



VL MPO Public Participation Plan
Including:
Title VI Compliance Plan
Limited-English Proficiency Plan

An Equal Opportunity Employer / Program

Valdosta-Lowndes Metropolitan Planning Organization Public Participation Plan

Includes:
Limited-English Proficiency Plan
and
Title VI Compliance Plan

Adopted: June 14, 2011



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This document is prepared in cooperation with the Georgia Department of Transportation, the Federal Highway Administration and Federal Transit Administration.

VLMPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. VLMPO's website (www.sgrc.us/transportation) may be translated into multiple languages. Publications and other public documents can be made available in alternative languages or formats, if requested.

RESOLUTION FY2011-6

**VALDOSTA-LOWNDES
METROPOLITAN PLANNING ORGANIZATION
POLICY COMMITTEE**

**RESOLUTION TO Adopt the Public Participation Plan including the Limited-
English Proficiency Plan and the Title VI Compliance Plan**

WHEREAS, in accordance with the U.S. Bureau of the Census officially designated Urbanized Area Boundaries established May 1, 2002; and

WHEREAS, the Southern Georgia Regional Commission has been designated by the Governor of Georgia as the Metropolitan Planning Organization (MPO) for the Valdosta-Lowndes Urbanized Area in accordance with Federal requirements of Title 23, Section 134 of the United States Code to have a Cooperative, Comprehensive and Continuous transportation planning process; and

WHEREAS, the MPO conducts federally-required transportation planning activities that will improve the transportation system and help coordinate the area's future growth within the area bounded, at minimum, by the existing Urbanized Area plus the contiguous area expected to become urbanized within the next 20 years; and

WHEREAS, the Southern Georgia Regional Commission is a recipient of federal funding and as required in accordance with Title VI of the Civil Rights Act of 1964 and other related statutes, Executive Orders and regulations to develop a Title VI Compliance Plan and Limited-English Proficiency Plan

NOW, THEREFORE BE IT RESOLVED, that the Valdosta-Lowndes Metropolitan Planning Organization's Policy Committee adopts the this Public Participation Plan including a Limited-English Proficiency Plan and Title VI Compliance Plan as required by Title 23 (USC 134 Section 450.308) and pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), Title VI of the Civil Rights Act of 1964, and Executive Order 13166; and other related statutes, Executive Orders and regulations..

CERTIFICATION

I hereby certify that the above is a true and correct copy of a Resolution adopted by the Valdosta-Lowndes Metropolitan Planning Organization Policy Committee at a meeting held on June 14, 2011.



Jason Davenport, Planner, Lowndes County
Vice-Chair, Valdosta-Lowndes Metropolitan Planning Organization

Introduction

A Metropolitan Planning Organization (MPO) is a transportation policy-decision making organization made up of representatives from local governments, transportation agencies, and citizens appointed to serve in an advisory capacity. The Federal-Aid Highway Act of 1962 required the formation of an MPO for any urbanized area with a population greater than 50,000. MPOs were created to ensure that existing and future expenditures for transportation projects and programs were based on a comprehensive, cooperative, and continuing (3-C) planning process. Federal funding for transportation projects and programs are channeled through this planning process.

On May 1, 2002, the U. S. Bureau of the Census, after analyzing the 2000 Census information, designated Valdosta, Georgia as a new Urbanized Area. After meeting the population threshold the Valdosta Urbanized Area (UZA) is now required by Title 23, Section 134 of the United States Code to have a comprehensive transportation planning process to be eligible for federal transportation funds.

Through resolutions adopted by the Lowndes County Board of Commissioners and the Mayor and Council of the City of Valdosta, and upon request of the Commissioner of the Georgia Department of Transportation, the Governor of Georgia designated the Southern Georgia Regional Commission as the Metropolitan Planning Organization (MPO) for the Valdosta UZA and as the recipient of Federal transportation planning funds.

Subsequent to this designation, the Southern Georgia Regional Commission established the committees of the Valdosta-Lowndes Metropolitan Planning Organization. These committees include a Policy Committee, a Technical Coordinating Committee, and a Citizen Advisory Committee.

Purpose and Importance of Public Involvement

Public Involvement is integral to the MPO's transportation planning mission. Without meaningful public involvement, there is a risk of making less than optimal decisions. With public involvement it is possible to make a lasting contribution to Valdosta-Lowndes County area's quality of life. Public Involvement should be more than meeting a requirement of an agency or a means of fulfilling a statutory obligation. Neglecting public involvement can result in unnecessary delays, litigation and can erode public trust. True public involvement is central to good decision making.

Purpose of the Participation Plan

The Public Participation Plan (PPP) as required under the Safe, Accountable, Flexible, Efficient, Transportation Equity Act- A Legacy for Users (SAFETEA-LU, signed into law August 10, 2005 by President Bush) requires and defines the process or framework for providing citizens, affected public agencies and other associated stakeholders with reasonable opportunities to be involved in the metropolitan transportation planning process. The requirements outlined under CFR 450.338 were phased-in by July 1, 2007.

Organization of the MPO



The Southern Georgia Regional Commission (SGRC) is the designated MPO for the Valdosta Urbanized Area. The Valdosta-Lowndes MPO (VLMPPO) is mandated by the Federal Highway Act of 1962 (and subsequent re-authorizations) to perform the transportation planning activities within the urbanized area. The legislation ensures that there will be a “continuing, cooperative and comprehensive” (referred to as “3-C”) planning process involving federal, state and local agencies, as well as citizens and other affected stakeholders.

The process involves collaboration among various governmental agencies and results in a consensus regarding the transportation plans for that urbanized area. Figure 1 (on the following page) displays the Valdosta Urbanized Area and Metropolitan Planning Area which includes all of Lowndes County and portions of Berrien and Lanier Counties.

Policy Committee

The Policy Committee is a forum for cooperative decision making by principal elected and appointed officials of the general purpose local governments and inter-modal transportation providers. The Policy Committee is also responsible for taking into consideration the recommendations from the Citizen’s Advisory Committee and the Transportation Coordinating Committee when adopting plans or setting policy. The Policy Committee has final authority in the matters of policy and adoption of plans.

The current membership of the VLMPPO includes the Chairman of the Lowndes County Board of Commissioners, the Mayor of the City of Valdosta, the Lowndes County and City of Valdosta Managers, the Executive Director of the SGRC, an annually rotating Mayor of the

smaller cities of Lowndes County (beginning July 1, 2010 the Mayor of Hahira serves this role), and the Commissioner of the Georgia Department of Transportation.

The Policy Committee, with input from the Citizens Advisory Committee and Technical Coordinating Committee, annually revises and adopts the Transportation Improvement Program and other documents, resolutions, amendments, etc. in order to comply with the federal regulations.

Transportation Coordinating Committee

The Transportation Coordinating Committee (TCC) membership includes staff from various federal, state, and local agencies and other associations who have a technical knowledge of transportation or planning. The TCC functions to ensure the involvement of all operation departments, advisory agencies, and multi-modal transportation providers involved with the planning process and subsequent implementation of plans. The TCC evaluates transportation plans and projects based on whether or not they are technically warranted and financially feasible.



Citizen’s Advisory Committee

The Citizens Advisory Committee (CAC) consists of volunteers who are interested in transportation issues. The CAC is responsible for keeping the Policy Committee informed of the

VLMPO Public Participation Plan

community's perspective and also provides information to the community about transportation policies and issues. The CAC ensures that the values and interests of the communities of Lowndes County are taken into consideration in the planning process.

