



# Road Commission of Kalamazoo County

## TITLE VI NON-DISCRIMINATION PLAN

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## INTRODUCTION

The Road Commission of Kalamazoo County (RCKC) maintains a county road system that is safe and convenient for public travel and manages the roadside environment, with a view toward preservation. Working with other governmental units, we work hard to locate and maximize every dollar available for infrastructure maintenance and construction. We are dedicated to public service and available to serve you. The RCKC's transportation program serves all people utilizing the county road system with a safe, efficient, environmentally sound, comprehensive, and cost-effective transportation system. The RCKC serves all people of the county of Kalamazoo, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the State of Michigan. The RCKC recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

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 which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title 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 of 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 populations 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.

As a recipient of federal financial assistance, the RCKC must provide access to individuals with limited ability to speak, write, or understand the English language. The RCKC must not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially

impairing accomplishment of the objectives of the program because of race, color or religion. Therefore, the primary goals and objectives of the RCKC's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the RCKC's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the RCKC's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create an illegal adverse impact on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within, the RCKC;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in a RCKC service, program or activity.

As the sub-recipient of federal transportation funds, the RCKC must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The RCKC shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The RCKC, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, RCKC will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

## **Discrimination under Title VI**

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is “disparate treatment.” Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age.

The second type of illegal discrimination is “disparate impact.” Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The RCKC's efforts to prevent such discrimination must address, but not be limited to, a program's impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The RCKC has developed this Title VI Plan to assure that services, programs, and activities of the Road Commission are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

## Road Commission of Kalamazoo County TITLE VI NON-DISCRIMINATION POLICY STATEMENT

The RCKC reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

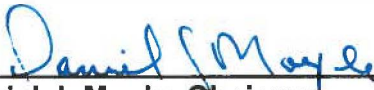
“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”  
In applying this policy, the RCKC and its sub-recipients of federal funds will not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a federally-funded service or benefit.

The RCKC will actively pursue the prevention of any Title VI deficiency or violation and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues within 90 days.

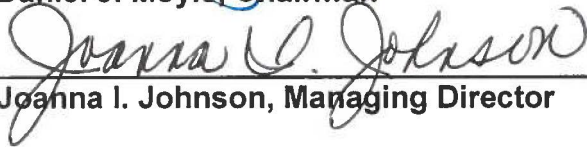
The KCRC designates the Managing Director as the Title VI Coordinator. The Managing Director will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring the KCRC complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the KCRC and Title VI may be directed to

Kalamazoo County Road Commission  
Attn: Managing Director  
4400 S 26th Street  
Kalamazoo, MI 49048  
Phone: 269-381-3171  
Fax: 269-381-1760  
Email: info@kalamazoocountyroads.com



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Daniel J. Moyle, Chairman



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Joanna I. Johnson, Managing Director

8-26-14

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Date

## Road Commission of Kalamazoo County TITLE VI ASSURANCES

The Road Commission of Kalamazoo County (RCKC) (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for 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 gender, race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

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

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

“The (Recipient), 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 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 insure that in any contact 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.
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 (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, 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, sub-grantees, 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 the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Kalamazoo County Road Commission

  
 Daniel J. Moyle  
 Chairman of the Board

8-26-14  
 Date

**AUTHORITIES**

**Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000-4; 42 USC 4601 to 4655; 23 USC 109(h);**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin (including Limited English Proficiency), or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Federal Aid Highway Act of 1973, 23 USC 324:** No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

**Age Discrimination Act of 1975, 42 USC 6101:** No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

**Americans With Disabilities Act of 1990 PL 101-336:** No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

**Section 504 of the Rehabilitation Act of 1973:** No qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

**USDOT Order 1050.2:** Standard Title VI Assurances.

**EO 12250:** Department of Justice Leadership and coordination of Non-discrimination Laws.

**EO 12898:** Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; and

**28 CFR 50.3:** Guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

**EO 13166 Improving:** Access to Services for Persons with Limited English Proficiency.

## **DEFINITIONS**

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: (See Appendix B for additional discussion of “significant.”)

