



TITLE VI AND NON-DISCRIMINATION PROGRAM / LIMITED ENGLISH

PROFICIENCY PLAN

2020 Update

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U.S. Department of Transportation
Federal Highway Administration



U.S. Department of Transportation
Federal Transit Administration



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**BAY-LAKE REGIONAL PLANNING COMMISSION
TITLE VI AND NON-DISCRIMINATION PROGRAM/
LIMITED ENGLISH PROFICIENCY PLAN: 2020 UPDATE**

**PREPARED BY:
BAY-LAKE REGIONAL PLANNING COMMISSION
JUNE, 2020**

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The contents of this report reflect the views of the Bay-Lake Regional Planning Commission, which is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views and policies of the U.S. Department of Transportation. This report does not constitute a standard, specification or regulation.

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PURPOSE

PURPOSE OF TITLE VI PROGRAM

As a subrecipient of federal funds administered by the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA) passed through the State of Wisconsin Department of Transportation (WisDOT), the Bay-Lake Regional Planning Commission (BLRPC) is required to comply with *Title VI of the Civil Rights Act of 1964*, the *Civil Rights Restoration Act of 1987*, and all related regulations and statutes.

In addition, the BLRPC is required to comply with *Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the U.S. Department of Transportation*.

The purpose of these regulations is to assure that no person or group of persons 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 and all programs, services or activities administered by the BLRPC, regardless of whether these programs, services or activities are federally funded. In addition, the BLRPC will provide meaningful access to services for persons with limited English proficiency (LEP).

FORMAT OF TITLE VI PROGRAM

This Title VI Program is formatted to meet the requirements found in *FTA Circular 4702.1B, "Title VI Requirements and Guidance for Federal Transit Administration Recipients."*

The next section addresses the requirements for Chapters III and VI of the Circular as they pertain to requirements and guidelines for the BLRPC. Each requirement includes exact language from the Circular in *italics*, followed by a discussion of how the BLRPC meets the requirements.

FTA CIRCULAR 4702.1B: TITLE VI REQUIREMENTS AND GUIDELINES

CHAPTER III: GENERAL REQUIREMENTS AND GUIDELINES

Item #1: Introduction

Not Applicable

Item #2: Requirement to Provide Title VI Assurances

“In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT’s Title VI regulations.”

The BLRPC Title VI Assurances are included with this program in **Appendix A**.

Item #3: Requirements for First-Time Applicants

Not Applicable

Item #4: Requirement to Prepare and Submit a Title VI Program

“Title 49 CFR Section 21.9(b) requires recipients to ‘keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him/her to ascertain whether the recipient has complied or is complying with this [rule]’ ...For all recipients (including subrecipients), the Title VI Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA...Recipients shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program.”

BLRPC Title VI activities will be reported to the BLRPC Commissioners annually at the October BLRPC Executive Committee meeting, and will be documented in the meeting minutes. For the regional transportation program, the BLRPC will self-certify compliance with Title VI requirements with approval of the annual work program. For the Sheboygan MPO program, the BLRPC will self-certify compliance with Title VI requirements with approval of each work program and transportation improvement program (TIP) or TIP amendment. Meeting minutes and resolutions will be submitted to the Wisconsin Department of Transportation, and will be made available on the BLRPC website.

A copy of the BLRPC resolution approving this Title VI Program is included in **Appendix B**.

The requirements included in the “contents” part of this item (Item #4: Requirement to Prepare and Submit a Title VI Program) are also included and addressed in Items 5 through 12 below, or are not applicable.

Item #5: Requirement to Notify Beneficiaries of Protection Under Title VI

“Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient’s obligations under DOT’s Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients shall disseminate this information to the public through measures that may include but are not limited

to: posting a Title VI notice on the agency's website, at the agency's office, at stations or stops, and/or on transit vehicles."

The BLRPC Title VI notice is included in **Appendix C**, and is posted on the BLRPC website and at the BLRPC office. The BLRPC does not provide transit services; therefore, other requirements of this section are not applicable.

Item #6: Requirement to Develop Title VI Complaint Procedures and Complaint Form

"In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Recipients must also develop a Title VI complaint form."

The BLRPC Title VI complaint procedures can be found in **Appendix D**, and the BLRPC Title VI complaint form is located in **Appendix E**. The complaint procedure and complaint forms are posted on the BLRPC website and at the BLRPC office.

Item #7: Requirement to Record and Report Title VI Investigations, Complaints, and Lawsuits

"In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color or national origin; active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient."

A standard form for annual reporting of Title VI investigations, complaints and lawsuits can be found in **Appendix F**. Annual reports will be placed on file at the BLRPC office as a means to track Title VI investigations, complaints and lawsuits.

There have been no Title VI investigations, complaints or lawsuits filed with the BLRPC.

Item #8: Promoting Inclusive Public Participation

"The content and considerations of Title VI, the Executive Order on Limited English Proficiency (LEP), and the (US)DOT LEP Guidance shall be integrated into each recipient's established public participation plan or process (i.e.: the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities)."