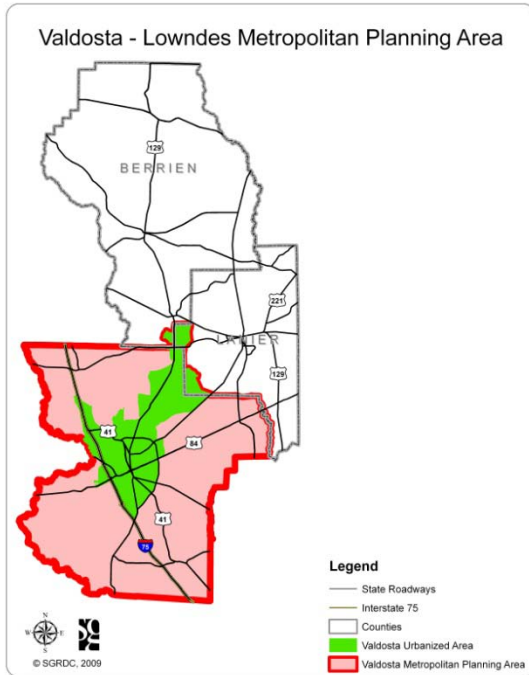


Figure 1 Valdosta-Lowndes MPO Planning Area.

Transportation Planning Process

Transportation planning in the Valdosta-Lowndes Urbanized Area can provide the information, tools, and public input needed to enhance the performance of its transportation system. Transportation planning should reflect the metropolitan area's vision for its future. It should include considerations of possible strategies; an evaluation procedure that includes different viewpoints; participation by relevant transportation agencies and organizations; and an open, timely and meaningful involvement of the public. Consideration of the links between transportation and other needs of the community are crucial in transportation decision making.

The overall goal of the Valdosta-Lowndes MPO is to maintain a continuing, comprehensive and cooperative transportation planning process. Led by three standing committees, the process is designed to encourage involvement by all interested groups, such as the business community, neighborhood associations, environmental organizations, social service agencies, educational institutions and the general public.

The MPO, in coordination with local governments, local transportation agencies, the Georgia Department of Transportation, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are responsible for conducting the transportation planning process. The MPO has adopted a vision statement for its 2035 Transportation Plan that states:

“To develop a connected, efficient, safe, sustainable, responsive, regional, multi-modal transportation system that fosters economic development, coordinated land use, improved quality of life, and that is accessible to the public.”

It is essential to extend public participation to all interested citizens who are served by the transportation system and transportation services in the metropolitan area.

notices) available in electronically accessible formats and means..."

Federal and State Requirements

Several federal and state laws and regulations govern public participation efforts of MPOs. This section describes those laws and how the VLMPO is working to meet these requirements.

23 CFR 450.316

"(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies...and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process."

This PPP is the documented process by which the VLMPO provides stakeholders and interested parties reasonable opportunities to be involved in the metropolitan transportation planning process.

"(1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points..."

This PPP outlines the procedures for public notice of MPO activities utilizing resources such as the local newspaper, websites, mailing lists, television and radio media outlets and others.

"(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

(iv) Making public information (technical information and meeting

The VLMPO will maintain a website and use other resources such as Geographic Information Systems (GIS), maps, videos, and other techniques to help the public visualize projects and the transportation planning process.

"v) Holding any public meetings at convenient and accessible locations and times;"

The VLMPO will hold events and meetings at ADA (Americans with Disabilities Act) accessible locations and will vary times to make it convenient for all members of the public to attend.

"(vi) Demonstrating...consideration and response to public input received..."

(vii) Seeking out and considering the needs of those traditionally underserved..."

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment..."

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes... and"

Through the policies and techniques in this PPP the VLMPO will consider and respond to comments received and will work to get input from those traditionally underserved. The VLMPO will actively coordinate with statewide and community stakeholders through the techniques in this PPP.

"(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation

plan to ensure a full and open participation process”

The VLMPO will from time-to-time review and update this PPP as needs of the community change.

“(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP...a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

The VLMPO will respond to significant public comments received and document the comments and responses as a part of the final draft of transportation plans and TIPs.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO... and shall be posted on the World Wide Web...”

As prescribed in Federal regulation and this PPP the VLMPO will provide the required public comment periods for all necessary publications.

“(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation...MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies...”

This PPP outlines the process by which consultation agencies are involved in the transportation planning process carried out by the VLMPO.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance." The scope of Title VI was expanded by the Civil Rights Restoration Act of 1987 (P.L. 100-209) to include all of a recipient's and contractor's programs or activities, whether federally assisted or not.¹

The VLMPO, through this PPP, strives to uphold and meet the requirements of the Civil Rights Act. This PPP, including the LEP and Title VI Plans, provide the guidance for staff and the community in delivering appropriate public involvement opportunities.

Executive Order 12898

“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.

Executive Order 12898 addresses Environmental Justice actions to be taken by agencies receiving federal funds to mitigate impacts in Minority and Low-Income Populations. The VLMPO, as a recipient of federal funds and as part of the public participation process works to engage minority and low-income populations to ensure that impacts from transportation projects are mitigated appropriately. Throughout the transportation planning process the MPO works to answer these questions.

¹ FHWA Office of Civil Rights Title VI Website

- How will the public involvement program reach low-income and minority communities?
- What statistics should be collected about minority and low-income communities, and how are they used to assess possible inequities?
- How are information and data incorporated into decision making?

The VLMPO approaches each of these questions differently for different aspects of the transportation planning process, however this PPP outlines techniques and policies to help promote Environmental Justice and mitigate impacts on minority and low-income populations. An additional analysis of minority groups and other Environmental Justice characteristic is found in the appendix.

Executive Order 13166

“implement a system by which [limited English-proficient or “LEP”] persons can meaningfully access...services consistent with, and without unduly burdening, the fundamental mission of the agency.”

Executive Order 13166 required federal agencies and any other entities that receive federal funds to make their activities accessible to non-English speaking persons and should be given equal opportunity to participate in programs and have access to services provided thereof. As a supplement to this PPP a Limited English Proficiency Plan (LEP) has been developed by the VLMPO to identify languages other than English prominent in the community. The LEP and the PPP outline techniques and policies to allow non-English speaking populations an opportunity to participate in the transportation planning process.

Americans with Disabilities Act

The Americans with Disabilities Act requires coordinating with the disabled community in the development and implementation of transportation services. Planners, engineers,

and developers must provide access for the disabled at sidewalks, ramps, and street crossings and in parking or transit facilities. Moreover, persons with disabilities must be able to access the sites where public involvement activities occur as well as where information is presented.

This PPP outlines the policies and techniques that the VLMPO will strive to meet to ensure that persons with disabilities are not denied access to the transportation planning process or to transportation projects and improvements developed cooperatively with the MPO.

Georgia Planning Act of 1989

Under the rules of the Georgia Department of Community Affairs created by the Georgia Planning Act, the planning process, “must be conducted with adequate public participation, to insure that identified needs, vision, goals and implementation strategies adopted by the community are reflective of community values, drives and intentions and can be implemented (with adequate public support) through community investments, initiatives, regulations and programs.”

The VLMPO strives to provide adequate public participation and meet the needs, vision, and goals set forth by the community.

Georgia Open Meetings Act

“Every agency shall prescribe the time, place, and dates of regular meetings of the agency. Such information shall be available to the general public and a notice containing such information shall be posted and maintained in a conspicuous place available to the public at the regular meeting place of the agency...”