- Bodily impairment, infirmity, illness or death
- Air, noise, and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or a community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of persons, businesses, farms, or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of RCKC programs, policies, or activities

Significant Adverse Effects on Minority and Low-Income Populations – An adverse affect that:

- a. is predominately borne by a minority population and/or a low-income population, or
- b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Limited English Proficiency (LEP) – Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the RCKC.

Federal Assistance – includes grants and loans of federal funds; the grant or conation of federal property and interests in property; the detail of federal personnel, Federal property of any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Low-Income – A person whose median household income is at or below the Department of Health and Human Services poverty guidelines.  
(<http://aspe.os.dhhs.gov/pverty/poverty.htm>)

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed RCKC program, policy, or activity.

Minority – A person who is:

- a. Black – a person having origins in any of the black racial groups of Africa;
- b. Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. Asian American – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or
- d. American Indian and Alaskan Native – a person having origins in any of the original people of North American and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed RCKC program, policy or activity.

Non-compliance – a recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: “White not of Hispanic origin,” “Black not of Hispanic origin,” “Hispanic,” “Asian or Pacific Islander,” “American Indian or Alaskan Native.” Additional sub-categories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – includes any road or bridge project including planning, or any activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient – any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Sub-recipient – An agency such as a council of governments, regional planning agency, educational institution, for example, that receives Federal Highway Administration (FHWA) funds through the State DOTs and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

## ADMINISTRATION – GENERAL

The RCKC designates the Managing Director as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). The Managing Director shall have lead responsibility for coordinating the administration of the Title VI and related statues program, plan, and assurances.

- Complaints

If any individual believes that he/she or any other program beneficiaries have been the object of an unequal treatment or discrimination as to the receipt of benefits and/or services, or on the grounds of race, color, national origin (including LEP), sex, age, or disability, she/he may exercise their right to file a complaint with the RCKC. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

- Data Collection

Statistical data on race, color, national origin, English language ability and sex of participants in, and beneficiaries RCKC programs; e.g., impacted citizens and affected communities, will be gathered and maintained by the Metropolitan Planning Agency (MPA) The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program by the MPA.

- Program Reviews

Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The RCKC does not have any special emphasis programs at this time.

- Title VI Reviews on Sub-recipients

Title VI compliance reviews will be conducted annually by the Managing Director of the RCKC. Priority for conducting reviews will be given to those recipients of Federal (US Department of Transportation) funds with the greatest potential of impact to those groups covered by the act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant US Department of Transportation (US DOT) modes upon request.

- Annual Reporting Form:

The Title VI Coordinator will be responsible for coordination, compilation, and submission of annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT Form #0179) by October 5<sup>th</sup>.

- Title VI Plan Updates

If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

- Public Dissemination

The RCKC will disseminate Title VI Program information to the RCKC employees and to the general public. Title VI Program information will be available on the website. Public dissemination will include inclusion of Title VI language in contracts and publishing the Title VI Non-discrimination Plan on the homepage of the RCKC's website <http://www.kalamazocountyroads.com/>, within 90 days of approval.

- Remedial Action

The RCKC, through the Title VI Coordinator will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

## LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies, to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

The RCKC receives funds from the US Department of Transportation via the Federal Highway Administration.

For more information regarding our policies on LEP, copy of our LEP plan can be found on our website at <http://www.RCKC-roads.com/> or requested from:

Road Commission of Kalamazoo County  
Attn: Managing Director  
4400 S 26th Street  
Kalamazoo, MI 49048  
Phone: 269-381-3171  
Fax: 269-381-1760  
Email: [info@kalamazoocountyroads.com](mailto:info@kalamazoocountyroads.com)

## ENVIRONMENTAL JUSTICE (EJ)

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effects” due to any “programs, policies, and activities” undertaken by any agency receiving federal funds. This obligation will be met by the RCKC in the following ways:

When planning specific programs or projects, identifying those populations that will be affected by a given program or project.

If a disproportionate effect is anticipated, following mitigation procedures.

If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The RCKC will use U.S. Census data to identify low-income and minority populations through the MPA.

