produced by MAG staff. Copies of MAG's discrimination complaint form and procedures are included as Attachment 4.

### List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

MAG has not previously submitted a Title VI Program to FTA, as the procedures were considered to fall under the UDOT Title VI Program. There have been no Title VI or discrimination-based investigations, complaints, or lawsuits received to date by MAG.

### Public Participation Plan and a Summary of Outreach Efforts Made

Informing and engaging the public on the transportation planning process is a continual effort. MAG's Public Involvement Policy, included as Attachment 5, provides for an open exchange of information and ideas between the public and agency transportation decision makers. The Public Involvement Policy incorporates several key elements to ensure the process is effective and proactive:

- Notification procedures which effectively target interested stakeholders, such as environmental organizations, minority groups, community associations, Native American representatives, organizations for people with disabilities, senior citizen's organizations, etc.
- Public meetings and open houses are held in wheelchair- accessible and, where available, transit served locations throughout the region
- The employment of multiple techniques for education and outreach with the goal of furthering public and Title VI population understanding of transportation needs, potential solutions, and the final, adopted Regional Transportation Plan, the Mobility Management Plan, the Wasatch Choice for 2050 Vision and other MAG plans and products.
- Ongoing availability of the Public Involvement Officer to receive comments, answer questions, and/or provide presentations about MAG programs and plans in English and other languages and formats as needed.
- Specific strategies for engaging minority and LEP populations are identified in the Limited English Proficiency Plan (see below). For more detailed information on MAG outreach efforts, please refer to the Public Involvement Policy (Attachment 5).

### Limited English Proficiency Plan

MAG's Limited English Proficiency (LEP) Plan, is included as Attachment 5. The LEP Plan uses the Four Factor Analysis to identify LEP persons that need language

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assistance, outlines how language assistance is available, and describes how staff considers the needs of LEP persons.

In accordance with the Safe Harbor Provision, MAG has analyzed which language groups exceed the 1,000 persons or five percent threshold. These language groups are listed in Attachment 6. There is 1 language that meets the Safe Harbor threshold, it is Spanish. Therefore, MAG focuses translation efforts on Spanish, which is the largest language group in the region other than English, comprising 12.8 percent of the Region's LEP population with only 3.6 percent speaking English "less than well." MAG public meeting notices and agendas will include a disclaimer in English and Spanish indicating that translation services are available if a request is made at least 72 hours before the meeting.

#### Membership of Non-Elected Committees and Councils

MAG is comprised of the elected officials serving in the area and are empowered to make transportation funding and policy decisions for the region. The Mayors and County Commissioners are members of MAG's Executive Council, while all Mayors and Commissioners within the MPO or RPO are voting members of those policy and approval committees.

#### Board Meeting Resolutions of Approved Title VI Program

MAG's Executive Committee approved the Title VI program on October 24, 2019. The resolution approving the program is included as Attachment 8.

#### Demographic Profile of Association Area and Environmental Justice Analysis with Disparity Analysis

The MAG area is comprised of the three counties of Utah, Wasatch and Summit Counties. Over the past several decades, and continuing from 2000 to 2010, the MAG region has grown rapidly and has become increasingly diverse although those populations remain a very small percentage. The tables below reflect the growth in total population as well as in the Minority population.

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Table 1: Total Population Change of the MAG Region, 2000-2010

Total Population, by County				
County	2000	2010	Change	% Increase
Utah	368,536	516,564	148,028	40.2%
Wasatch	15,215	23,530	8,315	54.7%
Summit MAG	29,736	36,324	6,588	22.2%
Region	413,487	576,418	162,931	39.4%

U.S. Census Bureau Decennial Census (2000 and 2010),  
using American Fact Finder Community Facts.

Minority Population as Percentage of Total Population, by County (excluding Hispanic and Latino Races)						
County	2000		2010		Change	Increase
	Total	%	Total	%	Total	%
Utah	16174	4%	54789	10.6%	38,615	238.7%
Wasatch	666	4.4%	2255	9.6%	1,589	238.6%
Summit	2437	8.2%	3434	9.5%	997	40.9%
<b>MAG Region</b>	<b>19277</b>	<b>4.7%</b>	<b>60478</b>	<b>10.5%</b>	<b>41201</b>	<b>213.7%</b>

U.S. Census Bureau Decennial Census (2000 and 2010), using American Fact Finder Community Facts. Includes Black, African American, Asian, American Indian, Alaska Native, Native Hawaiian, Other Pacific Islander, Some Other Race, and Two or More Races.

Minority Population as Percentage of Total Population, by County (Hispanic and Latino Races)						
<i>County</i>	2000		2010		Change	Increase
	<i>Total</i>	<i>%</i>	<i>Total</i>	<i>%</i>	<i>Total</i>	<i>%</i>
Utah	25791	7%	55793	10.8%	30,002	116.3%
Wasatch	775	5.1%	3184	13.5%	2,409	310.8%
Summit	2406	8.1%	4190	11.5%	1,784	74.1%
<b>MAG Region</b>	<b>28972</b>	<b>7.0%</b>	<b>63167</b>	<b>11%</b>	<b>34195</b>	<b>118.0%</b>
U.S. Census Bureau Decennial Census (2000 and 2010), using American Fact Finder Community Facts. Includes Hispanic and Latino Races.						

There are four fundamental Environmental Justice principles:

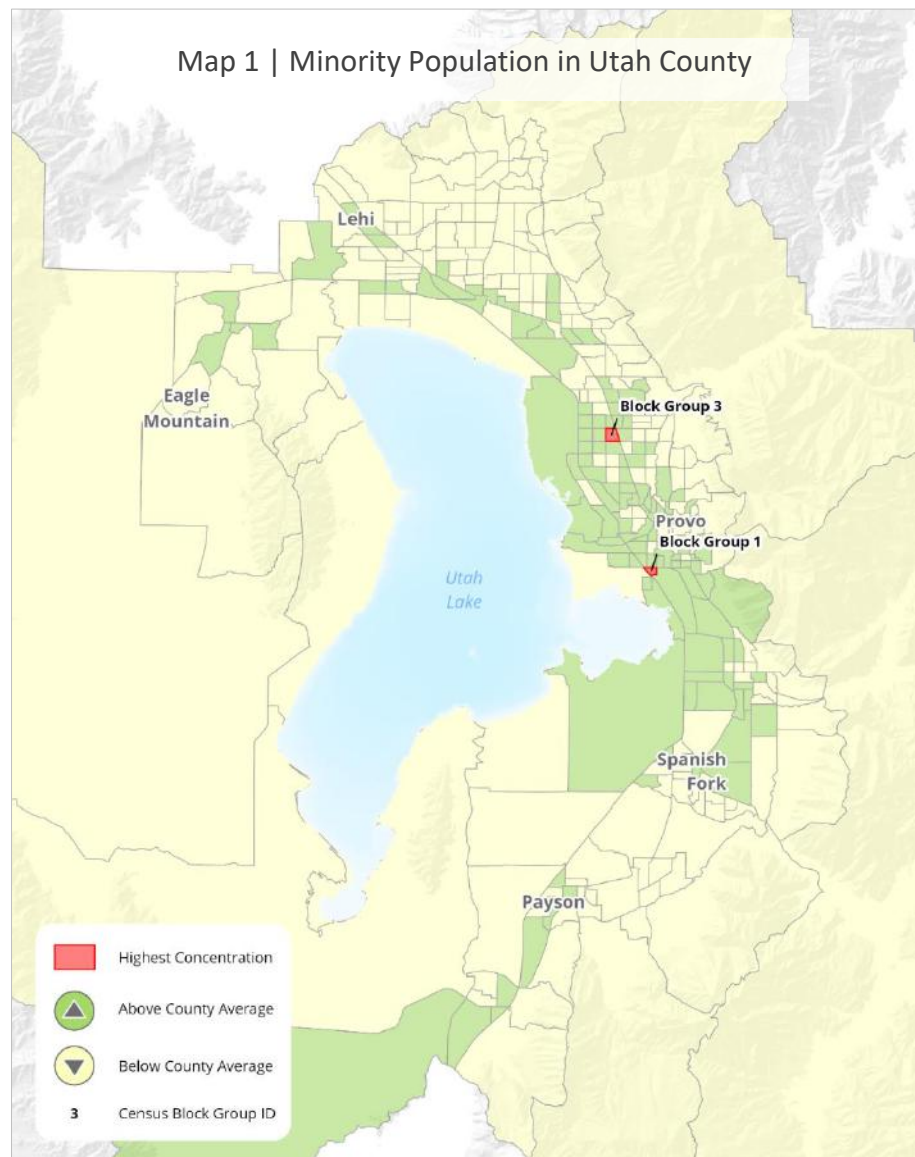
1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low- income populations.
  2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
  3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
  4. To certify compliance with Title VI and address Environmental Justice, MPOs need to:
    - a. Enhance their analytical capabilities to ensure that the Regional Transportation Plan and the Transportation Improvement Program (TIP) comply with Title VI.
    - b. Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs are identified, and the benefits and burdens of transportation investments can be fairly distributed.
    - c. Evaluate and - where necessary - improve their public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.
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## Disparity Analysis

Minority, Low-Income, Disable, and Elderly Populations: Road and transit project impacts may have significant effects on minority, low income, elderly, and disabled populations. Proposed projects in the Regional Transportation Plan were evaluated for their potential cumulative impacts on these population groups. These populations were mapped by greater than or less than the region-wide average by census tracts or block groups, then overlaid with the Regional Transportation projects. Based on this overlay analysis, none of the analyzed populations will receive a disproportionate benefit or negative impact of the proposed transportation projects. Some of these populations may visually appear on the maps to be concentrated in the more rural area of the Metropolitan Planning Organization (MPO); however, that may be attributed to the large geographic size of the rural census tracts or block groups in those areas.

Minority Groups: The MPO area includes minority groups and persons identifying themselves as Black or African American, American Indian, Alaska Native, Asian, Native Hawaiian or other Pacific Islander,

Hispanic or Latino, or in combinations of the above, in the 2017 Census American Community Survey (ACS). Utah County's minority population of 111,659 is approximately 19.8% of the total and appears to cluster in the Provo / Orem / Vineyard areas. Due to the distribution of this population and the planned projects, the effects of



the projects on the minority populations do not appear to be significantly greater than the projected impacts on the area's population in general.

Map 1 for Utah County Minority Population map illustrates minority populations by census block groups that have a greater than the region-wide average. The highest two census block groups by percentage are in Orem (Census Block Group 3) and Provo (Census Block Group 1). Using Travel Demand Model output data tool that estimates travel time, an off-model test for each location was conducted from each origin going north to Draper and south to Santaquin to see how the Regional Transportation Plan performed for the minority population from 2019 to 2050. The two locations will experience drive times like nearby Traffic Analysis Zones (TAZ) (#2332 & #2416) that had minority populations below the regional average. No significant difference exists between the minority population's travel time and the population as a whole. Similar results were found for Wasatch and Summit Counties.

MAG relies on the Utah Transit Authority (UTA) as the transit provider for Utah County and Park City Transit in Summit County for assessing the disparity of provided transit service and reporting it to FTA.