As the designated MPO for the Valdosta Urbanized Area, the Southern Georgia Regional Commission (SGRC) must adhere to both federal and state regulations for open meetings and open records (see below). The VLMPO makes its agendas and other information

publicly accessible according to the laws of the State of Georgia as outlined in this PPP.

Georgia Open Records Act

“...All public records of an agency...shall be open for a personal inspection by any citizen of this state....”

As described above the SGRC is subject to both federal and state regulations. The VLMPO in accordance with the laws of the State of Georgia makes information available in accessible formats as described by the policies and techniques in this PPP. Any other documents or records subject to the Open Records Act are provided upon request and review in compliance with the law.

Strategies and Techniques

The VLMPO has identified several goals or strategies that the agency strives to meet through the techniques and policies set forth in this PPP. These strategies were identified as 'goals' in the previous PPP adopted by the VLMPO and are still relevant so they have not been changed. However, the techniques have been updated as needs and available technologies have changed over time. These strategies and techniques are the means by which the VLMPO will implement the public participation policies identified later in this plan.

Strategy 1:

Raise public awareness and understanding of the transportation planning process including the functions, responsibilities and programs of the MPO and identify how interested citizens can become involved.

Speaking Engagements:

Members of MPO professional staff will be available to be speakers/presenters to civic clubs, schools, churches, fraternal organizations, neighborhood groups, and any special interest groups who are interested in transportation concerns and issues.

Newsletters:

The VLMPO publishes a quarterly newsletter that is distributed to local and state government officials, leaders of development and social service agencies, churches, leaders of citizen groups, the media and other interested parties throughout the region and the state.

Media Relations:

The VLMPO will notify media outlets including television, radio, newspapers, and magazines who serve the VLMPO Metropolitan Planning Area of all regular and special public meetings held for the purpose of informing citizens and gathering input on MPO plans and projects.

Partner Agency Publications:

The VLMPO will make available and distribute as needed and where appropriate publications and documents, like the FHWA brochure "A Citizen's Quick Reference Guide to Transportation Decision-making," from other partner agencies that help interested parties better understand the transportation planning process.

Websites and Social Media:

The SGRC will provide a website for the VLMPO (currently: www.sgrc.us/transportation) that provides access to transportation plans, studies and other documents. The VLMPO will also continue to explore new social media websites and technologies to utilize for raising public awareness and gathering input.

Strategy 2:

Provide the public and others with early, ongoing and meaningful opportunities for involvement in the transportation planning process.

Open Houses:

The VLMPO will use public open houses to allow the general public and interested parties opportunities to review the metropolitan transportation plan, TIP, PPP and other documents before their adoption. This allows the public to interact one-on-one with the MPO professional staff and provide meaningful input in the transportation planning process.

Public Meetings and Hearings:

More formal public meetings will be used by the VLMPO in the development of transportation plans and documents where it is necessary for the MPO staff to verbally and/or visually present information to the public and formally respond to comments from an audience.

Focus/Advisory Groups:

Focus groups may include advisory groups that will be formed as needed by the VLMPO Policy Committee to assist in the approach and direction of the development of the

metropolitan transportation plan and other major plans or projects.

Public Comment Forms:

Forms will be provided at all public meetings to allow attendees to write comments and concerns related to the plans that are under review and/or the process that is being used. The VLMPO website will include appropriate methods for the public to contact and provide comments to the MPO staff.

Surveys:

Surveys may be prepared and distributed at public meetings, open houses or through focus groups and partner agencies for the purpose of gathering further input into the transportation planning process.

Strategy 3:

Maintain timely contact with key stakeholders and the public throughout the transportation planning process.

Committees and Task Forces:

The VLMPO will seek out community stakeholders to serve on the advisory committees or task forces that give guidance to the development of the metropolitan transportation plan and other projects as needed.

Citizen’s Advisory Committee:

The VLMPO Citizens Advisory Committee (CAC) has been established to review all major MPO plans and reports prior to their adoption and help MPO staff in identifying public outreach opportunities. The CAC membership represents a vast cross section of the community appointed by each local government jurisdiction as well as several community organizations and agencies. The CAC meets quarterly and all meetings are open to the public.

Stakeholder Interviews:

This technique will be used with the community stakeholders who have been identified to have a direct interest in specific planning activities of the MPO by encouraging them to express

specific concerns or ideas for issues raised in any particular project or plan undertaken by the VLMPO.

Strategy 4:

Identify, involve and mitigate impacts on traditionally underserved communities (those communities with high concentrations of minority, low-income, elderly or disabled populations) in the transportation planning process.

Outreach:

The VLMPO will engage in outreach to minority business alliances, faith based organizations, community/neighborhood organizations, and low-income/elderly or disabled advocacy groups.

Accessible Public Meetings:

All public meetings hosted by the VLMPO will be held at places that are accessible to persons with disabilities and are readily accessible to those that may not have transportation options. Meetings may be held in neighborhoods associated with a project or plan to allow for maximum outreach to Environmental Justice communities.

Limited English Proficiency Plan

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities.

Title VI and Executive Order 13166

In certain circumstances, a failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate the prohibition against national origin discrimination under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation's (DOT) Title VI regulations at 49 CFR Part 21.

To clarify existing requirements for LEP persons under Title VI, on August 11, 2000, President Clinton issued Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each Federal agency is also directed to work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. To this end, each agency must prepare a plan to improve access to its federally conducted programs and activities (i.e., the services it provides directly to the public) by eligible LEP persons.

As a federal funding recipient, the VLMPPO will comply with Executive Order 13166 by establishing an LEP using the framework

provided by the U.S. Department of Transportation (USDOT) and the Federal Transit Administration's (FTA) publication, *Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons* (April 13, 2007). The USDOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the MPO.
3. The nature and importance of the MPO, activity, or service provided by the MPO to the LEP community.
4. The resources available to the MPO and costs.

The greater the number or proportion of eligible LEP persons; the greater the frequency with which they have contact with a program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

LEP Assessment

In developing this plan, the VLMPO assessed each of these four factors, mentioned previously, as they relate to the Lowndes County portion of the Metropolitan Planning Area (Berrien and Lanier portions are too small to have relevant statistics, they are assumed to be similar in proportion to Lowndes County as a whole).

Factor 1:

The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO, activity, or service of the recipient or grantee.

The planning area of the VLMPO consists of the cities of Valdosta, Remerton, Hahira, Dasher and Lake Park, as well as Lowndes, Lanier, and Berrien Counties. According to the U.S. Census Bureau (2005-2009 American Community Survey), the primary language for Lowndes County is English, but 5.9% of people speak a language other than English at home. Spanish is the most common other language spoken at home in Lowndes County with more than 3,300 persons identified.

Table 1 Language Other than English Spoken at Home in Lowndes County.

| | |
|-------------------------------------|--------|
| Estimate | 5,571 |
| Margin of Error | +/-567 |
| Lowndes County % | 5.9% |
| United States % | 19.6% |
| Source: US Census Bureau, 05-09 ACS | |

A secondary source of LEP information is school enrollment data. In the 2009-2010 school year the Lowndes and Valdosta school systems had a combined total of 440 students (of the 17,157 students) that had a Limited-English Proficiency. This is a similar combined total of about 2.5% of the population identified as LEP persons.

Factor 2:

The frequency with which LEP individuals come in contact with the MPO.