Where a project impacts a small number or area of low-income or minority populations, the RCKC will document that:

Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment, etc.,

The project’s impact is unavoidable,

The benefits of the project far out-weigh the overall impacts, and

Mitigation measures are being taken to reduce the harm to low-income or minority populations.

If it is concluded that no minority and/or low-income population groups are present in the project area, the RCKC will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the RCKC will administer potential disproportionate effects tests.

The following steps will be taken to assess the impact of projects on minority and/or low-income population groups:

**STEP ONE:** Determine if a minority or low-income population is present within the project area. If the conclusion is that no minority and/or low-income population is present within the project area, document how the conclusion was reached. If the conclusion is that there is minority and/or low-income population groups present, proceed to Step Two.

**STEP TWO:** Determine whether project impacts associated with the identified low-income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low-income populations, proceed to Step Three.



STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts, and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by the proposed project.

STEP FOUR: If after mitigation, enhancements, and off-setting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low-income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low-income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority population?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social, economic, or environmental impacts that are more severe than those of the proposed action, or (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations, or demonstrations in the environmental document prepared for the project.

## **FILING A TITLE VI COMPLAINT**

### **I. Introduction**

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the RCKC programs, activities, and services as required by statute.

### **II. Purpose**

The purpose of the discrimination complaint procedures is to describe the process used by the RCKC for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

### **III. Roles and Responsibilities**

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

## **FILING A COMPLAINT**

The complainant shall make him/herself reasonable available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability – The complaint procedures apply to the beneficiaries of RCKC programs, activities, and services, including but not limited to: the public, contractors, sub-contractors, consultants and other sub-recipients of federal and state funds.

Eligibility – Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the RCKC and/or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age, or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation and Filing Options – Title VI complaints of discrimination may be filed with the Title VI Coordinator's office. In all situations, the employees of the RCKC must contact the Title VI Coordinator immediately upon receipt of the Title VI related complaints.

Complaints should be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances

surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Complaints received verbally or by other electronic media must be referred to the Title VI Officer. If necessary, the specialist will assist the complainant in reducing his/her complaint to writing and obtain the complainant's signature.

Items that should *not* be considered a formal complaint (unless the item contains a signed cover letter specifically alleging a violation of Title VI include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Courtesy copies of complaints addressed to other local, State, or Federal agencies
5. Newspaper articles
6. Courtesy copies of internal grievances

## **Investigation Plan**

The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for the complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

## **Conducting the Investigation**

- The investigation will address only those issues relevant to the allegations in the complaint
- Confidentiality will be maintained as much as possible
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case
- A chronological contact sheet is maintained in the case file throughout the investigation
- If a Title VI complaint is received on an MDOT related contract against the RCKC, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the RCKC, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

## **Investigation Reporting Process**

- Complaints made against a RCKC's sub-recipient should be investigated by the road commission following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigation report and submits the report and supporting documentation to the Managing Director for review
- The Managing Director reviews the file and investigative report. Subsequent to the review, the Managing Director makes a determination of "probable cause" or "no probable cause" and prepares the decision letter
- Should the complainant disagree with the determination by the Managing Director, the investigation report, supporting documentation and decision letter from the Managing Director will be submitted to the Board of Road Commissioners, within 14 days, for review
- The Board of Road Commissioners review the file, investigation report, and Managing Director's decision letter. Subsequent to the review, the Board of Road Commissioners makes a final determination of "probable cause" or "no probable cause" and prepares the final decision letter

## **Retaliation:**

The laws enforced by the RCKC prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint please contact:

Road Commission of Kalamazoo County  
• Attn: Managing Director  
4400 S 26th Street  
Kalamazoo, MI 49048  
Phone: 269-381-3171  
Fax: 269-381-1760  
Email: [info@kalamazooountyroads.com](mailto:info@kalamazooountyroads.com)

## **Reporting Requirements to an External Agency**

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 60 days of the date the complaint was received.

## **Records**

All records and investigative working files are maintained in a confidential area. Records are kept for three years.

## APPENDIX A (TO BE INSERTED IN ALL FEDERAL-AID CONTRACTS)

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 non-discrimination 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. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulation, including employment practices when the contractor 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 non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State highway department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Non-compliance:** In the event of the contractor’s non-compliance with the non-discrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration 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
  - (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 procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department of the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department 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.