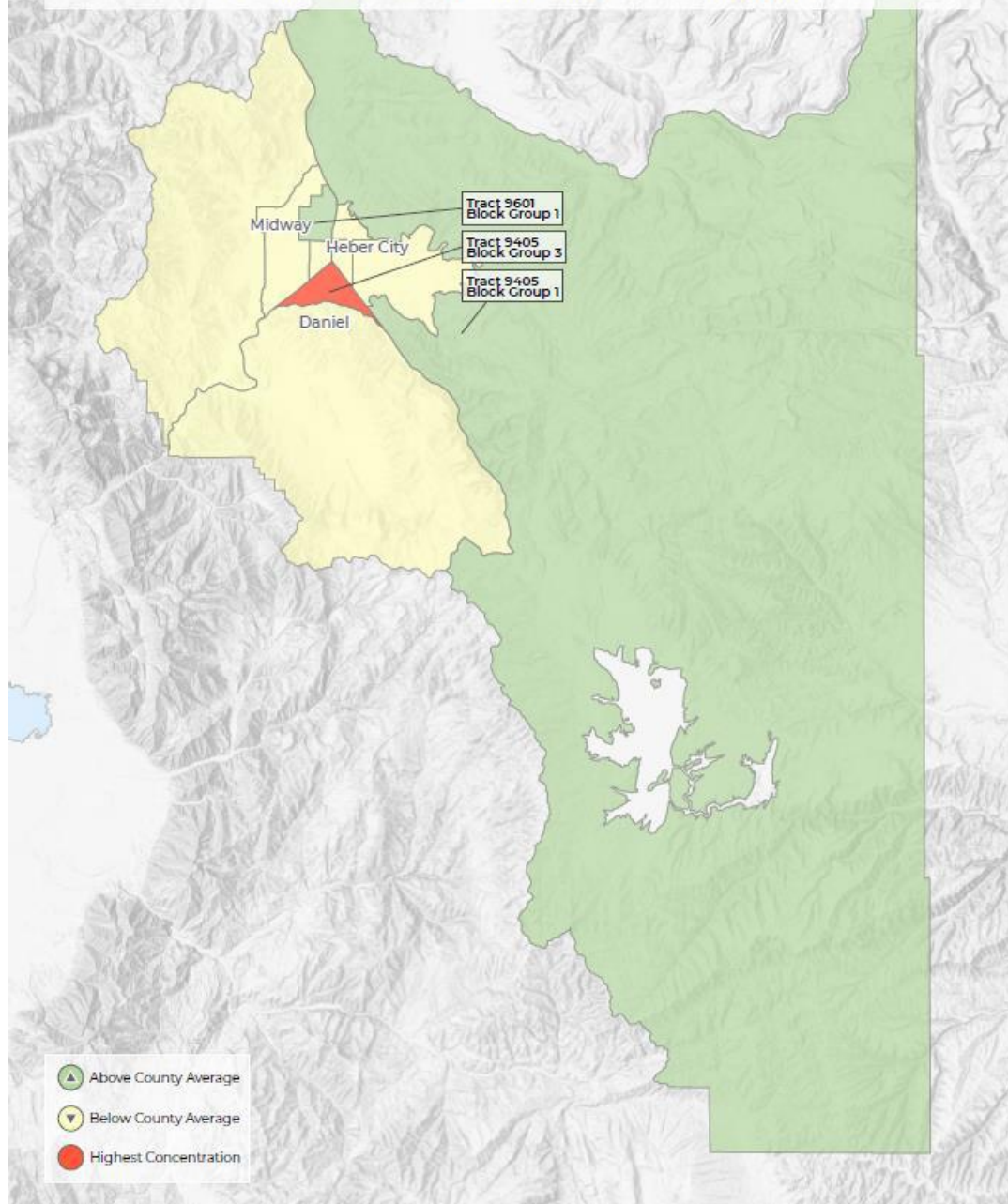
MAG primarily passes federal or state money through to project sponsors as programmed in MAG's Transportation Improvement Program (TIP) and the project sponsors use their selection methods to select consultants and contractors to build and facilitate projects. MAG will hire and procure consultants for various planning work and studies. MAG does seek to equitably fund project sponsors throughout the entire county and at each TIP project selection cycle does an analysis to report the geographic distribution of funding to MAG's advisory committees.

MAG is conscientious of the need to be inclusive of Disadvantaged Business Enterprises (DBE) and seeks to include a qualifying DBE whenever possible and practicable. MAG usually operated under UDOT's DBE goal structure and coordinates with UTA and UDOT on those procurements.

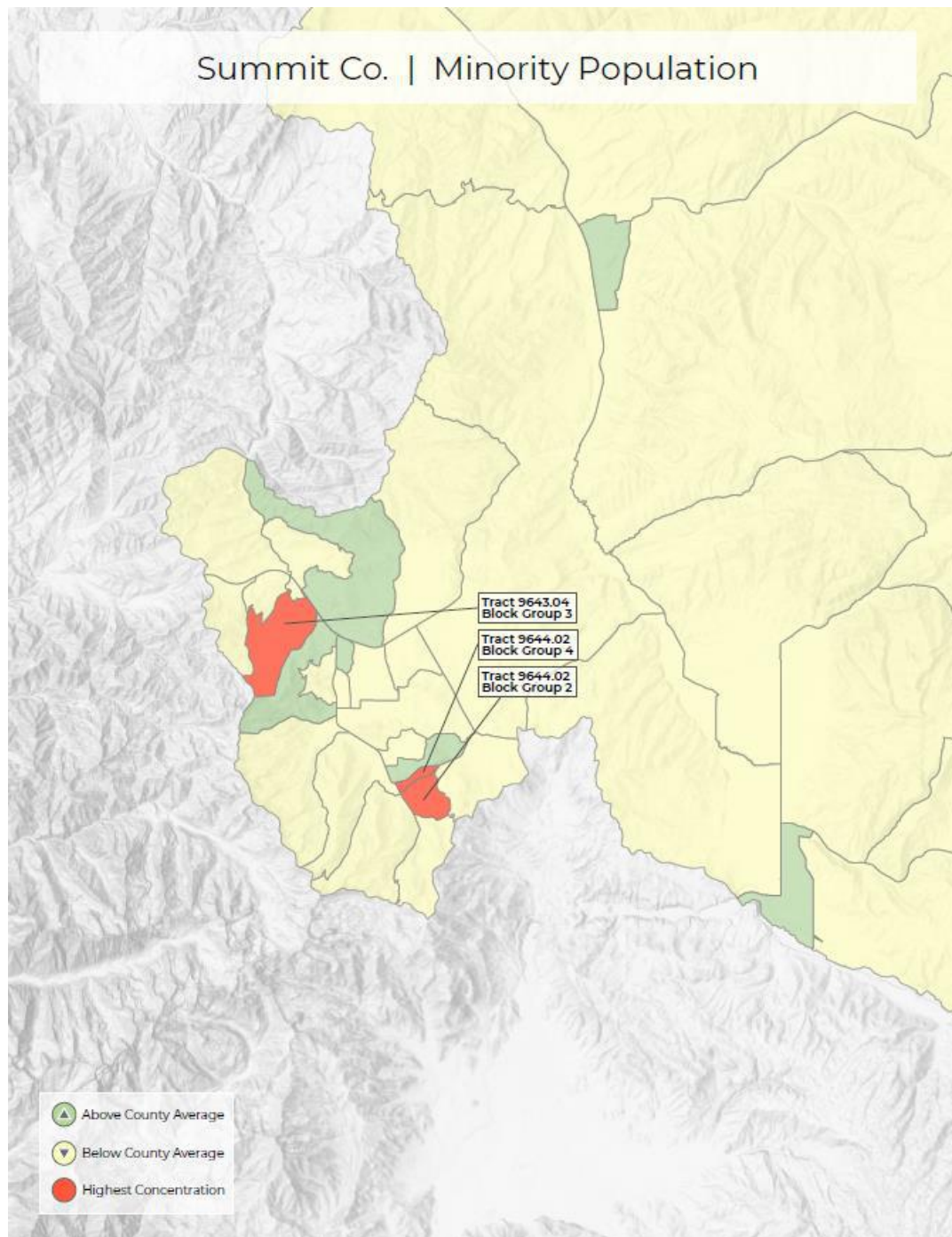
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## Wasatch Co. | Minority Population







**People with Disabilities:** People with disabilities are described in the 2017 ACS as non-institutionalized persons with mobility limitations, age five years and older. Based on 2017 ACS information, 43,414 people, or 7.7% of the total population, were considered disabled with various kinds of limitations. The disabled population appears to be evenly distributed throughout the MPO. The Regional Transportation Plan projects impacts,

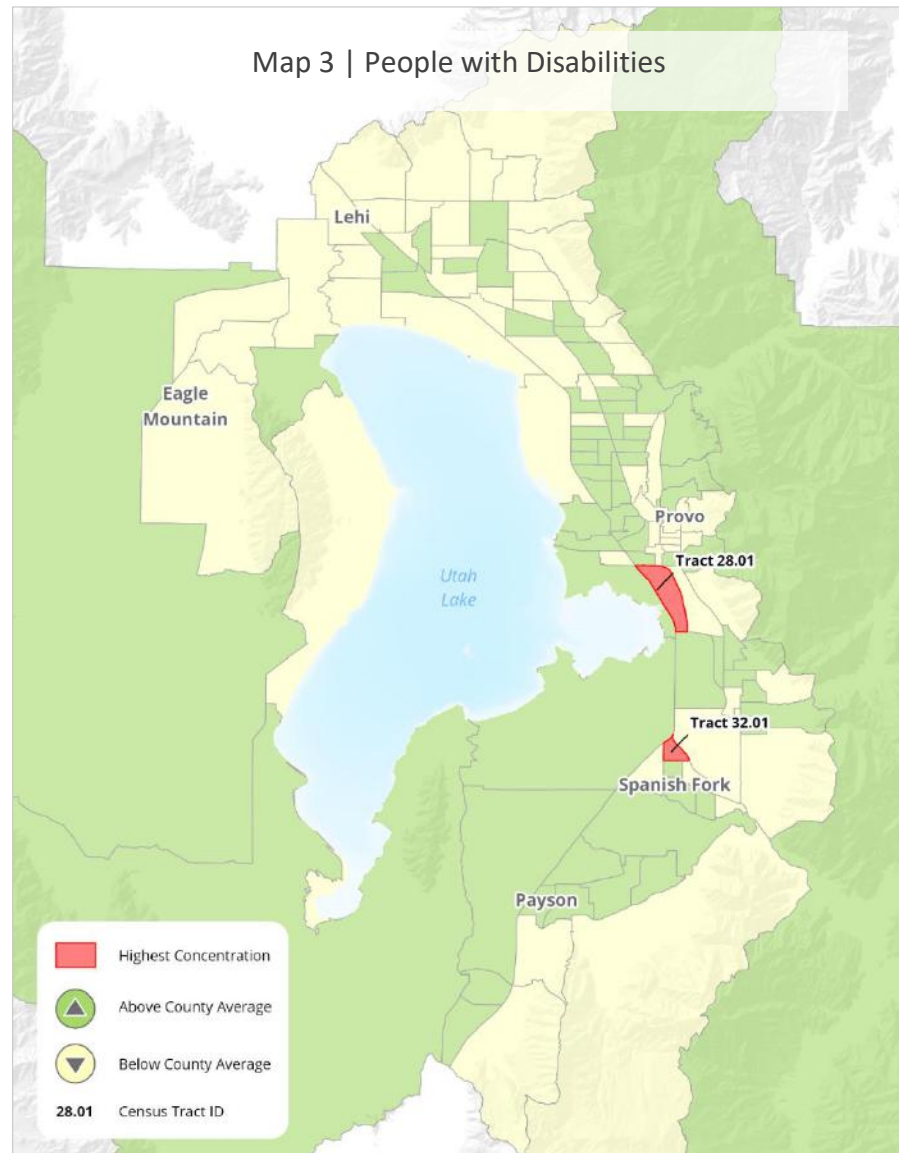
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and benefits do not appear to be significantly greater upon the disabled population than that on the area's population in general.