The VLMPO has not received any formal requests by LEP individuals for language translation of any document nor for an interpreter at any public meeting since first being designated as an MPO in 2002. The VLMPO does provide a Google translator on its Webpage to help facilitate document translation. The VLMPO also advertises TDD services on its website.

Factor 3:

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

The VLMPO uses Federal funds to plan for transportation projects and does not provide any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter).

The VLMPO is mandated by the Federal government to create and maintain three key documents: a Unified Planning Work Program (UPWP) outlining MPO activities, a short-term five year Transportation Improvement Program (TIP) and a Long Range Transportation Plan (LRTP) which covers at least 20 years. VLMPO has a Public Participation Plan (PPP) which outlines strategies and techniques used to garner the input of all residents who can shape the planning process or wish to know more about the direction of transportation planning and how it will affect them.

Factor 4:

The resources available to the MPO and overall costs.

The final factor weighs the previous factors to assess the needs of LEP individuals against the resources available to the MPO providing assistance in a language other than English.

The VLMPO does have a significant number of LEP residents within Lowndes County but historically the frequency of contact with the MPO has been low. Full translation of major MPO documents would be prohibitively expensive. The VLMPO has been committed to the principle of inclusivity and used more cost-effective means of outreach, such as the Google translator as mentioned earlier. Should translation services be required in the future, the VLMPO will seek out translation and interpretation services and exhaust all reasonable resources to accommodate the needs of the LEP populations.

LEP Implementation Plan

The VLMPO does not produce vital documents requiring LEP compliance as defined by the US Department of Transportation: "A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits, or is required by law." (Federal Register, January 22, 2001) It is recognized, however, that outreach efforts may require the MPO to survey/access the needs of the LEP population to determine whether certain critical outreach materials should be translated into other languages as the need arises in the future.

There are various tools and strategies the VLMPO can use to help ensure that the needs of an LEP population are addressed. The following strategies and tools outline the efforts the VLMPO will undertake to ensure compliance with Title VI of the Civil Rights Act.

Identifying Persons who may need Language Assistance

When the VLMPO sponsors a public function, a staff member or designee will greet and briefly speak to each attendee, informally gauging the attendee's ability to speak and

understand English, he or she will ask a question that requires a full sentence reply.

The VLMPO may use the Census Bureau's "I Speak Cards" at a sign-in table for those who speak a language other than English. While staff may not be able to provide translation assistance at this meeting, the cards can be an excellent tool to identify language needs for future meetings.

Language Assistance Measures

In the event that the VLMPO should receive a request for assistance in a foreign language, staff members will take the name and contact information of the person. Staff will determine the language spoken and seek out a local translator/interpreter. If the required language translator/interpreter is not available locally, staff shall use other professional services like the Language Line or the Atlanta Association of Interpreters and Translators.

MPO Staff Training

Incoming staff members will be briefed on the VLMPOs LEP Plan and how to assist LEP residents. They will be told to keep a record of language assistance requests to assess future LEP population needs.

Providing Notice to LEP Persons

The VLMPO will provide notice in both English and Spanish for all public meetings in accordance with its Public Participation Plan.

Non-English Speaking Communities

Upon request, the MPO may make arrangements to have a translator available for communications in another language and to have written materials distributed at the meeting in the requested language.

Monitoring and Updating the LEP Plan

MPOs are required to update key planning documents (see Factor 3), and monitoring the success of the LEP Plan will be an ongoing process. Together with the PPP, the LEP plan

VLMPO Public Participation Plan

will be reviewed annually for any necessary updates.

Dissemination of the LEP Plan

The MPO will post the LEP Plan and the PPP on its website at: www.sgrc.us/transportation. Copies of the LEP Plan will be provided to the Georgia Department of Transportation (GDOT), Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and any person or agency requesting a copy.

Title VI Compliance Plan

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance." The scope of Title VI was expanded by the Civil Rights Restoration Act of 1987 (P.L. 100-209) to include all of a recipient's and contractor's programs or activities, whether federally assisted or not.²

The broader application of nondiscrimination law that is found in other statutes, regulations and Executive Orders include: Section 324 of the Federal –Aid Highway Act of 1973 prohibits discrimination based on sex. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with Federal financial assistance. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability as does the Americans with Disabilities Act of 1990 (ADA). The ADA also prohibits discrimination in the provisions of access to public buildings and requires that rest areas be accessible to persons with disabilities. The Age Discrimination Act of 1975 prohibits age discrimination.³

This plan outlines the efforts the VLMPO undertakes to ensure compliance with Title VI of the Civil Rights Act of 1964 and other subsequent statutes, regulations and Executive Orders.

² FHWA Office of Civil Rights Title VI Website

³ FHWA Office of Civil Rights Title VI Website

Policy Statement and Authorities

The VLMPO assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) 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. The VLMPO further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event the VLMPO distributes Federal aid funds to another entity, the VLMPO will include Title VI language in all written agreements and will monitor for compliance. The VLMPO Coordinator, Corey Hull, is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21.


John Leonard, VLMPO Executive Director
June 14, 2011

Authorities

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, 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.

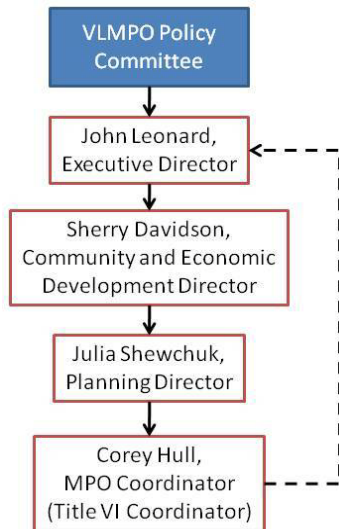
The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and

contractors, whether such programs and activities are Federally assisted or not.

Other Title VI-related statutes include, but are not limited to: Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3.

Organization, Staffing and Structure

Organization Chart



Agency Administrator

The VLMPO Executive Director is authorized to ensure compliance with provisions of the VLMPO's policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The VLMPO's grants compliance function and Title VI coordination shall be performed under the authority of the Executive Director.

Title VI Coordinator

The VLMPO has created a position of Title VI Coordinator to perform the duties of the Title VI Coordinator and ensure implementation of the VLMPO's Title VI Federally Funded Transportation Program. The Title VI Coordinator has other duties and responsibilities in addition to Title VI. Although this position may report to the Director of Community and Economic Development (their

direct supervisor) this position shall have an indirect reporting relationship and access to the VLMPO Executive Director.

Title VI Plan Implementation

As authorized by the Executive Director, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring compliance with Title VI requirements as follows:

- **Program Administration**
Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations as required to the VLMPO Executive Director.
- **Complaints**
Review written Title VI complaints that may be received by the VLMPO following the adopted procedural guidelines (see Complaint Procedures). Ensure every effort is made to resolve complaints informally at the local or regional level.
- **Data Collection**
Review the statistical data gathering process performed by other staff periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.
- **Environmental Impact Statements**
Ensure that available census data are included as a part of all Environmental Impact Statements/Assessments (EIS/EIA) for projects receiving Federal Highway Administration or other Federal assistance.