In order to promote inclusive public participation in its planning activities, the BLRPC employs the following strategies, as appropriate:

- **Coordination and Consultation**
 - The BLRPC will consult with agencies and officials responsible for other planning activities within its planning areas (regional and Sheboygan metropolitan planning area) that are affected by transportation in the development of transportation plans and programs, including Indian Tribal governments and Federal land management agencies, where applicable.

- The BLRPC will coordinate public involvement and consultation processes with applicable statewide transportation planning activities and processes.
- **Accessibility and Information**
 - The BLRPC will hold public meetings at convenient and accessible locations and times.
 - The BLRPC will make public information available in electronically accessible formats, and will utilize social media and other resources as a way to gain public involvement.
 - The BLRPC will provide reasonable public access to technical and policy information used in the development of transportation plans and programs.
 - The BLRPC will employ visualization techniques to describe transportation plans and programs (where applicable).
- **Timeliness**
 - The BLRPC will provide timely information about transportation issues and processes to all concerned stakeholders, including affected public agencies, private providers of transportation, and other interested parties and segments of the community affected by transportation plans, programs and projects.
 - The BLRPC will provide adequate notice of public involvement activities and time for review and comment. Public notice of meetings will be placed on the BLRPC website, will be distributed to local and regional news media, and will be published in local newspapers (when applicable).
- **Public Comment**
 - The BLRPC will demonstrate explicit consideration of and response to public input received during the development of transportation plans and programs.
 - The BLRPC will provide an additional opportunity for public comment if the final transportation plan or program differs significantly from the version that was initially made available for comment.
 - The BLRPC will include as part of the final transportation plan or program a report or summary on the disposition of significant written or oral comments received on draft plans and programs.
- **Social/Environmental Justice**
 - The BLRPC will seek out and consider the needs of those traditionally underserved by existing transportation systems, including persons residing in low income households, minority persons, persons with disabilities, and the elderly.

- **Evaluation**

- The BLRPC will review the effectiveness of all of its public participation activities in order to ensure a full and open participation process. At a minimum, public outreach efforts will be conducted as a part of full meetings of the BLRPC Commission (quarterly – March, June, September and December), as a part of BLRPC Executive Committee meetings (quarterly – January, April, July and October), and as a part of Sheboygan MPO Technical and Policy Advisory Committee joint meetings (held in Sheboygan an average of seven times each year).
- The BLRPC will document and maintain records of its public outreach efforts.

As the Metropolitan Planning Organization (MPO) for the Sheboygan Metropolitan Planning Area, the BLRPC maintains the *2016 Public Participation Plan (PPP) Update for the Sheboygan MPO*, which is available on the BLRPC website. The following text is taken directly from the *2016 PPP Update*, and describes how the MPO promotes inclusive public participation:

The plan goal is as follows:

- Educate all residents of the Sheboygan Metropolitan Planning Area about the importance of developing and maintaining an intermodal transportation system, and encourage residents of the Sheboygan Metropolitan Planning Area to participate in the creation of this system.

The plan's objectives are as follows:

- Provide public input opportunities to linguistically isolated persons or Limited English Proficient (LEP) persons as part of the MPO planning process.
- Distribute notices and other materials to residents of the metropolitan planning area to inform them of opportunities to participate in the development of transportation plans, programs and studies.
- Make MPO publications and major work products available at local libraries, at repositories maintained by local units of government (or their departments), and on the Sheboygan MPO webpage portion of the Bay-Lake Regional Planning Commission website.
- Encourage local governments in the metropolitan planning area to have their websites link to the Sheboygan MPO webpage on the Bay-Lake Regional Planning Commission website, in order to more easily facilitate access to MPO processes and draft and final documents.
- Enable all residents of the metropolitan planning area to participate in the development of transportation plans, programs and studies by holding as many meetings as possible at sites that can be reached on foot, by bicycle and by public transit.

- Engage metropolitan planning area residents in the transportation planning process by informally meeting with them in their neighborhoods, at their businesses, at their schools, at their community centers, and in other locations throughout the area.
- Maintain a database of Public Participation Plan contacts and ensure that the information in the database is up to date.
- Experiment with several public participation techniques to identify effective methods of engaging all metropolitan planning area residents in the transportation planning process.

The *PPP for the Sheboygan MPO* will be updated in 2020.

Title VI Stakeholders

The public participation plan was developed “in consultation with an expanded list of ‘interested parties,’” and the BLRPC has identified the following stakeholder groups as important participants in the public participation process for BLRPC plans and programs:

Minority Population

The BLRPC defines “minorities” as all non-white persons (including those of two or more races in which one of the races may be white) within the Race variable of the decennial census or American Community Survey (ACS), when applicable. The BLRPC also defines “minorities” to include all persons of Hispanic or Latino Origin (regardless of race) within the Hispanic or Latino Origin variable of the decennial census or ACS, when applicable. Census tracts (in the case of the region) and block groups (in the case of the Sheboygan metropolitan planning area) whose minority population has been determined to be significantly greater than the planning area average will be identified as areas of potential disproportionate impact.

Within the minority community reside those who have limited English proficiency.

Limited English Proficient (LEP)

President Clinton signed Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, in August of 2000. This order requires that any agency that receives federal funds establish a means of including LEP persons in the planning process. The Assistant Attorney General for Civil Rights subsequently issued the guidance document, *Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency* [Department of Justice (DOJ) LEP Guidance], to assist agencies in “taking reasonable steps to ensure ‘meaningful’ access to the information and services they provide.”