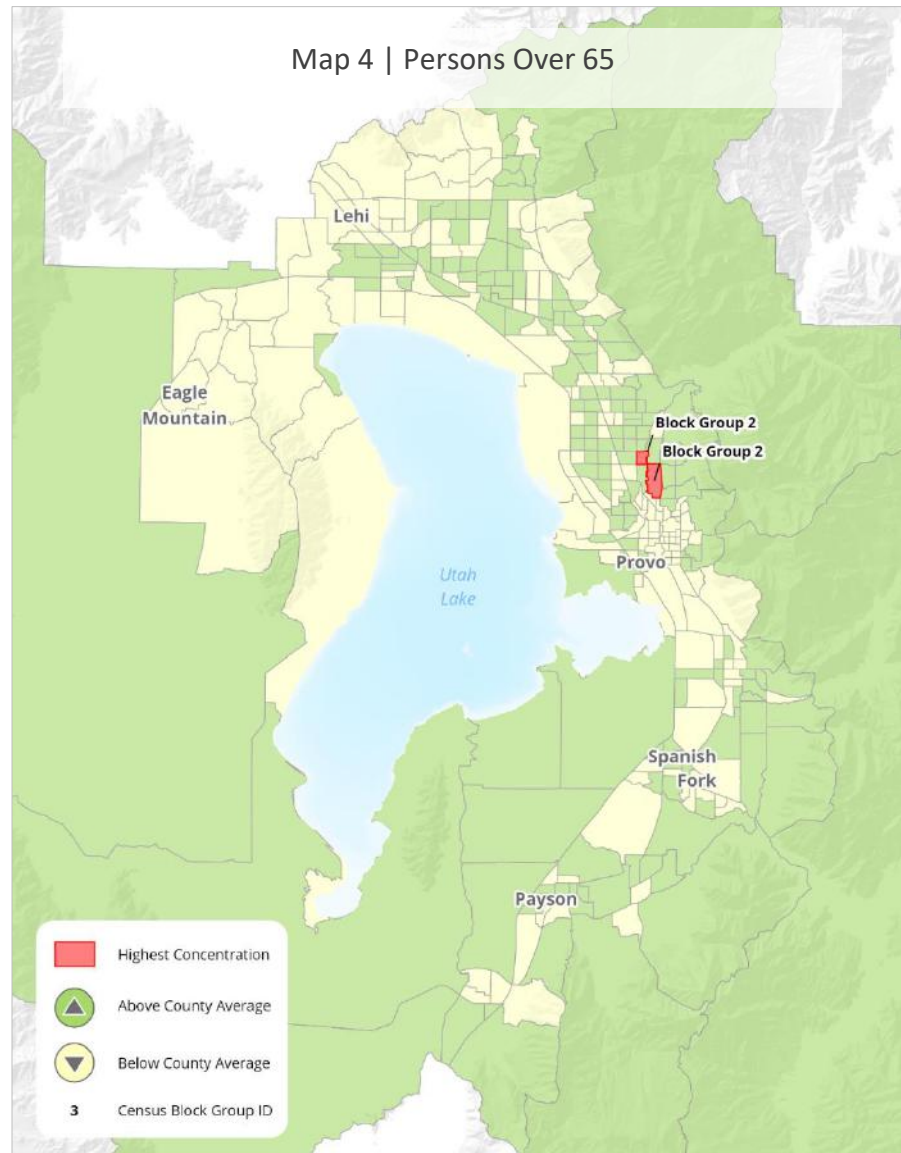
Map 3 People with Disabilities map illustrates disabled populations by census tracts that have greater than the region-wide average of 7.7% disabled population. The highest census tracts by population percentage are located in Provo (Census Tract 28.01) and Spanish Fork (Census Tract 32.01). Using a Travel Demand Model output data tool that estimates travel time, an off-model test for each location was conducted from each origin going north to Draper and south to Santaquin to see how the Regional

Transportation Plan performed for the disabled population from 2019 to 2050. The two locations will experience drive times similar to nearby TAZ (#2480 and #2560) that had disabled populations below the regional average. No significant difference exists between the disabled population's travel time and the population as a whole.

**Persons Over 65:**  
Persons described as elderly in the 2017 ACS data are 65 years and older represent 7.4% of the population or 41,777 persons in Utah County. The elderly population in Utah County appears to slightly clustered in the Provo / Orem area. Due to the distribution of this population and the planned projects, the effects of the projects on the elderly populations does not appear to be significantly greater than the projected impacts on the population in general.



The Persons over 65 Map illustrates elderly populations by census block groups that have greater than the region-wide average of 7.4%. The highest two census block groups by percentage for persons over 65 are located in Orem (Census Block Group 2) and Provo (Census Block Group 2). Using Travel Demand Model output data tool that estimates travel time, an off-model test for each location was conducted from each origin going north to Draper and south to Santaquin to see how the Regional Transportation Plan performed for the elderly population from 2019 to 2050. The two locations will experience drive times similar to nearby TAZ (#2325 and #2371) that had elderly populations below the regional average. No significant difference exists between the elderly population's travel time and the population as a whole.



**Mitigation Approach:** The following strategies will help ensure populations of minority, low-income, people with disabilities, and persons over 65 in the metropolitan planning area from being negatively impacted by the Regional Transportation Plan.

- Provided these population groups the opportunity to participate in the Regional Transportation Planning process through the annual transportation planning open house and public comment period for the Regional Transportation Plan.

- Many cities have general plans that outline neighborhoods as well as neighborhood councils, which can help design transportation facilities that provide access without creating social barriers.

- Any Transportation Project that will create a barrier within a currently functioning neighborhood should be redesigned or relocated.

- Design for convenient access to shopping, medical services, and employment should be provided with special consideration of the elderly and disabled. For example, wide street crossings need sufficient signalization and time allotted for slower moving citizens to cross.

- Uneven burdens for transportation negative impacts or benefits should be avoided through considering the spatial distribution of disadvantaged groups in relation to transportation facilities.

- A balanced system providing equal benefits and impacts throughout the area with all modes is included in the Regional Transportation Plan through GIS analysis. This balance should be carried forward through the implementation of the plan.

Outreach: MAG staff compiled a contact list of organizations and agencies that work closely with minority, low-income, disabled, and elderly populations. This contact list will be utilized to invite these populations to participate in the public comment period for the Regional Transportation Plan. This list will also be used to invite these populations groups to our annual transportation planning open house. MAG also provides a communication portal through it's website ([www.mountainland.org](http://www.mountainland.org) - under the contact us section) to allow these population groups to address any Environmental Justice and Title VI concerns or issues.

### Compliance/ Monitoring Review and Training

MAG will work closely with the Designated Recipient for FTA funds to ensure that Title VI requirements are being met and that MAG is in compliance. MAG's Title VI Program will be submitted to the Designated Recipient for review and approval.

MAG agrees to participate in on-site reviews and cooperate with Designated Recipient Compliance Staff throughout the review process. MAG agrees to participate in training that includes Title VI and its requirements. Training by the Designated Recipient staff will be conducted as requested, as changes in the law occur, and as needed.

MAG staff will refer to the Designated Recipient's Compliance Officer and the Civil Rights staff as needed for questions or concerns regarding Title VI and its requirements. MAG agrees to submit the annual Title VI assurance to the Designated Recipient as part of the annual Certification and Assurance submission. The Designated Recipient will track and investigate Title VI complaints filed against MAG. Please refer to the

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Designated Recipient Title VI Complaint Procedures for more detail on this process. The MAG Title VI Complaint Procedure is included as Attachment 4 in this document.

MAG will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved. See Attachment 10 for a sample complaint log.

#### List of Attachments Attachment

- 1a: Title VI Notice to the Public in English Attachment
  - 1b: Title VI Notice to the Public in Spanish Attachment
  - 2a: Title VI Policy Statement in English Attachment
  - 2b: Title VI Policy Statement in Spanish Attachment
  - 3: Standard Title VI Assurances Attachment
  - 4a: Title VI Discrimination Complaint Procedures and Form in English Attachment
  - 4b: Title VI Discrimination Complaint Procedures and Form in Spanish Attachment
  - 5: MAG Public Involvement Policy and Limited English Proficiency Plan Attachment
  - 6: Safe Harbor Analysis Attachment
  - 7: MAG Public Participation Plan
  - 8: Title VI Program Approval Resolutions (Pending Approval of Council) Attachment
  - 9: Sample Title VI Complaint Log
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## **NON-DISCRIMINATION TITLE VI POSTER**

### **Title VI and Nondiscrimination Commitment (FHWA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age or disability.

### **Title VI and Nondiscrimination Commitment (FTA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color and national origin.

### **Complaint Procedures:**

UDOT has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with UDOT. Any such complaint must be in writing and filed with the UDOT Title VI Coordinator within one hundred eighty (180) calendar days following the date of the alleged discriminatory occurrence. For more information, please contact the UDOT's Title VI Coordinator. Complaints may also be filed at the local level, with the Mountainland Association of Governments Title VI Administrator.

### **ADA/504 Statement:**

Pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations, UDOT will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. UDOT will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access UDOT facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, UDOT asks that requests be made at least five (5) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be made to UDOT's ADA Coordinator.

Services are provided free without charge for individuals with special needs with disabilities. Any fees will be paid by the recipient or subrecipient. The public will have access to translators, "I Speak Cards", TTY/TDD services and vital documents translated when requested.

#### **MAG Title VI Administrator**

Chad Eccles  
Mountainland Association of  
Governments  
586 East 800 North,  
Orem, Utah 84097  
Email:  
[ceccles@mountainland.org](mailto:ceccles@mountainland.org)  
Phone: (801) 229-3824

#### **UDOT Title VI Coordinator**

Vicki Pollock  
Utah Department of  
Transportation  
4501 South 2700 West,  
P.O. Box 141520  
Salt Lake City, UT 84114-1520  
Email: [vpollock@utah.gov](mailto:vpollock@utah.gov)  
Phone: (801) 965-4384  
Fax: (801) 965-4101

#### **UDOT ADA Coordinator**

Aubrey Garduno  
Utah Department of  
Transportation  
4501 South 2700 West,  
P.O. Box 141425  
Salt Lake City, UT 84114  
Email:  
[aubreygarduno@utah.gov](mailto:aubreygarduno@utah.gov)  
Phone: (801) 965-4095  
Hearing Impaired: 711 or  
1-800-346-4128

## Attachment 1b: Title VI Notice to the Public in Spanish



### **NON-DISCRIMINATION TITLE VI POSTER**

#### **Título VI y Compromiso a no discriminación (FHWA):**

Según el Título VI de el Acto de Derechos Civiles de 1964 y leyes y reglamentos relacionados, UDOT no quedará libre de participación en, negará beneficios de, o sujetará a discriminación a nadie en base a raza, color, origen nacional, sexo, edad o discapacidad.

#### **Título VI y Compromiso a no discriminación (FTA):**

Según el Título VI de el Acto de Derechos Civiles de 1964 y leyes y reglamentos relacionados, UDOT no quedará libre de participación en, negará beneficios de, o sujetará a discriminación a nadie en base a raza, color, y origen nacional.

#### **Proceso para Tramitar Quejas:**

UDOT ha establecido un proceso para tramitar quejas de discriminación y tomará acción pronta y razonablemente para investigar y eliminar discriminación cuando ésta suceda. Cualquier persona que crea que él o ella ha sido ofendido(a) por una práctica ilícita y discriminadora bajo el Título VI tiene derecho a someter una queja formal con UDOT. Tal queja debe ser por escrito y sometida al Coordinador de Título VI de UDOT durante los ciento ochenta (180) días a partir de la fecha del presunto acontecimiento. Para más información, por favor comuníquese con el Coordinador de Título VI de UDOT.

#### **Declaración ADA/504:**

Según la Sección 504 de al Acto de Rehabilitación de 1973 (Sección 504), El Acto de Ley para Estadounidenses con Discapacidades de 1990 (ADA) y leyes y reglamentos estatales y federales relacionados, UDOT hará todo esfuerzo para asegurar que sus instalaciones, programas, servicios, y actividades sean accesibles a todos aquellos con discapacidades. UDOT hará modificaciones razonables para individuos con discapacidades quienes deseen participar en eventos públicos o a quienes requieren asistencia especial para accede programas, servicios o actividades. Ya que proveer tales modificaciones puede requerir asistencia de terceras personas, organización o recursos, UDOT pide que cualquier petición sea hecha al menos cinco (5) días antes de la fecha en que se necesita tal modificación. Preguntas o solicitudes deben ser dirigidas al Coordinador de ADA de UDOT.