- **Training Programs**

Conduct or facilitate training programs on Title VI issues and regulations for VLMPO employees and facilitate Title VI training for appropriate staff, contractors and subrecipients. A summary of training conducted will be reported in the annual update.
- **Title VI Plan Update**

Review and update the VLMPO Title VI Plan as needed or required. Present updated plan to the Executive Director for approval; submit amended Plan to GDOT.
- **Annual Accomplishment Report**

Prepare an annual report of Title VI accomplishments and changes to the program in the preceding fiscal year; identify goals and objectives for the upcoming year as required; and submit by July 31.
- **Public Outreach and Education**

Work with VLMPO staff to develop and disseminate Title VI program information to VLMPO employees and sub-recipients, including contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements and website postings. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.
- **Elimination of Discrimination**

Work with GDOT, FHWA, and FTA to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any VLMPO processes.
- **Maintain Legislative and Procedural Information**

Ensure the current VLMPO Title VI Plan, Annual Accomplishment Reports, and other resource information pertaining to the implementation and administration of the VLMPO's Title VI program will be maintained and updated by the Coordinator. Information will be made available to the public as requested or required.

Complaint Procedures

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the VLMPO. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the VLMPO's Title VI Coordinator for review and action.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the VLMPO Executive Director or their designee may extend the time for filing or

waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing, using the Title VI Complaint Form found in this document, and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the VLMPO, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the VLMPO's investigative procedures. Should the Title VI Coordinator be the individual charged the Executive Director or their designee will process the complaint.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of procedures to be followed, and advise the complainant of other avenues of redress available, such as GDOT and USDOT.

The VLMPO will advise GDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to GDOT:

- a) Name, address, and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the VLMPO.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the VLMPO has taken or proposed to

resolve the issue raised in the complaint.

GDOT will forward the complaint to FHWA. FHWA Office of Civil Rights will determine the appropriate individual and/or organization to conduct the investigation.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the VLMPO. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the Executive Director of the VLMPO 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 appeal rights with GDOT, or USDOT, if they are dissatisfied with the final decision rendered by the VLMPO. The Title VI Coordinator will also provide GDOT with a copy of this decision and summary of findings upon completion of the investigation.

Any complaints received against the VLMPO should immediately be forwarded to GDOT for investigation. The VLMPO will not investigate any complaint in which it has been named in the complaint.

Sub-Recipient Review and Remedial Action Procedures

The Title VI Coordinator will assist GDOT to periodically conduct Title VI compliance reviews. VLMPO staff will review select recipients of Federal-aid highway or other Federal funds, to ensure adherence to Title VI requirements. The VLMPO will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title

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VI language, provisions, and related requirements, as applicable.

Post-Grant Reviews

The Title VI Coordinator will collaborate with VLMPO staff to conduct periodic post grant reviews of select recipients of Federal highway funds or other Federal funds, for roads, sidewalks, bridges, municipal construction, etc. to ensure adherence to Title VI requirements. Appropriate staff will periodically confirm that operational guidelines provided to consultants, contractors and sub-recipients include Title VI language and provisions and related requirements, where applicable.

Remedial Action

When irregularities occur in the administration of Federal-aid highway programs at either the VLMPO or sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. VLMPO will seek the cooperation of the consultant, contractor or other sub-recipient in correcting deficiencies found during periodic reviews. VLMPO will provide technical assistance and guidance, upon request, to support voluntarily compliance by the sub-recipient.

When conducting Title VI compliance reviews, the VLMPO will reduce to writing any recommended remedial action agreed upon by the VLMPO and sub-recipient, and provide a copy of the letter within a period not to exceed 45 days. Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, VLMPO will submit to GDOT and FHWA copies of the case file and a recommendation that the sub-recipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies

previously identified. If the sub-recipient refuses to comply, VLMPO and GDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

VLMPO Title VI Notice to the Public

The VLMPO hereby gives public notice that it is the VLMPO's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which VLMPO receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with VLMPO. Any such complaint must be in writing and filed with the VLMPO Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint (sample in appendix) Forms may be obtained from the Southern Georgia Regional Commission office.

This statement is added to any meeting announcement to which the public and/or outside agencies or organizations may attend (such as public meetings and open houses both on-site and off-site, seminars, as well as VLMPO committee meetings).

“VLMPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. VLMPO public meetings are always held in ADA-accessible facilities and in transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting.”

The statement below should be added to all VLMPO public documents and publications. For publications, the statement can be added at the bottom of the title page.

“VLMPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. VLMPO's website (www.sgrc.us/transportation) may be translated into multiple languages. Publications and other public documents can be made available in alternative languages or formats, if requested.”

VLMPPO Title VI Assurances

The Valdosta-Lowndes Metropolitan Planning Organization (herein after referred to as VLMPPO), HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d--42 USC 2000d--4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, 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 VLMPPO receives Federal financial assistance through the Department of Transportation, including the U.S. Department of Transportation and Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a) (1) of the Regulations.

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

1. That the VLMPPO 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 VLMPPO shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements: VLMPPO in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d---42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered 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, sex, or national origin in consideration for an award.
3. That the VLMPPO shall insert the clauses of Appendix 1 of this Assurance in every contract subject to the Act and the Regulations.
4. That the VLMPPO shall insert the clauses of Appendix 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the VLMPPO 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 VLMPPO receives Federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over or under such property.
7. That the VLMPPO shall include the appropriate clauses set forth in Appendix 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the VLMPPO with other parties:

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- 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 VLMPPO for the period during which Federal financial assistance is extended to the program, or is in the form of, personal property, or real property or interest therein or structures or improvements there on, in which case the Assurance obligates the VLMPPO 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 VLMPPO retains ownership or possession of the property.
9. The VLMPPO shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom s/he delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, 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 VLMPPO agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

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



John Leonard, VLMPPO Executive Director; June 14, 2011

Title VI Assurances Appendix 1

The text below, in its entirety, is in all contracts entered into by VLMPO. All of the text except the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any VLMPO contractor.

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

1. **Compliance with Regulations**
The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination**
The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment**
In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.
4. **Information & 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 Valdosta-Lowndes Metropolitan Planning Organization or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Valdosta-Lowndes Metropolitan Planning Organization, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance**
In the event of the Contractor's noncompliance with the nondiscrimination provisions of the contract, VLMPO, with state and federal agency concurrence, would initiate sanctions per 49 CFR 21.
6. **Incorporation of Provisions**
The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as the Valdosta-Lowndes Metropolitan Planning Organization or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Valdosta-Lowndes Metropolitan Planning

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Organization 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 U.S.

Title VI Assurances Appendix 2

Code of Federal Regulations

All Code of Federal Regulations may be found at:
www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1

Title 23 CFR 200

Title 23 CFR 200 provides guidelines for: (a) Implementing the Federal Highway Administration (FHWA) Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and (b) Conducting Title VI program compliance reviews relative to the Federal-aid highway program.

Title 23 CFR 1235

The purpose of this part is to provide guidelines to States for the establishment of a uniform system for handicapped parking for persons with disabilities to enhance access and the safety of persons with disabilities that limit or impair the ability to walk.

Title 28 CFR 35

The purpose of this part is to effectuate subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities.

Title 28 CFR 36

The purpose of this part is to implement title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards established by this part.

Title 28 CFR 41

The purpose of this part is to implement Executive Order 12250, non-discrimination on the basis of handicap in federally assisted programs, which requires the Department of Justice to coordinate the implementation of section 504 of the Rehabilitation Act of 1973. This part applies to each Federal department and agency that is empowered to extend Federal financial assistance.

Title 28 CFR 42, Subpart C

The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. This subpart refers to nondiscrimination, equal employment opportunity, policies and procedures. This subpart applies to any program for which Federal financial assistance is authorized under a law administered by the Department. It applies to money paid, property transferred, or other Federal financial assistance extended after the date of this subpart pursuant to an application whether approved before or after such date.