According to the DOJ LEP Guidance, “reasonable steps to ensure meaningful access” depend on several factors:

- The number or proportion of LEP persons that may be impacted by a project or program;
- The frequency with which LEP persons come into contact with the project or program;

- The importance of the service provided by the project or program; and
- The resources available to the receiving agency.

Anyone in need of interpretive services may contact the BLRPC office at (920) 448-2820.

Item #9: Requirement to Provide Meaningful Access to LEP Persons

“Taken together, Title VI of the Civil Rights Act of 1964, its implementing regulations, and Executive Order 13166, ‘Improving Access to Services for Persons with Limited English Proficiency,’ require recipients to take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient.”

The BLRPC Limited English Proficiency Plan is included as **Appendix G**. The Limited English Proficiency Plan includes consideration of the Four Factor Analysis, Language Implementation Plan, and Safe Harbor Provision that are required for such a plan.

Item #10: Minority Representation on Planning and Advisory Bodies

“Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color or national origin, ‘deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.’ Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar decision-making bodies must provide a table depicting the racial breakdown of the membership of those bodies, and a description of efforts made to encourage the participation of minorities on such decision-making bodies.”

The BLRPC Commission is the final decision-making body for the MPO. The Commission is comprised of three Commissioners from each of the six counties that are members of the BLRPC, plus one Commissioner from each of the two counties that is not a member of the BLRPC. BLRPC Commissioners are appointed to the Commission by the Governor’s Office and/or by the County Boards within the region. BLRPC staff encourages participation by all groups by invitation to quarterly full Commission meetings, quarterly meetings of the BLRPC Executive Committee (involving one Commissioner per county), public information meetings, etc., as outlined in the Public Participation Plan. Contacts are maintained in e-mail distribution lists and in mailing lists.

The ethnic representation on the BLRPC Commission (Hispanic/Latino or not Hispanic/Latino) is illustrated in Table 1, while the racial composition on the BLRPC Commission is illustrated in Table 2. The BLRPC recognizes that the minority representation on the BLRPC Commission is not reflective of the minority representation of the planning area, but members of minority groups are invited to attend BLRPC Commission meetings (i.e.: Oneida Nation, advocacy groups for Hispanic and Southeast Asian populations in the region, etc.). BLRPC staff encourages participation by all groups by invitation to quarterly meetings and public information meetings. All BLRPC Commission meetings are open to the public, and meeting notices are posted on the BLRPC website and are mailed to media outlets.

Table 1: Composition of Hispanic or Latino Status of BLRPC Commissioners: March, 2020

Hispanic or Latino Status	BLRPC Commissioners (20 members)
Hispanic or Latino	0
Not Hispanic or Latino	16
Declined	1
No Response	1
Vacant Position	2
Total	20

Table 2: Composition by Race of BLRPC Commissioners: March, 2020

Race	BLRPC Commissioners (20 members)
White/Caucasian	16
Black or African American	0
Native Hawaiian or Other Pacific Islander	0
Asian	0
American Indian or Alaska Native	0
Two or More Races	0
Some Other Race	0
Declined	1
No Response	1
Vacant Position	2
Total	20

The Sheboygan MPO committees, as is evident by their names (Technical Advisory Committee and Policy Advisory Committee) serve in an advisory role to the BLRPC Commission. BLRPC personnel who staff the Sheboygan MPO encourage participation by all groups on the MPO advisory committees by invitation to committee meetings, public information meetings, etc., as outlined in the Public Participation Plan. Representation on all appointed MPO advisory committees is determined by the member communities and agencies.

The ethnic representation on the Sheboygan MPO Technical and Policy Advisory Committees (Hispanic/Latino or not Hispanic/Latino) is illustrated in Table 3, while the racial composition on the Sheboygan MPO Technical and Policy Advisory Committees is illustrated in Table 4. The BLRPC recognizes that minority representation on the Sheboygan MPO Technical and Policy Advisory Committees is not reflective of the minority representation of the metropolitan planning area, but members of minority groups are invited to attend MPO advisory committee meetings (i.e.: advocacy groups for Hispanic and Southeast Asian populations in the metropolitan planning area, etc.). BLRPC staff to the Sheboygan MPO encourages participation by all groups by invitation to all joint meetings of the MPO advisory committees, as well as to public hearings and public information meetings. All meetings of the Sheboygan MPO Technical and Policy Advisory Committees are open to the public, and meeting notices are posted on the BLRPC website and are mailed to media outlets.