## APPENDIX B – TRANSFER OF PROPERTY

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

### (GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of 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, Non-discrimination in Federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the State of Michigan all the rights, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

### (HABENDUM CLAUSE)\*

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, conditions, restrictions, and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, 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 otherwise be subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed, and (2) that the State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination 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 non-discrimination conditions, the Road Commission shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the civil Rights Act of 1964.



## APPENDIX C – PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, lease, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his 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 in the event facilities are constructed, maintained, or otherwise operated on the said 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 remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination 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.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above non-discrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above non-discrimination covenants, the Michigan Department of Transportation shall have the right to re-enter said lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation and its assigns.

\*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 of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

**APPENDIX D - TITLE VI COMPLAINT FORM**

**ROAD COMMISSION OF KALAMAZOO COUNTY  
TITLE VI COMPLAINT FORM**

Title VI of the Civil Rights Act of 1964 states 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 otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance."

This form may be used to file a complaint with the RCKC based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.

If you need assistance completing this form, please contact the Managing Director by phone at 269-381-3171 or via e-mail at [info@kalamazooountyroads.com](mailto:info@kalamazooountyroads.com).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address:  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

EMAIL ADDRESS: \_\_\_\_\_

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address:  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Please explain your relationship with the individual(s) indicated above: \_\_\_\_\_

Name of agency and department or program that discriminated:

Agency or department name:

\_\_\_\_\_

Name of individual (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date(s) of alleged discrimination:

Date discrimination began \_\_\_\_\_ Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:**

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

_____	Race	_____	Religion
_____	Color	_____	National Origin
_____	Age	_____	Sex
_____	Disability	_____	Income

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return completed form to: Managing Director, 4400 S 26th Street, Kalamazoo, MI 49048; Phone: 269-381-3171; Fax: 269-381-1760; E-mail: [info@kalamazoocountyroads.com](mailto:info@kalamazoocountyroads.com).

Note: The RCKC prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the road commission. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.

## APPENDIX E - DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
  - a. Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this has no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the Managing Director.

## APPENDIX F - PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT PLAN YEAR

1. The RCKC's Title VI Plan will be posted and communicated to each the RCKC Department Head who will review the plan with departmental employees.
2. Appendix A will be included in all RCKC contracts as outlined in the Title VI Plan. All RCKC employees will be trained or made aware of the Title VI and LEP policies and complaint procedures.
3. The RCKC's Title VI Plan will be published on the main page of the RCKC's website <http://www.RCKC-roads.com/>, within 90 days of approval.
4. The language in Number 2 of the RCKC's Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
5. The procedure for responding to individuals with LEP will be implemented.
6. A review of the RCKC facilities will be conducted in reference to compliance with the American Disabilities Act.
7. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
  - a. Boards and Commissions: The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
  - b. Public Meetings: The number of open meetings; how meeting dates and times communicated to the general public and to individuals directly affected by the meeting.
  - c. Construction Projects: The number of construction projects; number of minority contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
  - d. LEP Needs: How many requests for language assistance were requested or required and the outcome of these requests.
  - e. Complaints: The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
  - f. Timeliness of Services: Number of requests for services; amount of time from request to when service was delivered; number of requests denied.
  - g. Right of Way/Eminent Domain: Numbers of such actions and diversity of individual affected.
8. Program Participants: Racial data of program participants where possible.

## APPENDIX G - ENVIRONMENTAL JUSTICE EVALUATION

The following table contains a list of potential impacts and questions to ask as part of an Environmental Justice evaluation.