Title 28 CFR 50.3

Title 28 CFR 50.3 sets forth guidelines for the enforcement of Title VI, Civil Rights Act of 1964. (a) Where the heads of agencies having responsibilities under Title VI of the Civil Rights Act of 1964 conclude there

is noncompliance with regulations issued under that title, several alternative courses of action are open. In each case, the objective should be to secure prompt and full compliance so that needed Federal assistance may commence or continue. (b) Primary responsibility for prompt and vigorous enforcement of Title VI rests with the head of each department and agency administering programs of Federal financial assistance. Title VI itself and relevant Presidential directives preserve in each agency the authority and the duty to select, from among the available sanctions, the methods best designed to secure compliance in individual cases. The decision to terminate or refuse assistance is to be made by the agency head or his designated representative. (c) This statement is intended to provide procedural guidance to the responsible department and agency officials in exercising their statutory discretion and in selecting, for each noncompliance situation, a course of action that fully conforms to the letter and spirit of section 602 of the Act and to the implementing regulations promulgated there under.

United States Codes

All USC codes may be found at: www.gpoaccess.gov/US Code/browse.html

23 USC 324

The purpose of this part relates to prohibition of discrimination on the basis of sex.

42 USC 4601-4655

These sections refer to uniform relocation assistance and real property acquisition policies for federal and federally assisted programs.

DOT Order 1050.2

This nondiscrimination directive refers to standard Title VI assurances.

Executive Orders

Executive Order 12250

Executive Order 12250, issued in 1979, provided for the consistent and effective implementation of various laws prohibiting discriminatory practices on the basis of race, color, national origin, sex, disability, or religion in programs and activities receiving federal financial assistance. The responsibility for implementing this Executive Order was placed with the Attorney General. This responsibility, except for the authority to approve regulations, was redelegated to the Assistant Attorney General for Civil Rights. The Coordination and Review Section carries out this responsibility on a day to day basis.

Executive Order 12898

Executive Order 12898, issued in 1994, amplifies Title VI provisions. It states that each Federal agency shall make achieving environmental justice (EJ) 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.

Executive Order 13166

Executive Order 13166, Improving Access for Persons with Limited English Proficiency, was issued in 2000 to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP). It requires Federal agencies to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Public Participation Policy

It is the policy of the Valdosta-Lowndes Metropolitan Planning Organization to provide access to the planning process so as to allow the public opportunity to comment on transportation planning activities. By doing so, the VLMPO Policy Committee will have available to them public ideas, concerns, and suggestions on transportation planning issues.

The following policies are based on past experience and federal requirements. The means of access will be provided by SGRC in order for the public to be aware of and comment on transportation planning and programming for the region. These policies will be reviewed annually by the VLMPO to address changes in law, technology or strategy delivery.

Policy for Meeting Notification:

- For regular meetings of standing committees (Policy, Technical, and Citizen's) a meeting agenda and/or notice will be posted on the VLMPO website and sent to committee members and local media outlets at least two weeks prior to the regularly scheduled meeting.
- For special called meetings of standing committees the agenda will be posted to the VLMPO website and sent to local media outlets at least 24-hours prior to the meeting.
- For a public meeting or open house the a notice will be posted on the VLMPO website and sent to committee members, the VLMPO mailing list, media outlets and other interested parties at least two weeks prior to the event.
- The notice for a public meeting or open house will include a statement that accessibility aids will be made available

at the public event if a written request is made at least one week prior to the event.

- For a public meeting or open house the notice shall include the language **“Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la SGRC al teléfono 229-333-5277, cuando menos 1 semana antes de la junta.”** which reads: “If you need the help of a translator of Spanish language, please contact the SGRC at 229-333-5277, at least 1 week before the meeting.”
- If a written request is received at least one week prior to an event, the VLMPO will make available a translator for communications in a language other than English and will provide requested written materials as well.
- The generally accepted means of contacting the VLMPO will be provided in all meeting notices.

Policy for Meeting Accessibility:

- All meetings hosted by the VLMPO are open to the public and will be held at a location that is accessible for persons with disabilities.
- The VLMPO will make arrangements to have a translator available for the visually or hearing impaired or for persons with limited English proficiency when a written request is received at least one week prior to the meeting or event.

Policy for Public Review of Plans:

- The VLMPO will make copies (both electronically and paper) of the draft metropolitan transportation plan, draft Transportation Improvement Program (TIP), and other necessary draft documents available for public review for a period of at least 15 days.
- The VLMPO will make copies of the draft metropolitan transportation plan, draft TIP, and other necessary draft

documents available for public review at the office of the Southern Georgia Regional Commission (located at 327 W. Savannah Ave., Valdosta, GA), at all public libraries in counties within the VLMPO Metropolitan Planning Area, and on the VLMPO website.

- At least two weeks in advance of the public review period, a legal notice will be placed in the area's newspaper of largest circulation. The legal notice will provide basic information on the document, public review period, the means of submitting comments, and the open house or other public involvement opportunity. This information will be posted on the VLMPO web site and sent to the VLMPO mailing list and media contacts.
- All comments received during a public comment period will become a record of that plan or document. These comments and any necessary responses will be shared with the VLMPO Policy Committee and other appropriate agencies

Policy for Metropolitan Transportation Plan:

- A new metropolitan transportation plan or an update of the adopted plan will be required when there is a deletion or addition of a project from the plan, or other major changes in the design or scope of a project.
- The VLMPO will make copies (both electronically and paper) of the new or amended draft metropolitan transportation plan available for public review for a period of at least 15 days.
- During the public review period the VLMPO will host at least one open house or public meeting.

Policy for Transportation Improvement Program:

- The VLMPO will make copies (both electronically and paper) of the draft TIP available for a public review period of at least 15 days.
- Amendments to the TIP shall follow the amendment process outlined in the most current TIP.
- During the public review period the VLMPO will host at least one open house or public meeting.

Policy for Public Participation Plan:

- As prescribed in federal regulations the VLMPO will make copies (both electronically and paper) of the draft PPP available for a public review period of at least 45 days.
- Any changes or amendments to the PPP after adoption will require an additional 45 day public review period.
- The VLMPO will annually review and amend as necessary the PPP including the LEP and Title VI sections.

Policy for Open Records Request:

- Pursuant to O.C.G.A Title 50 Chapter 18 Article 4, an individual seeking an open records request shall provide a written letter identifying in detail the records requested, a contact name, phone number and mailing address. The VLMPO will notify the party making the request, within three business days, the availability of the records, estimated time and cost of the copying, search, retrieval and other administrative fees associated with the records request, as a condition of compliance with the provisions of the law prior to fulfilling the request.

Valdosta-Lowndes MPO

Meeting and Event Guidelines

from the VLMPO Public Participation Plan

| Event | Timeline |
|---|---|
| Policy, Technical, & Citizen’s Meeting Notification (Meeting Agenda and/or Notice) | 2 Weeks Prior to Meeting |
| Special Called Meeting (Agenda) | 24 Hours Prior to Meeting |
| Public Meeting or Open House (Notice) | 2 Weeks Prior to Meeting |
| Request for Accessibility Aids | Must Be Received At Least 1 Week Prior to Meeting or Event |
| Public Review Period (TP, TIP and Other documents) | At Least 15 Days |
| Public Review Period (PPP) | <p>At Least 45 Days (In Accordance with Federal Law)</p> <p><i>*Any changes and/or amendments after adoption require an additional 45 day public review period.</i></p> |
| Legal Notice to Newspapers | At Least 2 Weeks Prior to Requested Publishing Date, and at least 2 weeks prior to meeting/event |

Performance Measures

The VLMPO strives to meet all of the goals and strategies of the PPP, through the performance measures outlined below the level of public interaction will attempt to be gauged. As a part of the VLMPO annual report many of these performance measures will be reviewed and will be used as a basis for updating the PPP in the future.