Table 3: Composition by Hispanic or Latino Status of Sheboygan MPO Technical and Policy Advisory Committee Members: February/March, 2020

Hispanic or Latino Status	Sheboygan MPO Technical Advisory Committee (22 members)	Sheboygan MPO Policy Advisory Committee (13 members)
Hispanic or Latino	0	0
Not Hispanic or Latino	20	10
Declined	0	1
No Response	1	2
Vacant Position	1	0
Total	22	13

Table 4: Composition by Race of Sheboygan MPO Technical and Policy Advisory Committee Members: February/March, 2020

Race	Sheboygan MPO Technical Advisory Committee (22 members)	Sheboygan MPO Policy Advisory Committee (13 members)
White/Caucasian	20	10
Black or African American	0	0
Native Hawaiian or Other Pacific Islander	0	0
Asian	0	0
American Indian or Alaska Native	0	0
Two or More Races	0	0
Some Other Race	0	0
Declined	0	1
No Response	1	2
Vacant Position	1	0
Total	22	13

The overall minority population of the Bay-Lake Region equals 13.7 percent of the total population of the region. In the case of the Sheboygan MPO, the overall minority population of the ten communities that make up the Sheboygan Metropolitan Planning Area equals 19.6 percent of the total population of those communities.

Efforts to Encourage Minority Population

The BLRPC understands that diverse representation on boards and committees results in sound policy reflective of the entire population of the region and of the Sheboygan Metropolitan Planning Area. To that end, the BLRPC encourages participation of all of its citizens. As vacancies on the BLRPC Commission and on the Sheboygan MPO advisory committees become available, the BLRPC will make efforts to encourage and promote diversity. In order to encourage participation on the BLRPC Commission and on the Sheboygan MPO advisory committees, the BLRPC will reach out to community, ethnic and faith-based organizations to connect with all populations.

Item #11: Providing Assistance to Subrecipients

Not applicable, as the BLRPC is a subrecipient.

Item #12: Monitoring Subrecipients

Not applicable, as the BLRPC is a subrecipient.

CHAPTER VI: REQUIREMENTS FOR METROPOLITAN TRANSPORTATION PLANNING ORGANIZATIONS

Item #1: Introduction

Not applicable.

Item #2: Requirement to Prepare and Submit a Title VI Program

“For all recipients (including subrecipients), the Title VI Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. FTA will review and grant approval or conditional approval for Title VI Programs. Subrecipients, including MPOs that receive Federal planning money from the State, shall submit Title VI Programs to the State as the primary recipient from whom they receive funding, in order to assist the State in its compliance efforts.”

A copy of the BLRPC resolution approving this Title VI program is included in Appendix B.

In its transportation planning capacity under its regional transportation and Sheboygan MPO planning programs, the BLRPC shall submit to the State, as the primary recipient, and also to FTA:

- (1) The information required under Section 4 of Chapter III (General Requirements) of this Circular (included above);
- (2) A demographic profile of the Region and of the Sheboygan Metropolitan Planning Area that includes the locations of minority populations as covered by Title VI;

The BLRPC uses the Hispanic or Latino and Race variables from the U.S. Bureau of the Census to determine the distribution of minority and non-Hispanic “white alone” populations. Minorities are defined as Black or African American alone, American Indian or Alaska Native alone, Asian alone, Native Hawaiian or Other Pacific Islander alone, Some Other Race alone, two or more races, and White alone persons of Hispanic or Latino origin.

Table 5 shows the minority population composition of the eight-county Bay-Lake Region.

Table 5: Minority Population Composition of the Bay-Lake Region: 2014 – 2018 American Community Survey

County	Population						Minority Race*					
	Population	Non-Hispanic White	Hispanic	Total Minority**	Non-Hispanic White	Total Minority**	Black or African American Alone	American Indian or Alaska Native Alone	Asian Alone	Native Hawaiian or Other Pacific Islander Alone	Some Other Race Alone	Two or More Races
	Total			Percent			Percent of Total Population					
Brown	259,786	211,094	21,835	48,692	81.3%	18.7%	2.3%	2.5%	3.2%	0.0%	3.7%	3.2%
Door	27,439	25,812	819	1,627	94.1%	5.9%	0.7%	0.7%	0.5%	0.0%	0.5%	1.2%
Florence	4,337	4,223	61	114	97.4%	2.6%	0.3%	0.4%	0.0%	0.0%	0.0%	0.7%
Kewaunee	20,360	19,289	572	1,071	94.7%	5.3%	0.4%	0.3%	0.3%	0.0%	0.6%	1.5%
Manitowoc	79,407	72,170	3,044	7,237	90.9%	9.1%	0.9%	0.5%	2.8%	0.0%	0.2%	1.3%
Marinette	40,537	38,673	669	1,864	95.4%	4.6%	0.7%	0.5%	0.5%	0.0%	0.2%	1.5%
Oconto	37,556	35,731	650	1,825	95.1%	4.9%	0.4%	0.9%	0.4%	0.0%	0.3%	1.5%
Sheboygan	115,205	97,489	7,168	17,716	84.6%	15.4%	1.8%	0.2%	5.6%	0.0%	0.9%	2.1%
Region	584,627	504,481	34,818	80,146	86.3%	13.7%	1.6%	1.3%	3.0%	0.0%	2.0%	2.3%

*Minority race categories include Black or African American alone, American Indian and Alaska Native alone, Asian alone, Native Hawaiian or Other Pacific Islander alone, Some Other Race alone, and Two or More Races. Persons of Hispanic or Latino origin may be of any race or combination of races.

**Minority Population includes all persons of minority races as well as persons who are White alone with Hispanic or Latino origin.

Source: U.S. Bureau of the Census, *2014 – 2018 American Community Survey 5-Year Estimates*, Table B03002 (Hispanic or Latino Origin by Race).