Los servicios serán proveídos libres de cargo a individuos con necesidades especiales o discapacidades. Cualquier cargo será pagado por el beneficiario. El public tendrá acceso a traductores, tarjetas "Yo Hablo", servicios TTY/TDD y documentos esenciales traducidos cuando sea necesario.

#### **Administrador Titulo VI de MAG**

Chad Eccles  
Mountainland Association of  
Governments  
586 East 800 North,  
Orem, Utah 84097  
Email: [ceccles@mountainland.org](mailto:ceccles@mountainland.org)  
Phone: (801) 229-3824

#### **Coordinador Título VI de UDOT**

Vicki Pollock  
Utah Department of  
Transportation  
4501 South 2700 West,  
P.O. Box 141520  
Salt Lake City, UT 84114-1520  
Email: [vpollock@utah.gov](mailto:vpollock@utah.gov)  
Phone: (801) 965-4384  
Fax: (801) 965-4101

#### **Coordinador de ADA de UDOT**

Aubrey Garduno  
Utah Department of  
Transportation  
4501 South 2700 West,  
P.O. Box 141425  
Salt Lake City, UT 84114  
Email:  
[aubreygarduno@utah.gov](mailto:aubreygarduno@utah.gov)  
Phone: (801) 965-4095  
Hearing Impaired: 711 or  
1-800-346-4128

Attachment 2a: Title VI Policy Statement



**MAG**

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**TITLE VI POLICY STATEMENT**

It is the policy of the Mountainland Association of Governments (MAG) to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.

\_\_\_\_\_  
Andrew K. Jackson  
Executive Director  
Mountainland Association of  
Governments

\_\_\_\_\_  
Date

**For more information contact:**

Mountainland Association of Governments  
Title VI Administrator  
586 East 800 North  
Orem, UT 84097  
801-229-3824  
[ceccles@mountainland.org](mailto:ceccles@mountainland.org)

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Attachment 2b: Title VI Policy Statement in Spanish



**MAG**

Expert Resources. Enriching Lives.

**DECLARACIÓN DE POLÍTICA CONFORME AL TÍTULO VI**

Es política de la Organización del Asociación de Gobiernos de Mountainland que a ninguna persona, por razones de raza, color, u origen nacional, se le excluya de participación, se le nieguen beneficios, o de cualquier otra manera se le discrimine bajo cualquier programa o actividad conforme al Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, y cualquier otra ley o reglamento aplicables de derechos civiles contra la discriminación. El administrador del Título VI del Asociación de Gobiernos de Mountainland tiene la autoridad para administrar y supervisar el Plan del Título VI conforme se lo promulga en el Título VI de la Ley de Derechos Civiles de 1964 y cualquier legislación posterior, y ofrecerá asistencia según corresponda. Asimismo, el Asociación de Gobiernos de Mountainland reconoce la necesidad de capacitar al personal sobre los procedimientos del Título VI.

Andrew K. Jackson  
Director Ejecutivo  
Asociación de Gobiernos de  
Mountainland

July 16, 2019

Fecha

**Para obtener más información, comuníquese con:**

Administrador del Título VI  
del Asociación de Gobiernos de Mountainland  
586 East 800 North  
Orem, UT 84097  
801-229-3824

[ceccles@mountainland.org](mailto:ceccles@mountainland.org)

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### Attachment 3: Standard Title VI Assurances

Mountainland Association of Governments(MAG) (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and the Utah Department of Transportation (UDOT), it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

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

1. That the Recipient agrees that each “program” and each “facility” as defined in subsections 21.23 (b) and 21.23 (e) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
  2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and Federal-Aid Transit Program and, in adapted form, in all proposals for negotiated agreements: MAG in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
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4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

7. That the recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal - Aid Highway Program and Federal-Aid Transit Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal - Aid Highway program and Federal-Aid Transit Program.

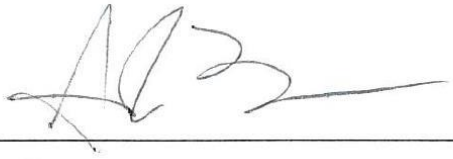
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements 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 shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

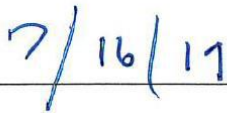
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance. THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to MAG under the Federal - Aid Highway Program and Federal-Aid Transit Program and is binding on it, other recipient, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal - Aid Highway Program and Federal-Aid 19 Transit Program.

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The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

A handwritten signature in black ink, appearing to be 'ADZ' followed by a long horizontal stroke.

Executive Director

A handwritten date in blue ink, '7/16/17'.

Date

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## Appendix A of the Title VI Assurances

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

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

3. Solicitations for Subcontracts, Including 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 shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*\*.

4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MAG or the Federal Highway Administration and Federal-Aid Transit Program to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to MAG, the Federal Highway Administration, or the Federal Transit Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, MAG shall impose 21 such contract sanctions as it or the Federal Highway Administration and Federal-Aid Transit Program may determine to be appropriate, including but not limited to:

a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or

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b. cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The Contractor shall include the provisions of paragraphs 1 through 6 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as MAG or the Federal Highway Administration and Federal-Aid Transit Program may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation by a subcontractor or supplier as a result of such direction, the Contractor may request MAG to enter into such litigation to protect the interests of the State; and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

\*\*The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

## Appendix B

### Clauses for Deeds Transferring United States Property

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

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that MAG will accept title to the lands and maintain the project constructed thereon, in accordance with the Intermodal Surface Transportation Efficiency Act (ISTEA), Transportation Equity Act for the 21st Century (TEA-21), Safe, Accountable, Flexible, Efficient, Transportation Equity Act - Legacy for Users (SAFETEA - LU), the Regulations for the Administration of MAG's programs and the policies and procedures prescribed by the Federal Highway Administration and Federal Transit Administrations of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation 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 (Name of Recipient) all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD said lands and interests therein unto MAG and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations

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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 shall be binding on MAG, its successors and assigns.

MAG, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, 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 MAG shall 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, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and that above described land and facilities shall thereon revert to and vest in and become the absolute property of the 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 effectuate the purpose of Title VI and related Nondiscrimination laws.*

## Appendix C

### Clauses for Transfer of Real Property Acquired or Improved Under the Federal Highway and Federal Transit Programs

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the MAG pursuant to the provisions of Assurance 8(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) set forth in the Title VI/Nondiscrimination Assurance agreement

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2. No person on the grounds of race, color, national origin, sex, age, or disability shall 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, MAG shall have the right to terminate the lease, license, permit, etc. and to re-enter and repossess said lands and facilities thereon, and hold the same as if the lease, license, permit, etc. had never been made or issued.

C. With respect to a deed, in the event of breach of any of the above nondiscrimination covenants, MAG shall have the right to re-enter the lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of MAG and its assigns.

## Appendix D

### Clauses for Construction/ Use/ Access to Real Property Acquired Under the Federal Highway and Federal Transit Programs

The following clauses shall be included in deeds, licenses, permits, or similar instruments entered into by MAG pursuant to the provisions of Assurance 8(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, national origin, sex, age, or disability shall 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, national origin, sex, age, or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in the Title VI/Nondiscrimination Assurance agreement.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, MAG shall have the right to terminate the (license, permit, etc., as appropriate) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*

C. With respect to deeds, in the event of breach of any of the above nondiscrimination covenants, MAG shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of MAG and its assigns. \*

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*\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI and related Nondiscrimination laws*





## TITLE VI COMPLAINT PROCEDURE

Title VI of the Civil Rights act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal assistance. As a sub-recipient of the Utah Department of Transportation (UDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), Mountainland Association of Governments (MAG) has adopted a Title VI Complaint Procedure as part of its Title VI Program.

The purpose of Title VI is to prevent the denial, reduction or delay of benefits to minority populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the MAG avoid producing disproportionately negative effects on minority populations.

### Filing of Complaints

Complainants, or their representative, may file a written complaint with MAG at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. Complainants can also file a complaint directly with UDOT at 4501 South 2700 West, P.O. Box 141520, Salt Lake City, UT 84114-1520, by email at [vpollock@utah.gov](mailto:vpollock@utah.gov), or by phone at 801-965-4384.

Complaints shall state the name and address of the person, and if applicable, the name of the representative filing on behalf of the complainant, the name and address of the entity alleged to have committed the act of discrimination, and shall set forth the particulars of that action and contain such other information as shall be required by MAG. All complaints will include the following information:

- Name, address, phone number, and email (if available) of the Complainant
  - Name address, phone number and relationship of representative to complainant, (if applicable)
  - Basis of complaint (i.e. race, color, national origin)
  - Date of alleged discriminatory act(s)
  - Date complaint received by MAG
-

- A statement of the complaint, including specific details, relevant facts and documentation.

### **Tracking System**

MAG's Title VI Administrator will maintain a Complaint Intake Log for MAG of all complaints received establishing the race, color, or national origin or protected class of the complainant; the identity of the recipient; the nature of the complaint; the date of the investigation, lawsuit, or complaint; a summary of the allegations; the status of the investigation, lawsuit or complaint; and actions taken in response to the investigation, lawsuit or complaint. This log will be maintained electronically and in hardcopy format at the MAG offices and will be available for review.

### **Procedure of Investigation of Complaints**

Within fifteen (15) days, MAG shall confirm receipt of the complaint and inform the Complainant of the investigation process.

Within sixty (60) days, should the complaint have merit, MAG shall commence an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, MAG will render a recommendation for action in a report of findings or resolution.

Within ninety (90) days, MAG will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the UDOT's Title VI Coordinator, if they are dissatisfied with the final decision rendered by MAG.

### **Resolution of Complaints**

If a probable cause of discriminatory practice based on race, color, or national origin is found to exist, MAG shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Action Plan shall include: a list of corrective actions accepted by the agency; a description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Highway Administration or the Federal Transit Administration as cited in FTA Circular 4702.1B.

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# MAG

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## TITLE VI DISCRIMINATION COMPLAINT FORM

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin Date of Alleged Discrimination (Month, Day, Year): _____ Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____ _____				

<b>Section IV</b>		
Have you previously filed a Title VI complaint with this agency?	Yes	No
<b>Section V</b>		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency: _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency _____		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
<b>Section VI</b>		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

**Signature**

**Date**

Please submit this form in person at the address below, or mail this form to:

Mountainland Association of  
Governments

Title VI Administrator

586 East 800 North

Orem, UT 84097

OR, email to: [ceccles@mountainland.org](mailto:ceccles@mountainland.org)



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## PROCEDIMIENTO DE QUEJAS CONFORME AL TÍTULO VI

El Título VI de la ley de Derechos Civiles de 1964, según su enmienda, prohíbe la discriminación por razones de raza, color u origen nacional en programas y actividades que reciben asistencia federal. Como beneficiario secundario del Departamento de Transporte de Utah (UDOT), de la Administración Federal de Autopistas (FHWA) y de la Administración Federal de Tránsito (FTA), el asociación de Mountainland de los gobiernos (MAG) ha adoptado un procedimiento de quejas conforme al Título VI, como parte del Programa del Título VI.

El objetivo del Título VI es prevenir la negación, limitación o demora de beneficios destinados a poblaciones minoritarias, y de esta manera asegurar la participación total y justa de las poblaciones afectadas por decisiones relacionadas con el transporte y garantizar que las políticas y los programas del MAG eviten efectos negativos desmedidos en poblaciones minoritarias.