	<b>IMPACT</b>	<b>Questions</b>
1	Pedestrian Accessibility	<p>How will the traffic speed within the target area change?</p> <p>How will traffic volumes change?</p> <p>Is there a change in traffic type or volume on local (target area) streets?</p> <p>Will there be a change in the relative safety in the target area for pedestrians, bicyclists, motorists?</p> <p>Will the safe and easy access to community or regional resources (shopping, bus stops, schools, etc) be changed?</p>
2	Air, Noise, and Water Pollution and Soil Contamination	<p>Will the traffic noise level change?</p> <p>Will the traffic induced air quality increase?</p> <p>Will local waters and soil contamination levels change?</p> <p>Will the overall air, water, and noise quality of the target area change?</p>
3	Destruction or Disruption of Man-made or Natural Resources	<p>Will the number of trees and other plants change?</p> <p>Will waterways such as streams and brooks change?</p> <p>Will the number or size of parks, parkland or outdoor recreational opportunities change?</p> <p>Will the changes provide overall improvement or harm to the natural and man-made resources?</p>
4	Destruction or Diminution of Aesthetic Values	<p>Will any public art or statues be added, moved or removed?</p> <p>What percentages of project costs are being spent on enhancements?</p>

		<p>Will the amount of open space change?</p> <p>Is the improvement attractive?</p> <p>Will the view or vista change?</p>
5	Destruction or Disruption of Community Cohesion	<p>Will the man-made dividers (such as an overpass, bridge, 4 lane or greater roadway or rail tracks) be constructed through a portion of an existing community and cause it to be segmented?</p> <p>Is the proposed project or plan perceived to significantly benefit one portion of existing neighborhoods and significantly harm another portion of the same neighborhoods?</p>
6	Destruction or Disruption of a Community's Economic Vitality	<p>Will the number of locally owned businesses in the target area change?</p> <p>Will the total number of businesses in the target area change?</p> <p>Will the financial investment benefit the target area's population?</p> <p>Will property owners' land value change?</p> <p>Will the number of jobs available in the target area change?</p>
7	Destruction or Disruption of the Availability of Public and Private Facilities and Services	<p>Will the time to travel to public and private facilities and services (such as schools, medical facilities, shopping, community centers, libraries, etc.) change?</p> <p>Will there be a change in the number and type of impediments to access public and private facilities (such as more or wider roadways to cross, additional bus transfers, increased distances to them)?</p>
8	Vibration	<p>Will vibration levels caused by increased traffic or transit improvements change?</p> <p>Will vibration levels caused by increased traffic or transit improvements change?</p>

9	Adverse Employment Effects	<p>Will time to travel to jobs throughout the regional area change?</p> <p>Will time to travel to jobs within the target area change?</p> <p>Will the number of jobs change (How many jobs within the target area vs. regional area or state will be lost/gained)?</p> <p>Will the types of jobs available within the target area change?</p> <p>Will the target area become a more attractive place for employers to locate their facilities?</p>
10	Displacement of Persons, Businesses, Farms, or Nonprofit Organizations	<p>How many target vs. non-target population persons will be displaced?</p> <p>How many target vs. non-target population businesses will be displaced?</p> <p>How many target vs. non-target population farms will be displaced?</p> <p>How many target vs. non-target population non-profit corporations will be displaced?</p> <p>Will an alternative project location or project approach (which meets the project or plan's purpose and need) displace fewer target vs. non-target population persons, businesses, farms, or non-profit corporations?</p>
11	Increased Traffic Congestion	<p>Will traffic congestion levels change?</p>
12	Isolation	<p>Will access roadways into and out of the target area become dead ends or be cut-off?</p> <p>Will roadways, bridges and other traffic improvements be constructed to surround the target area and create the feeling of an isolated "island"?</p>
13	Exclusion or Separation of Minority or Low-income Individuals Within a Given Community or from the	<p>Will the transportation changes result in increased travel time from the target area to community resources such as schools, churches, shopping, jobs, recreational facilities, etc.?</p>



	Broader Community	Will the transportation improvements increase the feeling of exclusion or alienation between the target population or groups (for reasons such as cost to use, ability to access, etc.)?
14	The Denial Of, Reduction In, or Significant Delay in The Receipt Of, Benefits	<p>Will access to or use of the transportation improvements be denied to any low income or minority population or groups (for reasons such as cost to use, ability to access, etc.)?</p> <p>Will access to or use of the transportation improvement be denied or more difficult to access based on its location?</p> <p>Will this overall benefits and improvements being proposed by the plan or project be available to the same level and within the same basic time frame to the target population as it will to the broader community, region, or state?</p>