Table 6 shows the minority population composition of the ten cities, villages and towns that are wholly or partially located in the Sheboygan Metropolitan Planning Area.

Table 6: Minority Population Composition of the Communities of the Sheboygan Metropolitan Planning Area: 2014 – 2018 American Community Survey

Community	Population						Minority Race*					
	Population	Non-Hispanic White	Hispanic	Total Minority**	Non-Hispanic White	Total Minority**	Black or African American Alone	American Indian or Alaska Native Alone	Asian Alone	Native Hawaiian or Other Pacific Islander Alone	Some Other Race Alone	Two or More Races
	Total			Percent			Percent of Total Population					
City of Sheboygan	48,531	35,330	4,963	13,201	72.8%	27.2%	3.2%	0.3%	11.4%	0.0%	1.4%	3.5%
City of Sheboygan Falls	7,878	7,183	483	695	91.2%	8.8%	0.3%	0.0%	1.5%	0.0%	0.2%	1.2%
Village of Howards Grove	3,254	3,191	0	63	98.1%	1.9%	1.0%	0.0%	0.2%	0.0%	0.0%	0.7%
Village of Kohler	2,193	2,087	42	106	95.2%	4.8%	0.2%	0.3%	1.4%	0.0%	0.3%	1.0%
Town of Herman	2,189	1,989	67	200	90.9%	9.1%	1.2%	0.0%	4.9%	0.0%	0.7%	0.5%
Town of Lima	2,973	2,867	24	106	96.4%	3.6%	0.3%	0.0%	0.5%	0.0%	0.0%	0.5%
Town of Mosel	764	719	17	45	94.1%	5.9%	0.0%	0.0%	1.6%	0.0%	0.3%	2.1%
Town of Sheboygan	7,353	6,563	370	790	89.3%	10.7%	0.0%	0.0%	5.5%	0.0%	2.5%	0.2%
Town of Sheboygan Falls	1,675	1,528	89	147	91.2%	8.8%	0.0%	0.5%	2.9%	0.0%	1.9%	0.8%
Town of Wilson	3,321	2,964	158	357	89.3%	10.7%	1.8%	0.8%	2.0%	0.0%	1.3%	1.4%
Total	80,131	64,421	6,213	15,710	80.4%	19.6%	2.1%	0.2%	7.9%	0.0%	1.2%	2.5%

*Minority race categories include Black or African American alone, American Indian and Alaska Native alone, Asian alone, Native Hawaiian or Other Pacific Islander alone, Some Other Race alone, and Two or More Races. Persons of Hispanic or Latino origin may be of any race or combination of races.

**Minority Population includes all persons of minority races as well as persons who are White alone with Hispanic or Latino origin.

Source: U.S. Bureau of the Census, *2014 – 2018 American Community Survey 5-Year Estimates*, Table B03002 (Hispanic or Latino Origin by Race).

- (3) A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process;

The procedures by which the mobility needs of minority populations are identified and considered in the BLRPC's regional transportation and Sheboygan MPO planning processes include: (1) public outreach; and (2) statistical and mapping (GIS) analysis.

Public outreach involves inviting members of minority advocacy organizations to participate on committees and in planning activities (including public informational/input meetings and focus groups). Specifically, for the MPO, the BLRPC maintains a distribution list of contacts that includes representatives from Hispanic advocacy groups (Partners for Community Development and St. Clement Parish), Hmong advocacy groups (the Hmong Mutual Assistance Association), and from an advocacy group for general LEP populations (the Literacy Council of the Family Resource Center of Sheboygan County), among others.

Statistical and mapping (GIS) analysis is used to identify the locations of minority persons. This mapping aids in analyzing where to recommend improvements in transit service. The BLRPC, in its role as the MPO for the Sheboygan Metropolitan Planning Area, periodically completes a transit development program for Shoreline Metro (the local transit provider) that identifies block groups exhibiting higher percentages of minority or low income persons than the percentage of those groups for the metropolitan planning area. BLRPC staff also map the locations of street and highway improvement and bicycle and pedestrian facility projects vis-à-vis mapping of areas with higher concentrations of minority populations for environmental justice analyses and for other purposes.

Since the BLRPC is a subrecipient and does not provide fixed-route public transportation service, other requirements in Section 2 are not applicable to the BLRPC.

- (4) Demographic maps that overlay the percent minority and non-minority populations as identified by Census or American Community Survey (ACS) data, at Census tract or block group level, and charts that analyze the impacts of the distribution of state and federal funds in the aggregate for public transportation purposes, including federal funds managed by the MPO as a direct recipient;

For the BLRPC's Regional Transportation Planning program, Map 1 illustrates the census tracts in the eight-county planning area that have a higher minority population percentage than that of the region as a whole (13.7 percent). As Map 1 illustrates, minority populations tend to be concentrated in much of the Green Bay metropolitan planning area, the Oneida Nation, portions of the Cities of Manitowoc and Two Rivers, and in the Sheboygan metropolitan planning area (particularly in the City of Sheboygan). In addition, one census tract in northwest Sheboygan County has a minority population concentration; however, this census tract is where the Kettle Moraine Correctional Institution is located. For the BLRPC's Regional Transportation Planning program, the BLRPC is a planning organization and does not operate a public transit system or have approval authority over transportation or transit-related projects.