### **Presentación de quejas**

Las personas que presentan una queja, o sus representantes, podrán presentarla por escrito ante el MAG en cualquier momento dentro de los ciento ochenta (180) días posteriores a la fecha del supuesto acto discriminatorio. Las personas que presentan una queja también pueden presentarla directamente ante el UDOT en 4501 South 2700 West, P.O. Box 141520, Salt Lake City, UT 84114-1520, por correo electrónico a [vpollock@utah.gov](mailto:vpollock@utah.gov), o por teléfono al 801-965-4384.

Las quejas deberán indicar el nombre y la dirección de la persona, y si corresponde, el nombre del representante de quien presenta la queja, el nombre y la dirección de la entidad que cometió el supuesto acto discriminatorio, los detalles de la acción y cualquier otra información que el MAG exija. Todas las quejas incluirán la siguiente información:

- Nombre, dirección, número de teléfono, y correo electrónico (de estar disponible) de la persona que presenta la queja
  - Nombre, dirección, número de teléfono y relación del representante con la persona que presenta la queja (si corresponde)
  - Razones de la queja (es decir, raza, color, origen nacional)
  - Fecha del(de los) supuesto(s) acto(s) discriminatorio(s)
  - Fecha en la que el MAG recibió la queja
-

- Una declaración de la queja que incluya detalles específicos, hechos relevantes y documentación.

### **Sistema de seguimiento**

El administrador del Título VI del MAG mantendrá un registro de ingreso de quejas para el MAG que incluirá todas las quejas recibidas y establecerá la raza, el color, el origen nacional o cualquier otra categoría protegida por ley de la persona que presenta la queja; la identidad del beneficiario; la naturaleza de la queja; la fecha de la investigación, del litigio o de la queja; un resumen de las acusaciones; el estado de la investigación, del litigio o de la queja; y las medidas tomadas en respuesta a la investigación, el litigio o la queja. Este registro se mantendrá en forma electrónica y en formato impreso en las oficinas del MAG y estará disponible para su revisión.

### **Procedimiento de investigación de quejas**

Después de quince (15) días, el MAG deberá confirmar la recepción de la queja e informar a la persona que la presentó sobre el proceso de investigación.

Después de sesenta (60) días, si se determina que la queja tiene fundamentos válidos, el MAG deberá iniciar una investigación de la(s) acusación(es). El objetivo de la investigación es determinar si existen razones para creer que se ha incurrido en el incumplimiento del Título VI de la Ley de Derechos Civiles de 1964. Además, el MAG presentará una recomendación de pasos a seguir en un informe de hallazgos o en una resolución.

Después de noventa (90) días, el MAG notificará por escrito a la persona que presentó la queja sobre la decisión tomada, incluyendo la disposición propuesta sobre el asunto. La notificación informará a la persona que presentó la queja sobre su derecho a presentar una queja formal ante el coordinador del Título VI del UDOT, en caso de estar insatisfecho con la decisión final presentada por el MAG.

### **Resolución de quejas**

Si se descubre que existe causa probable de actos discriminatorios basados en raza, color u origen nacional, el MAG deberá procurar que se eliminen esos actos a través de un plan de medidas correctivas. El plan de medidas correctivas deberá incluir: una lista de las medidas correctivas aceptadas por la agencia; una descripción de cómo se implementarán las medidas correctivas; y una garantía escrita de que la agencia implementará las medidas correctivas conforme a las estipulaciones del plan.

Si no se logra resolver la queja, la persona que la presentó deberá ser notificada por escrito sobre su derecho a presentar la queja ante la Administración Federal de Autopistas o ante la Administración Federal de Tránsito, conforme a la Circular 4702.1B. de la FTA.

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**FORMULARIO DE QUEJA POR DISCRIMINACIÓN CONFORME AL TÍTULO VI**

<b>Sección I:</b>				
Nombre:				
Dirección:				
Teléfono (domicilio):		Teléfono (trabajo):		
Dirección de correo electrónico:				
¿Requisitos de formato accesible?	Letra grande		Cinta de audio	
	Dispositivo de comunicación para sordos (TDD)		Otro	
<b>Sección II:</b>				
¿Usted presenta esta queja en su propio nombre?		Sí*	No	
*Si su respuesta a la pregunta fue "Sí", pase a la Sección III.				
De lo contrario, indique el nombre y la relación que tiene con la persona en cuyo nombre usted presenta la queja:				
Explique por qué ha presentado una queja en nombre de un tercero: _____				
Confirme que cuenta con el consentimiento de la parte agraviada si usted está presentando una queja en nombre de un tercero.		Sí	No	
<b>Sección III:</b>				
En mi opinión, la discriminación que sufrí se basó en (marque todas las opciones que apliquen): [ ] Raza [ ] Color [ ] Origen nacional Fecha de la supuesta discriminación (mes, día, año): _____ Explique con la mayor claridad posible qué sucedió y por qué piensa que fue discriminado. Indique todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que lo discriminaron (si son de su conocimiento), y los nombres y la información de contacto de cualquier testigo. Si necesita más espacio, utilice el dorso de este formulario. _____ _____				



<b>Sección IV</b>		
¿Ha presentado previamente una queja conforme al Título VI en esta agencia?	Sí	No
<b>Sección V</b>		
¿Ha presentado esta queja en otra agencia federal, estatal o local, o ante un tribunal federal o estatal? <input type="checkbox"/> Sí <input type="checkbox"/> No Si la respuesta es "Sí", marque todas las opciones que correspondan: <input type="checkbox"/> Agencia federal _____ <input type="checkbox"/> Tribunal federal _____ <input type="checkbox"/> Agencia estatal _____ <input type="checkbox"/> Tribunal estatal _____ <input type="checkbox"/> Agencia local _____		
Indique la información de contacto de una persona en la agencia/el tribunal donde la queja fue presentada.		
Nombre:		
Puesto:		
Agencia:		
Dirección:		
Teléfono:		
<b>Sección VI</b>		
Nombre de la agencia contra quien se presenta la queja:		
Persona de contacto:		
Puesto:		
Número de teléfono:		

Puede adjuntar cualquier material escrito o cualquier otra información que usted considere relevante para su queja.

A continuación deberá firmar e indicar la fecha\_\_

\_\_\_\_\_  
**Firma** **Fecha**

Entregue este formulario personalmente en la dirección que se indica a continuación, o envíe el formulario por correo a:

Mountainland Association of  
 Governments  
 Title VI Administrator  
 586 East 800 North  
 Orem, UT 84097

O, envíe un correo electrónico a: [ceccles@mountainland.org](mailto:ceccles@mountainland.org)

## Attachment 5: Public Participation and Limited English Proficiency (LEP) Plan

### MAG Public Participation

One of the requirements of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Clean Air Act, as Amended 1990 (CAAA), and the current federal program, Moving Ahead for Progress in the 21st Century (MAP-21), is that there be an opportunity for public participation in the planning process including comment and input on proposed TIPs (Transportation Improvement Programs) and RTPs (Regional Transportation Plans). MAG established a policy for public involvement in the planning process. As a result of changes in MAG's and UDOT's (Utah Department of Transportation) processes over the last few years, the MAG recently updated its Public Participation Plan. The following describes the public involvement efforts to be undertaken by the MAG prior to adopting a TIP, RTP, UPWP (Unified Planning Work Program) or amendments thereto.

### Annual Public Meetings

MAG will hold at least two annual public meetings in the Provo-Orem Urbanized Area, as required by joint FHWA/FTA planning regulations. Such meetings will be held in transit friendly and ADA accessible locations. Generally, these meetings will be held in order to receive input on the update and implementation of the RTP and the next year's TIP. The meetings will follow an open house format and provide a review of the overall planning process, including assumptions used for growth and development. The meetings will be combined, where possible, with a yearly Transportation Fair held in conjunction with UDOT and UTA (Utah Transit Authority). Efforts will be made to invite, by letter or e-mail, the diverse groups and persons included on the MAG mailing list noted below under **Other**, item 5. Provision will be made for both oral and written comments at the meeting.

The meetings will be advertised in area general circulation newspapers as display advertisements or press releases, e-and through the regular mail. The meeting dates and locations will also be posted on the MAG internet home page and social media.

### Transportation Improvement Program

The following describes efforts the MAG will undertake prior to adopting a new TIP and full amendments to the TIP (those amendments requiring an air quality conformity determination). Amendments not requiring a new air quality conformity determination are described at the end of this section.

1. The draft TIP and full TIP amendments will be developed through sub-area technical committees and based on applications from city and county highway authorities, UTA and UDOT.
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2. Legal Notices will be placed in area general circulation newspapers to notify the public that a draft of the new TIP or a full TIP amendment(s) is available for review. The notices will run for one day. This will signify the beginning of the review period. A 30-day period will be provided for public comments. Generally, this review period for the annual adoption of the TIP will begin approximately July 1st. A copy of the notice will also be posted on the MAG webpage and advertised through social media.
  3. An e-mailed memorandum describing the draft TIP or full TIP amendment, along with tables describing both highway and transit projects will be sent to those parties and individuals known to MAG to have some interest in transportation projects and programs in the area. These include groups included in the Regional Council mailing list noted below under Other. Hard copies shall be made available upon request.
  4. The draft of the new TIP will be given to the MAG MPO Regional Planning Committee and Wasatch RPO Committee for review and comment by local elected officials during the review period. Full TIP amendments will be taken to the committee in which the project(s) is located.
  5. A public meeting will also be held during the comment period to obtain input on the draft TIP. The meeting will have an open house format and will be advertised as a display ad in area general circulation daily newspapers and will be announced in e-mails sent to interest groups mentioned in item 3 above. An opportunity for the public to ask questions as well as provide written or oral comments will be provided at the meeting.
  6. A copy of the draft TIP and the analysis showing that the TIP conforms with the State Air Quality Implementation Plan will be available at MAG offices and on the MAG website for interested parties. Arrangements will be made to accommodate persons with special needs. The TIP will show all projects on a regional map and projects will be individually listed on the project tables in addition to overall summaries.
  7. Comments may also be made by letter, e-mail, telephone, or appearance at either the TAC (Technical Advisory Committee) meeting when the TIP and/or TIP amendments are recommended for approval and/or the (RPC) Regional Planning Committee when the approval action is taken, as these meetings are open to the public. A file will be kept of all comments received and made available to interested parties upon request. If comments are made by letter or telephone, MAG staff will present those comments at the meetings.
  8. TAC or the RPC will review all comments received following the comment period and make a recommendation for any changes to the TIP. If the changes are significant, an additional 30-day comment period will be provided. A new advertisement will be published, notifying the public that changes have been made to the Program. Only changes requiring a new air quality conformity analysis will be re-advertised.
  9. Final approval of the TIP will normally be made at the MAG Regional Planning Committee meeting typically in August of the approval year.
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10. After MAG approval of the TIP, comments may still be given, but will not necessarily be put in the "Public Comments" file or recorded in the minutes of any MAG meeting.

11. MAG will annually prepare a listing of projects which have obligated federal funds during the previous federal fiscal year. This listing will be presented to TAC and the RPC, placed on the MAG website, made available to the news media and sent to interested individuals.

12. During the course of a year, it is often necessary to amend the TIP for project modifications not requiring an air quality conformity analysis. In such cases, FHWA, UDOT, UTA and the MAG have agreed that comments will be accepted at the Regional Planning or Technical Advisory Committee meeting prior to the action. Additionally, very minor changes not requiring action by RPC or TAC may be made at the staff level without public comment, provided that the members of the Council are notified of the action.

13. The Utah Transit Authority has coordinated with the MAG to assure that the procedures established in this public Participation Plan, including public notice and time established for public review and comment on the transportation improvement program (TIP), satisfy the Requirement of public participation in the development of the program of projects and grant application requirements of the Federal Transit Administration (FTA) Urbanized Area Formula Program, Section 5307; and other FTA formula funds. The public participation requirements of 49 U.S.C. Section 5307 (b) (1) through (b) (7) (as amended by Map-21) are hereby integrated into this MPO adopted "Public Involvement Policy".