Strategy 1:

Raise public awareness and understanding of the transportation planning process including the functions, responsibilities and programs of the MPO and identify how interested citizens can become involved.

- Number of public meetings
- Number of newsletters/publications
- Number of staff speaking engagements
- Attendance at public meetings
- Number of media engagements

Strategy 2:

Provide the public and others with early, ongoing and meaningful opportunities for involvement in the transportation planning process.

- Frequency of contact with the public
- Timely updates to websites
- Response to public comments
- Accessibility of staff to the public

Strategy 3:

Maintain timely contact with key stakeholders and the public throughout the transportation planning process.

- Number of stakeholder meetings
- Number of public meetings/events
- Number of Committee meetings
- How stakeholder issues were addressed in planning documents
- Accessibility of technical information

Strategy 4:

Identify, involve and mitigate impacts on traditionally underserved communities (those communities with high concentrations of minority, low-income, elderly or disabled populations) in the transportation planning process.

- Number of public meetings
- Accessible location of public meetings
- Frequency of outreach to traditionally underserved populations

Annually this PPP will be reviewed to ensure that it provides the best guidance for appropriate public participation for the Valdosta-Lowndes Metropolitan Planning Organization.

Appendix

**Valdosta-Lowndes Metropolitan Planning Organization
Title VI Complaint Form**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Basis of Complaint (e.g., race, color, national origin, sex, age, disability, retaliation):

Date(s) of Alleged Discrimination: _____

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary):

Please provide name(s), title and address of the person who allegedly discriminated against the complainant:

If complaint has also been filed with a state or federal agency, please list:

Signed Name

Date

Printed Name

Analysis of Other Minority Groups and Environmental Justice Characteristics

| Lowndes County Population by Race, 2010 C | | Total |
|--|--|---------|
| Total population | | 109,233 |
| RACE | | |
| One race | | 106,921 |
| White | | 63,485 |
| Black or African American | | 39,142 |
| American Indian and Alaska Native | | 416 |
| Asian | | 1,591 |
| Native Hawaiian and Other Pacific Islander | | 122 |
| Some Other Race | | 2,165 |
| Two or More Races | | 2,312 |
| HISPANIC OR LATINO AND RACE | | |
| Hispanic or Latino (of any race) | | 5,238 |
| Not Hispanic or Latino | | 103,995 |
| One race | | 102,251 |
| White | | 61,234 |
| Black or African American | | 38,815 |
| American Indian and Alaska Native | | 305 |
| Asian | | 1,561 |
| Native Hawaiian and Other Pacific Islander | | 92 |
| Some Other Race | | 244 |
| Two or More Races | | 1,744 |

| Household Income, 2009 Census Estimate | | |
|--|---------------|-----------------|
| | Households | Margin of Error |
| Total | 40,175 | +/-601 |
| Less than \$10,000 | 12.10% | +/-1.0 |
| \$10,000 to \$14,999 | 6.40% | +/-0.9 |
| \$15,000 to \$24,999 | 13.00% | +/-1.3 |
| \$25,000 to \$34,999 | 13.40% | +/-1.2 |
| \$35,000 to \$49,999 | 16.00% | +/-1.4 |
| \$50,000 to \$74,999 | 17.30% | +/-1.2 |
| \$75,000 to \$99,999 | 10.20% | +/-0.9 |
| \$100,000 to \$149,999 | 8.20% | +/-0.8 |
| \$150,000 to \$199,999 | 2.00% | +/-0.5 |
| \$200,000 or more | 1.60% | +/-0.4 |
| Median income (dollars) | 39,200 | +/-897 |

VLMPPO Public Participation Plan

| Age and Sex for Lowndes County, 2009 Census Estimate | | |
|--|----------------|-----------------|
| | Population | Margin of Error |
| Total population | 102,440 | ***** |
| AGE | | |
| Under 5 years | 7.70% | +/-0.1 |
| 5 to 9 years | 6.70% | +/-0.4 |
| 10 to 14 years | 6.50% | +/-0.4 |
| 15 to 19 years | 8.60% | +/-0.1 |
| 20 to 24 years | 14.70% | +/-0.1 |
| 25 to 29 years | 6.80% | +/-0.1 |
| 30 to 34 years | 5.80% | +/-0.1 |
| 35 to 39 years | 6.30% | +/-0.5 |
| 40 to 44 years | 6.90% | +/-0.5 |
| 45 to 49 years | 6.30% | +/-0.1 |
| 50 to 54 years | 5.70% | +/-0.1 |
| 55 to 59 years | 4.50% | +/-0.3 |
| 60 to 64 years | 4.00% | +/-0.3 |
| 65 to 69 years | 3.20% | +/-0.2 |
| 70 to 74 years | 2.20% | +/-0.2 |
| 75 to 79 years | 1.90% | +/-0.2 |
| 80 to 84 years | 1.40% | +/-0.2 |
| 85 years and over | 0.90% | +/-0.2 |
| SUMMARY INDICATORS | | |
| Median age (years) | 29.3 | +/-0.2 |
| Sex ratio (males per 100 females) | 96.8 | +/-0.4 |
| Old-age dependency ratio | 14.6 | +/-0.1 |

VLMPPO Public Participation Plan

Public Notice of a Public Comment and Review Period and Public Open House

In accordance with requirements set forth in 23 CFR 450.316, 42 USC 2000d, Executive Order 12898, and Executive Order 13166, and other laws and regulations; the Valdosta-Lowndes Metropolitan Planning Organization (VLMPPO) has developed the Draft Public Participation Plan (PPP) which includes a Limited-English Proficiency Plan and Title VI Compliance Plan, for the Valdosta Metropolitan Planning Area which includes all of Lowndes County and portions of Berrien and Lanier Counties.

This PPP is available for public review and comment from April 15, 2011 to May 31, 2011 at the Southern Georgia Regional Commission, 327 W Savannah Ave.; all public libraries in Berrien, Lanier and Lowndes Counties; on the VLMPPO website (www.sgrc.us/transportation); all county government administration offices in Berrien, Lanier and Lowndes Counties; and all city government administration offices in Lowndes County.

On Tuesday, May 17, 2011 the VLMPPO will host a Public Open House at the office of the Southern Georgia Regional Commission (327 W Savannah Ave.) from 9:00 am to 7:00 pm to allow members of the public to ask questions and speak to VLMPPO staff regarding the PPP. Accessibility aids (interpreter, large print, etc.) will be made available at the open house if a written request is made at least one week prior to the event. Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la SGRC al teléfono 229-333-5277, cuando menos 1 semana antes de la junta.

Comments are being accepted by email at chull@sgrc.us, by fax at 229-333-5312, or by mailing them to VLMPPO, 327 W Savannah Ave., Valdosta, GA 31601.

For more information please call Corey Hull, MPO Coordinator at 229-333-5277.