For the BLRPC's Regional Transportation Planning program, Map 2 illustrates various transportation services in the eight-county region. These services include: (1) a shared-ride taxi

system (City of Marinette); (2) three municipal bus/transit systems (Green Bay Metro, Maritime Metro Transit, and Shoreline Metro); (3) Two county and tribal transit systems (Door County and Oneida Nation); (4) Seven general aviation airports; (5) One commercial service airport (Green Bay Austin Straubel International Airport); (6) Six ports of various sizes and purposes; (7) Intercity bus service lines; and (8) Two commercial ferry services (the S.S. Badger, operating out of Manitowoc, and the Washington Island Ferry in northern Door County). Map 2 also shows the highway network, cities and villages in the region, and county boundaries.

For the BLRPC's Sheboygan MPO program, Map 3 illustrates the location of street and highway construction projects in the *2020 – 2023 TIP* (as amended). Map 3 also includes the census block groups in the Sheboygan metropolitan planning area that have a higher minority population percentage than that of the ten communities that constitute the metropolitan planning area as a whole (19.6 percent). For the Sheboygan MPO program, the BLRPC does have project selection authority over a small class of street and highway projects (the Surface Transportation Block Grant (STBG) Urban program), but has no other project selection authority.

For the BLRPC's Sheboygan MPO program, Map 4 illustrates the location of bicycle and pedestrian transportation projects (construction only) in the *2020 – 2023 TIP* (as amended). Map 4 also includes the same mapping of the census block groups in the Sheboygan metropolitan planning area that have a higher minority population percentage than that of the ten communities that constitute the metropolitan planning area as a whole (19.6 percent). For the Sheboygan MPO program, the BLRPC does not have project selection authority over bicycle and pedestrian transportation projects.

For the BLRPC's Sheboygan MPO program, Map 5 illustrates the current Shoreline Metro fixed-route structure. Map 5 also includes the same mapping of the census block groups in the Sheboygan metropolitan planning area that have a higher minority population percentage than that of the ten communities that constitute the metropolitan planning area as a whole (19.6 percent). For the Sheboygan MPO program, the BLRPC does not have project selection authority over transit operating expenses or capital projects, nor does it operate a public transit system.

- (5) An analysis of impacts identified in paragraph (4) that identifies any disparate impacts on the basis of race, color or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

For the BLRPC's Regional Transportation Planning program, taken as a whole, publicly and privately funded transportation improvements and services provided in the BLRPC Region do not impose disproportionately high and adverse impacts on minority populations. In addition, the benefits of the transportation improvements and services provided are reasonably distributed (as illustrated in Maps 1 and 2) to serve the mobility and accessibility needs of all population groups (and particularly of minority populations) in the region.

Map 3 shows street and highway project locations in relation to minority population concentrations in the Sheboygan Metropolitan Planning Area. The following street and highway projects are wholly or partially located within census block groups with above average minority populations (all of which are wholly or partially located in the City of Sheboygan):

- Interstate Highway 43 from Wilson Lima Road to State Highway 42: Design in 2020 Leading to Resurfacing;
- Superior Avenue from North Taylor Drive to North 29th Street: Reconstruction with no Increase in Capacity;
- Taylor Drive from Indiana Avenue to Superior Avenue: Design in 2020 and Addition of Radio Communication Infrastructure, Installation of Video Detection, Conducting Intersection Turning Movement Counts, and Retiming and Coordinating Traffic Signals in 2021;
- State Highway 23/Kohler Memorial Drive/Erie Avenue from North Taylor Drive to North 9th Street: Design in 2020 and Addition of Radio Communication Infrastructure, Installation of Video Detection, Conducting Intersection Turning Movement Counts, and Retiming and Coordinating Traffic Signals in 2021; and
- State Highway 28/State Highway 42/14th Street/Calumet Drive from Indiana Avenue to North Avenue: Design in 2020 and Addition of Radio Communication Infrastructure, Installation of Video Detection, Conducting Intersection Turning Movement Counts, and Retiming and Coordinating Traffic Signals in 2021.

Two of the five above noted projects are system preservation projects that are expected to improve the condition of the existing street and highway network. In addition, none of the five above noted projects are safety projects, but three of the five above noted projects are signal timing projects that are expected to improve the efficiency of the existing street and highway network. None of the above noted projects involves additional capacity to travel lanes.

Map 4 shows bicycle and pedestrian transportation project locations in relation to minority population concentrations in the Sheboygan Metropolitan Planning Area. The following bicycle and pedestrian transportation project is wholly or partially located within census block groups with above average minority populations (all of which are wholly or partially located in the City of Sheboygan):

- County Highway PP: Sheboygan River Bridge to South 24th Street: Design in 2020 and Conversion into a Linear Parkway and Trail Facility in 2021.

The above noted bicycle and pedestrian transportation project is expected to benefit minority population concentrations throughout the Sheboygan Metropolitan Planning Area.