For FTA projects that are not routine, i.e. Section 5307 projects that require an environmental assessment or an environmental impact statement, the public involvement provided for herein for TIP review is not alone sufficient. Additional public involvement as described in the joint FHWA/FTA environmental regulations, 23 C.F.R. part 771, will be required by FTA for grant approval.

### **Regional Transportation Plan (RTP)**

Public input and comment will be solicited throughout the RTP development process as it is updated on a four-year cycle. However, specific efforts will be made at the beginning of the process to identify issues of importance to the public and at the end to obtain comments on the recommended Plan. MAG will make the following public involvement efforts:

1. A letter will be sent to various interest groups notifying them that the RTP is to be updated and asking for their input on what issues should be considered and what transportation needs should be addressed. These groups will include, but not be limited to, those listed below under **Other**, item 5.

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2. As the RTP reaches the alternatives phase, MAG staff will prepare and hold a series of open houses to make the alternatives available for public inspection and comment. The open houses will follow the traditional format allowing for one-on-one contact with the public in an informal setting. As appropriate, the open houses may also allow for public hearings in which individuals can give oral testimony to MAG staff and others who may be present. These same procedures will apply to other open houses held by MAG. The open houses will be noticed through advertisements placed in area general circulation newspapers. E-mails will also be sent to the identified stakeholders announcing the availability of the alternatives and the open houses. A press statement making a similar announcement will also be prepared and released. The Plan update alternatives will also be available on the MAG website, social media, other available means, and be so noted in press releases and advertisements.

3. When a recommendation for updating the Plan has been drafted, a similar process to that described in steps 1 and 2 above will be followed to obtain additional input and comments. A 30-day period will be provided for comments. In addition, public meetings will be held to explain the recommendations and hear further comments. The meetings will be combined with a yearly transportation fair held in conjunction with UDOT and UTA, if possible.

4. MAG's website will include visual representations of alternatives and the draft and adopted updates to the Plan.

5. All comments received will be kept on file along with a summary of the public meeting comments.

6. Press releases and media coverage will be encouraged. Press releases will generally include invitations for the public to comment via e-mail and other means on the elements of the Plan

7. During the four-year update cycle of the RTP, it is occasionally necessary to amend the Plan. If the amendment does not require a new conformity analysis, then there will be no comment period. Nevertheless, comments will always be welcome at Regional Council meetings. Otherwise, a comment period of 30 days will be used. Should a comment period be necessary, a legal notice of the proposed amendment will be placed in general circulation newspapers for the area. Notice will also be placed on the MAG website and sent to area stakeholders on the list maintained by MAG. Comments received will be forwarded to the members of MAG prior to their consideration of the Plan amendment.

8. As part of the outreach program, other federal, state, and local regulatory, human service and resource management agencies will be solicited for input regarding the alternatives and draft portions of Plan development.

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### **Unified Planning Work Program (UPWP)**

MAG updates its work program on an annual basis. As the draft work program becomes available, it will be posted on the MAG website. At that time, MAG will notify area stakeholders and other government agencies of the availability of the draft work program and solicit comments on the program from those stakeholders, government agencies, and the general public.

Comments received on the unified planning work program will be carefully considered and implemented where possible. Additionally, all comments will be forwarded to MAG prior to its adoption of the program.

### **Other**

1. MAG maintains an internet homepage that includes information about the Regional Council, the transportation planning process, the RTP, the TIP, the Mobility Management Plan, the Wasatch Choice for 2050 Vision and various major corridor planning and/or environmental studies.

This site is updated regularly and will also include information and agendas concerning upcoming public meetings, minutes of past MAG, Regional Planning Committee and TAC meetings, and copies of legal notices placed in area general circulation daily newspapers prior to public review periods.

Visualization techniques including but not limited to maps, charts, and GIS (geographic information systems) layering will be used on the website to make available graphic representations of the TIP and the RTP.

MAG will maintain a presence in social media and regularly update the same. Lastly, MAG will continue to review new outreach methods and opportunities and take advantage of them as they become practicable.

2. All MAG meetings are open to the public and are held at locations that are ADA (Americans with Disabilities Act) accessible. The meeting dates and locations are included on the MAG internet site. Regional Planning and TAC meetings will have an agenda item for the public to comment on MAG matters.

3. MAG staff will actively seek opportunities to meet with local officials, small groups, community councils, chambers of commerce, service clubs and members of the public concerning the TIP and Regional Transportation Plan in addition to specific projects and studies. Regional Council staff will pursue opportunities to brief newspaper, TV, and radio reporters on transportation issues.

4. Information concerning the MAG, the transportation planning process, and copies of the RTP and the TIP will be placed at UTA, UDOT, and on the MAG website. The Public may review and copy the RTP and the TIP.

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5. MAG will prepare, maintain and expand a list of individuals and groups interested in transportation issues. This list shall include but not be limited to environmental groups, minority groups, chambers of commerce, community groups, news media representatives, legislators, state, local and federal agencies, Native American groups, organizations for people with disabilities, highway user groups, senior citizen's organizations, historic preservation groups, transit unions, transit user groups, private transit providers, etc. This list will be used to disseminate information regarding the TIP, the Regional Transportation Plan, the annual public meeting/transportation fair and other transportation issues. MAG will welcome additions to this list.

6. MAG will prepare and update maps, GIS layering, power point presentations, photographs and other visualization techniques to make MAG proposals easily accessible to the public. Many such visual presentations will be made available on the MAG's website and at open houses and other public meetings.

7. Title VI: MAG is committed to full compliance with the requirements of Title VI of the Civil Rights Act of 1964. A full description of MAG's policy on Title VI is contained in Attachment 2 of the MAG Title VI Program.

8. Environmental Justice: During the public participation process, populations that have been traditionally underserved by existing transportation systems, including but not limited to low income, minority, Native American, persons with disabilities, and seniors groups shall be sought out in order to obtain their input relative to transportation needs.

9. Limited English Proficiency Plan: On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires agencies receiving substantial federal funding to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. To this end, MAG has developed and adopted a Limited English Proficiency Plan. This Plan, found in Appendix A, outlines MAG's efforts to make information available to LEP persons and groups.

10. MAG publications will include but not be limited to studies, brochures and other printed and electronic material detailing the RTP, the structure of the MAG and the planning process. The brochure on the RTP shall be sent to the recipients on the mailing list maintained by MAG, posted on the MAG website, in social media and disseminated through other available means. MAG staff will also actively collaborate with other transportation agencies in the publication of other related brochures and materials.

11. This Plan shall be reviewed and updated as needed every four years in association with the Regional Transportation Plan cycle.

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## Appendix A

### Limited English Proficiency Plan

#### Introduction

Most persons living in the United States read, write, speak, and understand English. There are many persons, however, for whom English is not their primary language. If those persons have a limited ability to read, write, speak or understand English, they are limited English proficient, or “LEP.”

Language barriers often inhibit, or prohibit, LEP persons from accessing benefits and services, from understanding and exercising rights, from fulfilling responsibilities and obligations, and from understanding information provided to them regarding federally funded programs, activities, and services.

In an effort to provide continuing, cooperative, and comprehensive transportation planning for residents of the region, MAG has developed the Limited English Proficiency Plan (hereinafter referred to as the Plan). The Plan outlines how to identify persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify limited English proficient (LEP) persons that assistance is available. The goal of the Plan is to ensure that all residents of the MAG Region can, to the fullest extent practicable, participate in the transportation planning and decision-making process.

Title VI and Executive Order 13166 As mentioned in the MAG’s Public Participation Plan, MAG is committed to incorporating Environmental Justice elements and Title VI considerations into its Public Participation Plan. During the public participation process, populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered.

Title VI states that no person shall be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. Title VI prohibits discrimination: whether intentional or where the unintended effect is unduly burdensome. Title VI Complaint Procedure (included as Attachment 4 to the Title VI Plan) outlines the MAG Title VI policy, how an individual may submit a complaint, how the complaint will be investigated and potential resolution scenarios.

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal

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financial assistance provide meaningful access to their LEP applicants and beneficiaries.

This Limited English Proficiency Plan outlines MAG's efforts to make information available to LEP persons. According to U.S. Department of Transportation Guidelines, a four-factor analysis is used to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

Four Factor Analysis The four-factor analysis considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.
  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 federal-funding recipient to people's lives.
  4. Resources available to federal-funding recipients and costs of language assistance.
- Factor 1 Analysis - The number and proportion of LEP persons in the service area. MAG serves the three-county region of Utah, Wasatch, and Summit Counties.

The latest Census Bureau data is reviewed in order to analyze the profile of the region's population. For the purposes of the LEP Plan, persons that identified themselves as speaking English less than "very well" are considered LEP persons.

Table A1 is reflective of those languages for which the persons 5 years of age and older speak English less than "very well" and meet the Safe Harbor Provision.

The Safe Harbor Provision states that federal agencies are considered to have strong evidence of compliance if they have translated vital documents into the languages for LEP groups numbering 5% of the population or 1,000 persons, whichever is less.

**Table A1: Language for which Safe Harbor Provisions are achieved, for the MAG Region**

		Total Pop	% of Population	% LEP
Total	Regional Population	580,107	100%	
	Total LEP	98,366	17	
	Spanish	74,472	12.8	3.6

A list of all persons speaking English less than "very well" indicates that only the Spanish language would qualify as an LEP need. This means that all the other

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languages indicated that speak English less than “very well” are less than 5% or 1,000 people whichever is the smallest.

Factor 2 Analysis - The frequency in which LEP Persons Encounter the MPO Programs. The MAG region is an area with a rapidly growing population. Although the interaction with LEP persons has been limited among MAG staff to date, it is anticipated that the interaction between LEP populations and staff will grow in the future.

Factor 3 Analysis - The Importance of the Service Provided by MAG. MAG programs use federal funds to plan for future transportation projects, and therefore do not include any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs such as food or shelter. Further, MAG does not conduct activities such as applications or interviews prior to participation in its programs or events. Involvement by any citizen with the MPO or its committees is voluntary.

However, the MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process for the use of federal funds in three (3) major work products for MAG. Each of the following bullet points represents a document created by MAG:

- The Unified Planning Work Program (UPWP)
- The Transportation Improvement Program (TIP)
- The Regional Transportation Plan (RTP)

Inclusive public participation is a priority consideration in other MAG plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an impact on all residents. Understanding and continued involvement are encouraged throughout the process. MAG is concerned with input from all stakeholders, and every effort is taken to make the planning process as inclusive as possible.

Factor 4 - The Resources Available and Overall Cost The fourth and final factor of the analysis weighs the preceding three factors to assess the needs of LEP persons within the region against the resources available to the MAG and the costs of providing access.

MAG seeks input from all stakeholders, and every effort is made to ensure that the planning process is as inclusive as possible. Continued public involvement and participation is encouraged throughout the process. MAG currently posts agendas for all meetings, which are open to the public. MAG staff is available to address community organizations as requested. MAG staff fields inquiries from the public regarding

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transportation projects. MAG updates its website to make it easier for residents to follow its activities. Finally, MAG outlines ways in which the public can become involved in the MAG planning and decision-making process in its Public Involvement Policy, which is posted online and copies of which are available at MAG staff offices.

Given the high percentage of Spanish - speaking persons who speak English less than “very well,” MAG shall translate all vital documents to Spanish. Vital documents, as defined by FTA, are those documents that provide access to essential services. Examples of vital documents include a Title VI complaint form and notice of a person’s rights under Title VI.

Due to budget constraints, MAG is unable to translate all vital documents to all languages identified in Safe Harbor analysis. However, MAG is committed to providing free oral language translation services at any time requested, as long as an appropriate amount of time is allowed to acquire translation services. In addition, MAG has some bilingual staff present. MAG will consider requests for translation of other, non-vital, written documents on a case by case basis.