VLMPO Public Participation Plan

Valdosta - Lowndes Metropolitan Planning Organization

Committee: PPP openhouse
 Location: SGRC
 Date: 5/17/11

-- Please Print --

| | Name | Organization/Address | Phone # | Email |
|----|--------------|----------------------|---------|-------|
| 1 | No Attendees | _____ | _____ | _____ |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |

11/12/2009

Public Comments Received

Comment #1

Name: Jane Osborn

Date: 5/23/11 (via email)

Comment Part 1:

“How many meetings have been held with particular citizen groups in mind, such as persons with disabilities or Spanish speaking persons? Have any notices been sent out in Spanish? Have flyers been put in areas of the south county where persons speaking Spanish live and congregate? Is a Spanish speaking person available at meetings for translation?”

Response:

During this public comment period one public open house was held on May 17, 2011 (see sign-in sheet). VLMPO staff did not meet with any particular citizen’s group during the public comment period; however staff is available to speak to any citizen group at their request at any time.

The notice for this public comment period was sent to more than 300 individuals, groups, agencies and other interested organizations throughout Lowndes County and the surrounding area. This notice included information on how to request Spanish translation services. The document was made available for public review at all local libraries and local government administrative offices in Lowndes County.

As described in this Public Participation Plan the VLMPO will provide a Spanish speaking translator if a written request is received at least one week prior to the event.

Comment Part 2:

“There is a group called Amigos that is planning a gathering this summer to make people in the Spanish speaking community aware of services that are available to them. You may contact this group through Carmen Wilkinson of the Telamon Corporation which is housed in the Department of Labor building. [Email redacted]. Harry Hamm at LARC could give you some ideas of how to contact persons with disabilities to notify them of meetings [Email redacted]. Judy Threlkeld of Babies Can't Wait works with a population of families with children who have or are at risk for developing a disabling condition [Email redacted]. Charles Powell is the CEO of Behavioral Health Services in this area and his organization works with and houses many people for whom transportation is a vital need, both for employment and medical appointments [Email redacted].”

Response:

The VLMPO staff contacted each of these individuals to inform them of this public comment period and asked if they could be added to the VLMPO mailing list.

Comment #2

Name: VLMPO Staff

Comment:

In order to provide a more clear understanding of the requirements of the Georgia Open Records Act an additional policy was defined to include this information. This additional policy is copied below:

“Pursuant to O.C.G.A 50-18-71 an individual seeking an open records request shall provide a written letter identifying in detail the records requested, a contact name, phone number and mailing address. The VLMPO will notify the party making the request, within three business days, to make them aware of the availability of the records, estimated time and cost of the copying, search, retrieval and other administrative fees associated with the records request, as a condition of compliance with the provisions of the law prior to fulfilling the request.”

Comment #3

Name: VLMPO Staff

Comment:

In order for both the public and the staff to better understand the timelines and requirements for public comment a table was developed to present the information contained in the document in an easily accessible and understandable format. This table is included as a part of the Public Participation Policy Section.

Comment #4

Name: VLMPO Staff

Comment:

On page 18 add the following phrase “using the Title VI Complaint Form found in this document” to the first sentence of the first paragraph to clarify the documentation required to file a complaint. The sentence now reads: “Complaints shall be in writing, using the Title VI Complaint Form found in this document, and shall be signed by the complainant and/or the complainant’s representative.”

On page 14 add the following phrase to the last sentence of the paragraph continued from the previous page: “and exhaust all reasonable resources to accommodate the needs of the LEP populations.”

Add the secondary analysis to Factor 1 of the LEP analysis.

Revise order of governing laws so that the Civil Rights Act precedes the Executive Orders.

Add additional demographic information to the appendix for further Environmental Justice Analysis.

Remove the phrase “meeting minutes” from the following sentence on page 20: “The statement below should be added to all VLMPPO public documents (such as meeting minutes) and publications. For publications, the statement can be added at the bottom of the title page.”

The public notices found on page 20 will be added to the VLMPPO website at www.sgrc.us/transportation.

Comment #5

Name: James R. Wright

Date: 5/28/11 (via email)

Comment:

“Our failure to bring many new job and business growth opportunities to our lower income communities is directly related to our failure to properly address infrastructure problems. I have come to realize that nearly all of our city schools are located within low income communities where we have had not infrastructure improvements in some 20 years.

I attended Valdosta High School from 1973-1977. The road which provides access to this school (Forrest St.) has not kept up with the growing communities in this area. According to census records we have seen the biggest growth in our communities in and around this area. Future plans call for expanding residential housing in this area. Despite these facts, the transportation projects for this area continue to take a lower priority.

Nearly all the major city schools are located within these areas and it would seem that increasing sidewalks and bike paths to promote safe route to schools would be a high priority for all. Despite this fact, we have seen no addition of sidewalks or bike paths in this area.

Finally I have not been apart nor am I aware of any Citizen Advisory Committee to represent the needs and or concerns of our communities.”

Response:

This comment is noted, and the commenter is thanked for their participation.

Comment #6

Name: Floyd Rose

Date: 5/30/11 (via letter)

Comment:

“Please accept this letter as our official complaint with the Valdosta Lowndes County Metropolitan Planning Organization.

We are filing this complaint on behalf of those who have been subjected to discrimination which is prohibited by Title VI of the 1964 Civil Rights Act, the Americans with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and/or the Civil Rights Restoration Act of 1987, as amended.

It is clear to us that the discriminatory practices outlined herein have contributed to the alienation and stigmatizing of the youth and residents of these areas, and the injuries herein are common to all members of these communities arising out of the discriminatory practices about which we complain.

The discrimination, which was committed under the color of law, and continues to the present, is purposeful and intentional, and taken in willful and reckless disregard of Title VI.

Our Complaints

VLMPO has not considered or solicited responses from low income communities; the traditionally underserved and, therefore, Title VI Compliance Plan has been violated.

The affected groups, on April 31, 2011, and May 27, 2011 were denied the opportunity for participation. These failures denied residents and others knowledge and time for preparation to participate in the process. Such acts of discrimination lead to a growing range of social problems, primarily in the central, East, West, and south side of Valdosta.

The Public involvement program did not reach low-income and minority communities.

No Statistics were collected from minority and low-income communities, nor were they given the opportunity to address possible inequities.

No focus/Advisory Groups/No Outreach to minority business alliances, faith based organizations, community neighborhood organizations, and low-income/elderly or disabled advocacy groups.

Title VI Compliance Plan was violated by excluding or not including minority groups or minority representation.

We respectfully request a review of this complaint by VLMPO's Title VI coordinator.”

Response:

A response letter was sent that included: Under the current Public Participation procedures of the Valdosta-Lowndes Metropolitan Planning Organization (VLMPO), adopted March 13, 2007, the VLMPO has met our requirements for public involvement.

VLMPPO Public Participation Plan

The Title VI Compliance Plan you reference in your letter (dated May 30, 2011) has been available as a part of a larger Public Participation Plan for public review and comment from April 15, 2011 through May 31, 2011. This Title VI Compliance Plan is not yet in effect until it is approved by the VLMPPO Policy Committee.

The VLMPPO held a public comment period from April 15, 2011 through May 31, 2011, and notified our mailing list of more than 300 individuals, groups, agencies, and media outlets of this comment opportunity. The VLMPPO held a Public Open House on May 17, 2011 (see attached sign-in sheet). The Draft Public Participation Plan was made available for public review at all local libraries and local government administrative offices as well as on the SGRC website.

A second response letter was sent after further consultation with GDOT that resulted in a follow-up meeting that occurred after the adoption of the PPP.

This comment is noted, and the commenter is thanked for their participation.