Map 5 shows the route structure of Shoreline Metro in relation to minority population concentrations in the Sheboygan Metropolitan Planning Area. All of the residential portions of census block groups with minority population concentrations are currently served by transit. The transit service provided allows residents of the census block groups with minority population concentrations to reach nearly all major destinations (such as major employment centers,

entertainment and recreation venues, government services, health care, schools, and shopping centers) in 30 minutes or less. When using transit, most residents need to walk no more than three to five blocks to reach their bus stop or destination.

For the BLRPC's Sheboygan MPO program, taken as a whole, the projects in the *2020 – 2023 TIP* (as amended), together with the other publicly and privately funded transportation improvements and services provided in the Sheboygan Metropolitan Planning Area, do not impose disproportionately high and adverse impacts on minority populations. In addition, the benefits of the transportation improvements and services provided are reasonably distributed (as illustrated in Maps 3, 4 and 5) to serve the mobility and accessibility needs of all population groups (and particularly of minority populations) within the Sheboygan Metropolitan Planning Area. These statements are based on the analysis of programmed projects, their locations, and impacts on minority populations, as summarized in this narrative.

Additional analysis can be found in Appendix E of the Update to the *Year 2045 Sheboygan Area Transportation Plan (SATP)* approved in April of 2019, as well as in Appendix E of the *Sheboygan Metropolitan Planning Area Transportation Improvement Program (TIP): Calendar Years 2020 – 2023* approved in October of 2019.

Item #3: Planning

“All MPOs are responsible for conducting planning activities that comply with 49 U.S.C. Section 5303, Metropolitan Transportation Planning, as well as subpart C of 23 CFR part 450, Metropolitan Transportation Planning and Programming, for a specified metropolitan planning area.”

U.S. Department of Transportation regulations provide for self-certification that the planning activities of the BLRPC are being carried out in conformance with these and other applicable requirements. This self-certification is included in the annual *Sheboygan Metropolitan Planning Area Transportation Planning Work Program*, and is certified in the Work Program's approval by the WisDOT and FHWA.

The BLRPC Regional Transportation Work Program is also approved by resolution, and includes self-certification that all planning activities of the BLRPC are being carried out in conformance with these and other applicable requirements. This certification is also acknowledged in the Work Program's approval by the Wisconsin Department of Transportation.

Item #4: Designated Recipient

Not applicable, as the BLRPC is a subrecipient.

Item #5: Direct Recipient

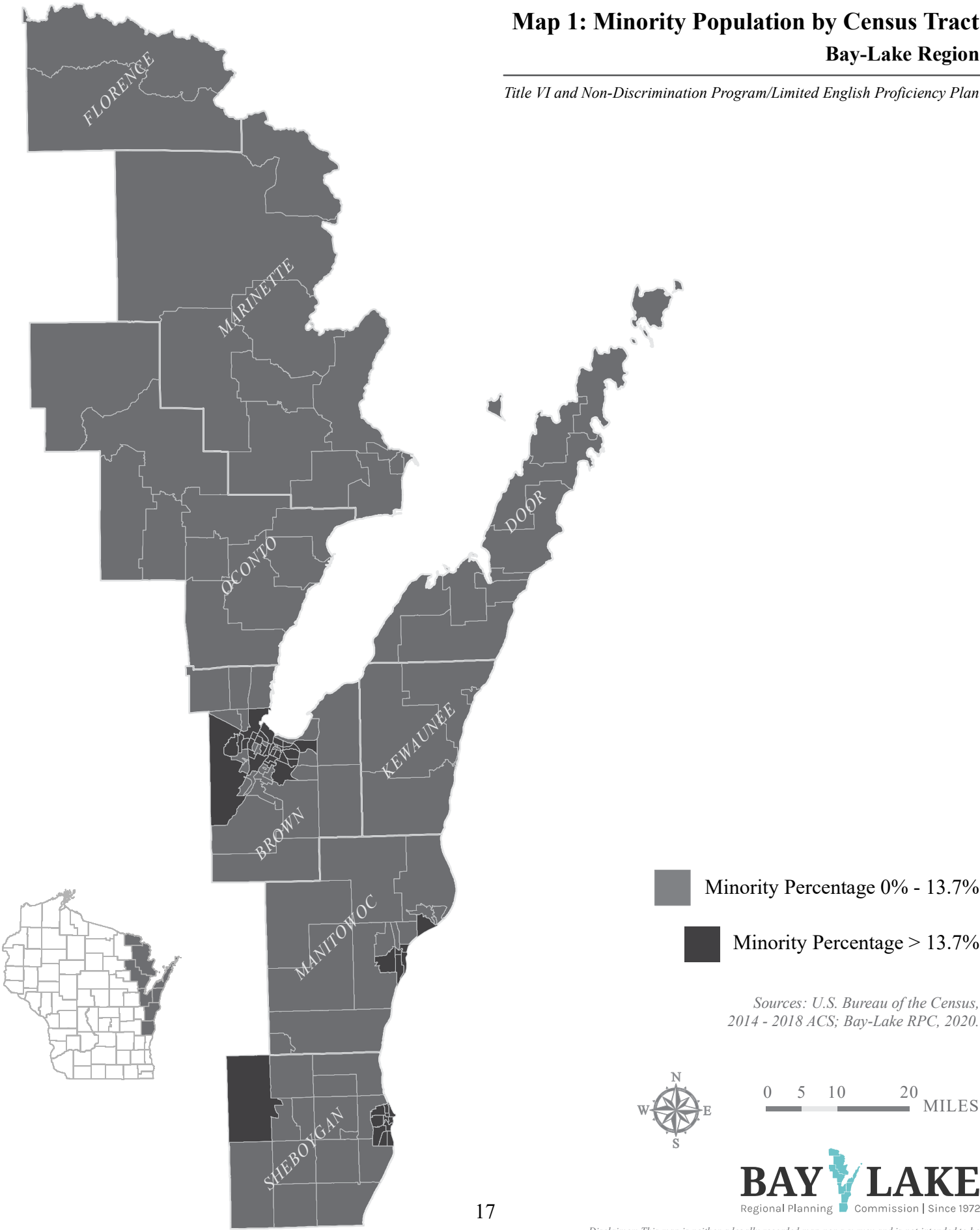
Not applicable, as the BLRPC is a subrecipient.