### **Meeting Requirements & Implementation**

**Identifying LEP Individuals Who Need Language Assistance** When first encountering a LEP individual in a face-to-face situation, MAG staff will use language identification flashcards developed by the U.S. Census Bureau. These cards have the phrase, “Mark this box if you read or speak ‘name of language,’” translated into 38 languages. They were designed for use by government and nongovernment agencies to identify the primary language of LEP individuals during face-to-face contacts. The Census Bureau’s Language Identification Flashcard can be downloaded at <http://www.lep.gov/ISpeakCards2004.pdf>.

MAG will make them available at public meetings and other community input events. Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

### **Types of language services available**

In the event that MAG should receive a request for assistance in a language other than English, staff members will take the name and contact information of the person. For languages unknown to MAG staff, MAG will use a free online written translator website. MAG’s web page, updated 2019, incorporates tools which translate the website into major languages present in the Region. MAG recognizes that the free online translation service used for this is not completely accurate. MAG will provide free oral language translation assistance if requested.

Within its budget and capabilities, the MAG staff pledges that it will, to the best of its abilities, ensure that LEP persons have a meaningful opportunity to participate in the transportation planning and decision-making process.

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**MAG Staff Training** Current staff members and incoming staff members will be briefed on the LEP Plan and how to assist LEP persons. They will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

**Monitoring and Updating the LEP Plan** This LEP Plan is designed to be flexible and one that easily can be updated. At a minimum, MAG will follow the Title VI program update schedule. It is likely that this LEP Plan, along with other public involvement MAG documents will be reviewed and updated as needed on a four-year schedule similar to the updates of the Regional Transportation Plan (RTP). MAG understands that its community profile continues to change and that the four-factor analysis may reveal the need for additional LEP services in the future. As such, MAG will examine its Title VI Plan to ensure that it remains reflective of the community's needs, during regular updates to the Public Involvement Policy.

MAG will consider on a regular basis the following components:

- How many LEP persons were encountered? Were their needs met?
- What is the current LEP population in the MAG planning area?
- Has there been a change in the types of languages where translation services are needed?
- Has MAG available resources, such as technology, staff, and financial costs, changed? • Has the MAG fulfilled the goals of the LEP Plan?
- Were there any complaints received?
- Have new federal or state regulations concerning LEP Plans been approved that necessitate the changes to the current LEP Plan or MAG process for addressing LEP persons?
- Are there new methods or opportunities to conduct outreach to LEP populations?

#### Providing Notice to LEP Persons

It is important to notify LEP persons of oral translation services which are available, free of charge, in a language that would be understood. Where appropriate and feasible, MAG will include the following language in English and Spanish in agenda packages: Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation for a meeting should contact the MAG's Title VI Administrator at 801-229-3824 or [ceccles@mountainland.org](mailto:ceccles@mountainland.org) at least 72 hours in advance.

Se solicita La participación del público, sin importar la raza, color, nacionalidad, edad, sexo, religión, incapacidad o estado familiar. Personas que requieren servicios de traducción deben contactar a MAG's Administrador de título VI al teléfono 801-229-3824 o [ceccles@mountainland.org](mailto:ceccles@mountainland.org) por lo menos 72 horas antes de la reunión.

In addition, all vital documents are translated to Spanish and are available via the web, by mail, or in person at the MAG offices.

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## Dissemination of the MAG Limited English Proficiency Plan

The LEP Plan will be posted on the MAG website at [www.mountainland.org](http://www.mountainland.org). Copies of the LEP Plan will be provided to the Utah Department of Transportation (UDOT), the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and any person or agency requesting a copy.

Any questions or comments regarding this plan should be directed to

Title VI Coordinator - Chad Eccles

MAG

586 East 800 North

Orem, UT 84097

801-229- 3824

[ceccles@mountainland.org](mailto:ceccles@mountainland.org)

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## Attachment 6: Safe Harbor Analysis

Safe Harbor Analysis	Total	%
<b>Total for the MAG Region:</b>	<b>580107</b>	<b>100%</b>
Speak only English:	481741	83.0%
Spanish or Spanish Creole:	53657	9.2%
Spanish or Spanish Creole: - Speak English less than "very well"	20815	3.6%
French (incl. Patois, Cajun):	1871	0.3%
French (incl. Patois, Cajun): - Speak English less than "very well"	275	0.0%
French Creole:	45	0.0%
French Creole: - Speak English less than "very well"	11	0.0%
Italian:	539	0.1%
Italian: - Speak English less than "very well"	96	0.0%
Portuguese or Portuguese Creole:	2546	0.4%
Portuguese or Portuguese Creole: - Speak English less than "very well"	317	0.1%
German:	1577	0.3%
German: - Speak English less than "very well"	100	0.0%
Yiddish:	0	0.0%
Yiddish: - Speak English less than "very well"	0	0.0%
Other West Germanic languages:	348	0.1%
Other West Germanic languages: - Speak English less than "very well"	21	0.0%
Scandinavian languages:	564	0.1%
Scandinavian languages: - Speak English less than "very well"	31	0.0%
Greek:	47	0.0%
Greek: - Speak English less than "very well"	5	0.0%
Russian:	638	0.1%
Russian: - Speak English less than "very well"	94	0.0%
Polish:	99	0.0%
Polish: - Speak English less than "very well"	21	0.0%
Serbo-Croatian:	36	0.0%
Serbo-Croatian: - Speak English less than "very well"	0	0.0%
Other Slavic languages:	266	0.0%
Other Slavic languages: - Speak English less than "very well"	11	0.0%
Armenian:	181	0.0%
Armenian: - Speak English less than "very well"	89	0.0%
Persian:	80	0.0%
Persian: - Speak English less than "very well"	5	0.0%
Gujarati:	0	0.0%
Gujarati: - Speak English less than "very well"	0	0.0%
Hindi:	210	0.0%
Hindi: - Speak English less than "very well"	20	0.0%
Urdu:	40	0.0%
Urdu: - Speak English less than "very well"	40	0.0%
Other Indic languages:	400	0.1%



Other Indic languages: - Speak English less than "very well"	220	0.0%
Other Indo-European languages:	211	0.0%
Other Indo-European languages: - Speak English less than "very well"	14	0.0%
Chinese:	1970	0.3%
Chinese: - Speak English less than "very well"	755	0.1%
Japanese:	1441	0.2%
Japanese: - Speak English less than "very well"	331	0.1%
Korean:	1408	0.2%
Korean: - Speak English less than "very well"	495	0.1%
Mon-Khmer, Cambodian:	66	0.0%
Mon-Khmer, Cambodian: - Speak English less than "very well"	6	0.0%
Hmong:	23	0.0%
Hmong: - Speak English less than "very well"	0	0.0%
Thai:	128	0.0%
Thai: - Speak English less than "very well"	29	0.0%
Laotian:	136	0.0%
Laotian: - Speak English less than "very well"	83	0.0%
Vietnamese:	387	0.1%
Vietnamese: - Speak English less than "very well"	275	0.0%
Other Asian languages:	227	0.0%
Other Asian languages: - Speak English less than "very well"	76	0.0%
Tagalog:	935	0.2%
Tagalog: - Speak English less than "very well"	241	0.0%
Other Pacific Island languages:	1989	0.3%
Other Pacific Island languages: - Speak English less than "very well"	375	0.1%
Navajo:	164	0.0%
Navajo: - Speak English less than "very well"	0	0.0%
Other Native North American languages:	12	0.0%
Other Native North American languages: - Speak English less than "very well"	0	0.0%
Hungarian:	33	0.0%
Hungarian: - Speak English less than "very well"	11	0.0%
Arabic:	413	0.1%
Arabic: - Speak English less than "very well"	244	0.0%
Hebrew:	50	0.0%
Hebrew: - Speak English less than "very well"	0	0.0%
African languages:	253	0.0%
African languages: - Speak English less than "very well"	53	0.0%
Other and unspecified languages:	147	0.0%
Other and unspecified languages: - Speak English less than "very well"	70	0.0%
U.S. Census Bureau, 2015 American Community Survey 5-Year Estimates, Table B16001; generated by MAG using American Fact Finder		

## **PUBLIC PARTICIPATION PROGRAM**

Mountainland, as the Metropolitan Planning Organization (MPO) in Utah County provides reliable information for public review and incorporates public input into all planning activities. Mountainland works to inform the public of its programs and encourages public comments at every decision-making opportunity. This includes involvement in the early stages of the development of the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) and continuing through final approval process. Without the involvement of local citizens, it is difficult to plan a transportation system that effectively meets the needs of the public.

Mountainland coordinates with local, state, and federal transportation providers to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs.

Participation is sought from all interested parties, including but not limited to:

- Special interest groups
- Minority individuals and organizations
- Senior citizens
- Lower income
- Elected officials
- State and local government agencies,
- Resources Agencies
- Businesses
- Utah County residents

When needed, community task forces and public advisory committees are formed to more directly provide feedback and input. These strengthen Mountainland's planning process by providing the public the opportunity to comment on plan objectives and project funding from the start.

Written and verbal comments or questions about transportation plans and programs are recorded and receive a verbal or written acknowledgement from a qualified staff member. All comments along with the contact information of the commenters are included in the final copy of the document and are added to the mailing and email lists for future notices of planning activities.

Meeting agendas are posted, at least 24 hours prior to the meeting, at the Mountainland office and website [www.mountainland.org](http://www.mountainland.org) and the State's Public Meeting Notice website. Legal Notices for public review and comments are posted to the same locations.

Press releases, Mountainland website, MPO cities' websites, social media, flyers, posters, newspaper advertisements, mailings, email, information on buses, and bulletin boards are utilized to inform the public about transportation activities.

### ***EXCHANGING IDEAS***

Comments are also taken by telephone, in person at the Mountainland office, or on individual special study websites.

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Draft and adopted plans and programs are available on the Mountainland website and the Mountainland office.

### ***TITLE VI***

Staff conscientiously follows Title VI of the Civil Rights Act of 1964, amended (42 USC 2000d-1) and 49 CFR part 21, and the Title VI assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794, which ensures that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program receiving federal assistance from the United States Department of Transportation.

Mountainland MPO staff activity seeks out all persons, regardless of race, color, sex, national origin, limited English proficiency or physical handicap and is committed to assuring all have a chance to participate in the planning process and are not denied the benefits of such participation. MPO staff uses the latest census data to identify residential, employment, and transportation patterns of low-income, elderly, disabled, and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.

Translation services will be made available upon advance request, as well as interpretation services for American Sign Language.

Any person who believes that his/her Title VI nondiscrimination rights, ADA, or Limited English Proficiency (LEP) rights have been

violated may submit a complaint through the Mountainland website, [www.mountainland.org](http://www.mountainland.org) or by mail.

### ***AMERICANS WITH DISABILITIES ACT***

Staff complies with the Americans with Disabilities Act of 1990 (ADA) (Pub. L. 101-336, 104 Stat. 327, as amended) and U.S. DOT regulations "Transportation for Individuals with Disabilities" (49 CFR parts 27, 37, and 38), to assure that everyone is able to participate in the transportation planning process. In compliance with ADA requirements, all MPO meetings are held in wheelchair-accessible meeting rooms at facilities with accessible parking and can be easily reached on transit routes.

### ***ENVIRONMENT JUSTICE***

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, age or income with respect to the development, implementation, and enforcement of environmental laws. Environmental justice seeks to ensure that minority and low-income communities have access to public information relating to human health and environmental planning regulations and enforcement. It ensures that no population, especially the elderly and children are forced to shoulder a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards. (U.S. EPA Department of Environmental Justice)

There are four fundamental environmental justice principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental

effects, including social and economic effects, on minority populations and low-income populations.

2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
4. To certify compliance with Title VI and address environmental justice, Mountainland will:
  - a. Enhance their analytical capabilities to ensure that the long-range transportation plan and the transportation improvement program (TIP) comply with Title VI.
  - b. Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
  - c. Evaluate and - where necessary - improve their public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.

The MPO staff will analyze the populations of minorities, low-income, disabled and

elderly populations, and map locations that specifically cater to these demographics such as churches, community centers, shopping, government offices, and others common travel destinations using GIS and uPlan.

### ***MAILING AND EMAIL LISTS***

Mountainland maintains extensive electronic and hard copy mailing lists of individuals who have expressed an interest or who have participated in the transportation planning processes. This list includes:

- Elected officials
- Environmental groups
- Businesses representatives
- State government officials and staff
- Resource Agencies staff
- Local community staff
- Neighborhood groups
- Minority groups and businesses
- Citizens

Post cards in English and Spanish are mailed and emailed to the mailing lists inviting them to open houses or public meetings.

The public participation program is reviewed periodically by the Mountainland staff for its effectiveness in assuring that the public is provided full and open access to all transportation planning documents.

Mountainland staff looks for new ways to inform the public and solicit their comments.

### ***ADOPTION OR AMENDMENT PROCESS***

Adoption and/or any amendments of the Public Participation Program require a 45-day public comment period prior to adoption by the Mountainland Regional Planning Committee.

## **COMMITTEES**

Long range planning issues, transportation projects, and matters related to federal transportation funds are presented and discussed in the monthly Regional Planning Committee and Technical Advisory Committee meetings. The public is always welcome at any of the following Mountainland MPO sponsored committee meetings.

- *Regional Planning Committee (RPC):*  
Includes the mayors in Utah County, Utah County Commissioners, a Utah Department of Transportation Commissioner, a Utah Transit Authority Board Member, a Utah Air Quality Board Member, and representatives from various state and federal agencies. This committee is the executive board or Policy Committee for the Mountainland MPO and approves/adopts all plans and programs.
- *Technical Advisory Committee (TAC):*  
Includes technical and planning staff of all the participating jurisdictions and agencies in the metropolitan planning area. They meet once a month and advise the RPC Policy Committee.
- *MPO Finance Committee:*  
A sub-committee to Regional Planning Committee, includes

mayors, commissioners, UDOT, and UTA representatives to discuss various transportation funding strategies and advise the RPC Policy Committee

- *Joint Policy Advisory Committee (JPAC):*  
Representatives from the Metropolitan Planning organization's UDOT, and UTA have joined together to improve communication and coordination on transportation issues. JPAC functions as an advisory body to its member agencies.

- *Public and Other Advisory Committees:*  
May be established for special studies and for the development of transportation related plans. The committees may consist of city/county staff, resource agency representatives, and interested people who volunteer or are appointed by local elected officials.  
Mountainland MPO staff are involved in various community-based committees where transportation issues are discussed.

Mountainland outreach events are kept up to date on the Mountainland website, [www.mountainland.org](http://www.mountainland.org).

## **UNIFIED PLANNING WORK PROGRAM**

The Unified Planning Work Program (Work Program) describes the annual transportation planning work that is

undertaken by the Mountainland Metropolitan Planning Organization, Utah Department of Transportation and the Utah

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Transit Authority in Utah County. It illustrates to our members, Federal Highway Administration, Federal Transit Administration, and the general public where our planning resources are allocated. This program gives an overview of the planned work, budget and sources of funding.

### **ADOPTION PROCESS**

A new Work Program is adopted every year in May by the Regional Planning Committee prior its inclusion into the Mountainland Association of Governments' (MAG) annual Budget.

There is a required ten-day public comment period for the Mountainland AOG Budget. A Public Hearing is held during MAG's Executive Council May meeting where the MAG Budget is adopted.

## **REGIONAL TRANSPORTATION PLAN**

The Regional Transportation Plan (RTP) lists the proposed transportation projects to be constructed in the next 20 to 30 years. The RTP must conform to the federal Air Quality Conformity standards via the State's Implementation Plan for Air Quality prior to adoption. The RTP is updated every four years using the latest development patterns and growth projections. Any draft and final adopted RTP's are available at the Mountainland office and [www.mountainland.org](http://www.mountainland.org).

### **APPROVAL/ADOPTION PROCESS**

The Regional Planning Committee approves the draft RTP for an official 30-day public

### **AMENDMENT/MODIFICATION PROCESS**

On occasion the Work Program needs to be amended or modified to allow for new staff funding, a new study, or to modify an existing study/contract.

*Staff Modification:* Does not require Regional Planning Committee approval.

- Up to a 20% funding change to an existing study/contract

*Board Amendment:* Public comment is held during a Regional Planning Committee meeting.

- Adding new staff member
- Over a 20% funding change to an existing study/contract
- A major scope change to a study/contract
- A new Item placed in the Work Program

comment period. A public meeting is held during the public comment period.

Comments are received throughout the planning process.

After the official public comment period is completed and all comments and any changes are incorporated into the RTP the Regional Planning Committee adopts the Plan.

### **AMENDMENT PROCESS**

Amendments requiring an air quality conformity analysis have a 30-day public comment period. An amendment includes:

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- ♦ A new Phase 1 project not in the current plan
- ♦ A significant scope change to an already existing project in Phase 1 of the plan (over 1/2-mile increase in project length, adding additional lanes, changing a bus route to a BRT or light rail line, etc.)

- ♦ A funded regionally significant project moving from a later phase of the plan to Phase 1

The TAC and RPC adopt amendments to the Regional Transportation Plan.

## **TRANSPORTATION IMPROVEMENT PROGRAM**

The Transportation Improvement Program (TIP) is a list of the funded transportation projects that start or are constructed over the current four-year period. The TIP must conform to the federal Air Quality Conformity standards via the State's Implementation Plan for Air Quality. The TIP is updated annually. The TIP can be modified or updated by an amendment process, whereas projects can be added in, taken out, or corrected throughout the four-year life of the TIP.

### **ADOPTION/APPROVAL PROCESS**

The draft and final TIP and all amendments are brought before the TAC for their review and recommendations to the Regional Planning Committee.

The Regional Planning Committee will review the draft TIP during the 30-day public comment period. A public meeting is held during the public comment period. The MPO Regional Planning Committee adopts the final TIP after the public comment period is finished.

The Utah Transit Authority has coordinated with the Mountainland Association of

Governments to assure that the procedures established in this public involvement policy, including public notice and time established for public review and comment on the transportation improvement program (TIP), satisfy the requirement of public participation in the development of the program of projects and grant application requirements of the Federal Transit Administration (FTA) Urbanized Area Formula Program, Section 5307; and other FTA formula funds. The public participation requirements of 49 U.S.C. Section 5307 (b) (1) through (b) (7) (as amended by Map-21) are hereby integrated into this MPO adopted "Public Involvement Policy."

### **AMENDMENT PROCESS**

There are three different ways to amend the TIP.

*Staff Modification:* A staff modification does not require public comment or Regional Planning Committee approval. A staff modification is based on the following:

- Change in project funding source
- Additional funds - 25% of project value up to \$500k



- A project moved within the 4-year TIP
- Minor project scope changes

#### *Board Modification:*

Public comment will be conducted during the regularly scheduled Regional Planning Committee meeting. If no comments or changes are required, Regional Planning Committee will approve the modifications at the meeting. Board modification is based on the following:

- A new or changed Regionally Significant Project from Phase 1 of the Regional Transportation Plan
- New or changed non-regionally significant project

- Additional funds over 25% of project value or over \$500k

#### *Full Amendment:*

A 30-day public comment period is required prior to Regional Planning Committee approval. A full amendment is needed for the following:

- New Regionally Significant Project not from Phase 1 of the Regional Transportation Plan will cause:
  - ♦ New regional emission analysis
  - ♦ A Regional Transportation Plan amendment

## **TRANSPORTATION STUDIES**

Depending on the type of study, a policy, technical, and/or public advisory committees may be established. A kick-off brainstorming session or focus group may involve community leaders, technical and resource agency staff, minority representatives and the public.

A Request for Qualifications/Proposal (RFQ/RFP) for a study is issued by legal notice, the State's Legal Notice website, mail, and on [www.mountainland.org](http://www.mountainland.org). Transportation Studies are procured in a manner consistent with the MAG purchasing Policy.

A thorough public participation process may be incorporated into the study's work scope to include but not limited to the following.

- *Public Meetings:* open houses, focus groups or workshops
- *Study Website:* created so the public can follow the progress of study and to make comments
- User friendly brochure or executive summary
- Public Meeting may be held during the comment period

TAC and RPC receives the results of each Transportation Study.

## **PRESENTATIONS**

Staff members make presentations to city

and county planning commissions, local

elected officials, local business groups, area schools, and university classes on Mountainland's planning activities. Presentations are also given to local

Chambers of Commerce, legislators, and legislative committees. Staff documents the presentation dates on the MAG website

## **OPEN HOUSES**

Mountainland sponsors Transportation and Community Planning Open House each year. Transportation and community planning representatives from Mountainland, Utah Department of Transportation, Utah Transit Authority, Utah Division of Air Quality, Utah County, and the various communities in the MPO display current and future transportation and community development plans.

Mountainland staff, city/county staff, UDOT, and UTA representatives are available to explain documents and answer questions. This public involvement process includes written comments, one-on-one exchanges, and group discussions.

These public comments are incorporate as appropriate into plans and programs.

## **CONCLUSION**

Participation by the public provide a comprehensive decision-making process. Effective public involvement requires reaching out to the public and stakeholders to identify their transportation needs.

Transportation projects are more likely to be accepted and supported by the community if community members are given the opportunity to have an active role in shaping the decisions. Informed citizens can better assist elected officials in reaching sound decisions supported by the community.

The Public and Stakeholders use the transportation network daily, they can supply the transportation planning agencies information about congested areas, road connectivity, visions of future roads, transit routes, traffic signal timing, etc. Therefore,

public participation is not only a requirement but a vital tool utilized by the Mountainland, UDOT and UTA planners, engineers, and elected officials.

Public knowledge, participation, and input are key elements in the Mountainland transportation planning effort. Having meaningful and extensive public involvement from start to finish in the planning process enhances all plans and programs.

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Attachment 8: Resolution



RESOLUTION APPROVING THE MAG TITLE VI PLAN

WHEREAS, MAG as the Association of Governments is the officially designated Metropolitan Planning Organization (MPO) for the Utah County Areas and Rural Planning Organization (RPO) for the Wasatch County Area by the Governor of Utah in accordance with federal law; and,

WHEREAS, MAG provides through its Aging and Family Services, various other important services to Wasatch, Summit, and Utah Counties; and,

WHEREAS, MAG administers Community Development Block Grants and Small Business Loans through its Community and Economic Development department; and,

WHEREAS, Title VI of the Civil Rights Act of 1964 and related statutes prohibit discrimination on the basis of race, religion, color, national origin, sex, or age; and,

WHEREAS, MAG, as a recipient of federal financial assistance, is required to comply with Title VI requirements which include review and approval of a Title VI Nondiscrimination Program every three years.

NOW THEREFORE LET IT BE RESOLVED, that:

(1) The Mountainland Association of Government Executive Council approves the MAG Title VI Plan included as Attachment 1.

(2) This resolution shall be transmitted to the Utah Department of Transportation and other funding agencies as appropriate.

(3) This resolution shall be in effect immediately upon its adoption.

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Mayor Jeff Acerson, Chair  
MAG Executive Council

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Andrew K. Jackson, Executive Director  
MAG

Date:

## Attachment 9: Sample Title VI Complaint Log

## FTA COMPLAINT LOG

Date \_\_\_\_\_

Name of Agency\_\_\_\_\_

Person who prepared report \_\_\_\_\_

Contact Information: Phone \_\_\_\_\_ Email \_\_\_\_\_

[illegible]