Item #6: Requirements for Program Administration

Not applicable, as the BLRPC is a subrecipient.

Map 1: Minority Population by Census Tract Bay-Lake Region

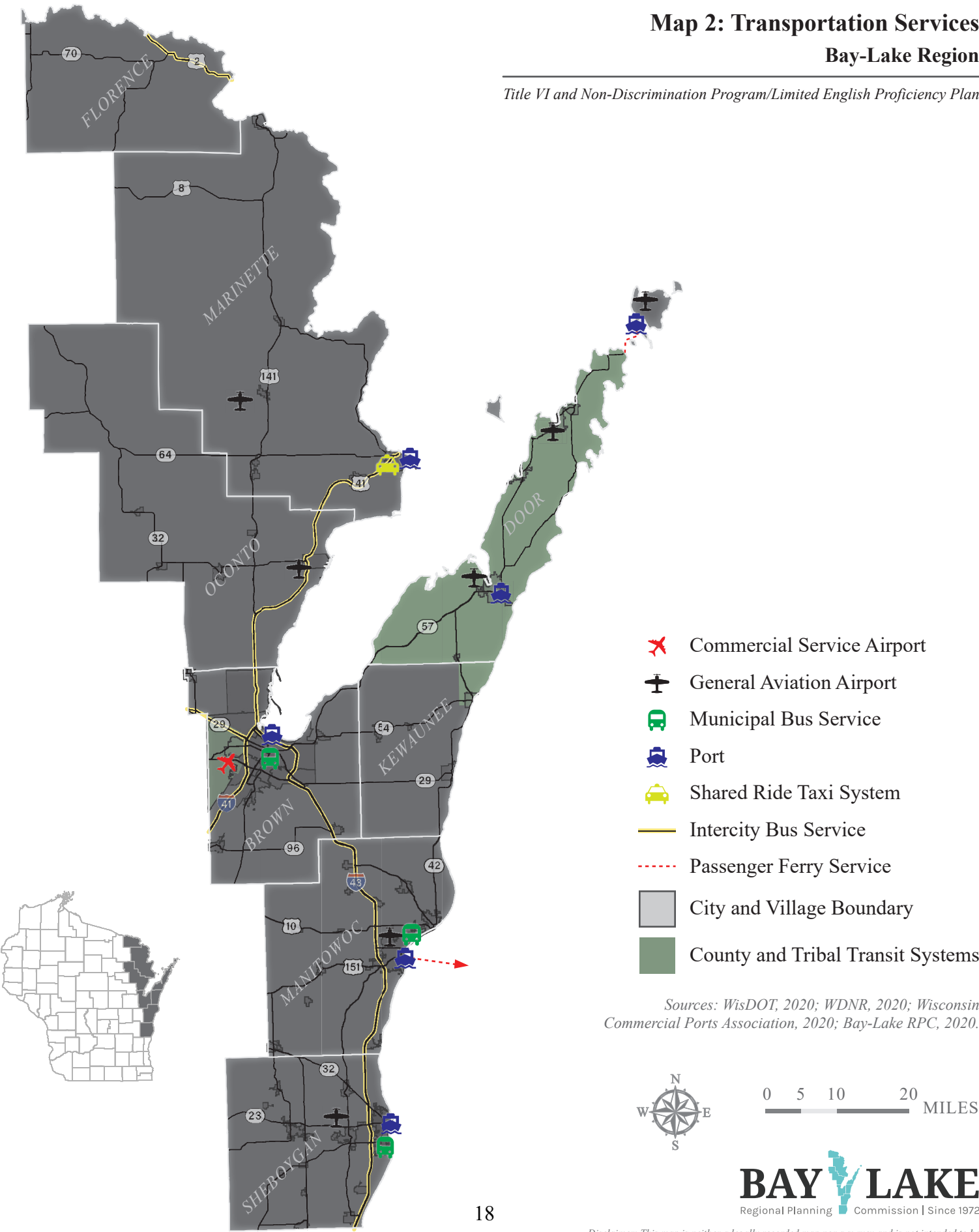
Title VI and Non-Discrimination Program/Limited English Proficiency Plan



Disclaimer: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data used for reference purposes only. Bay-Lake RPC is not responsible for any inaccuracies herein contained.

Map 2: Transportation Services Bay-Lake Region

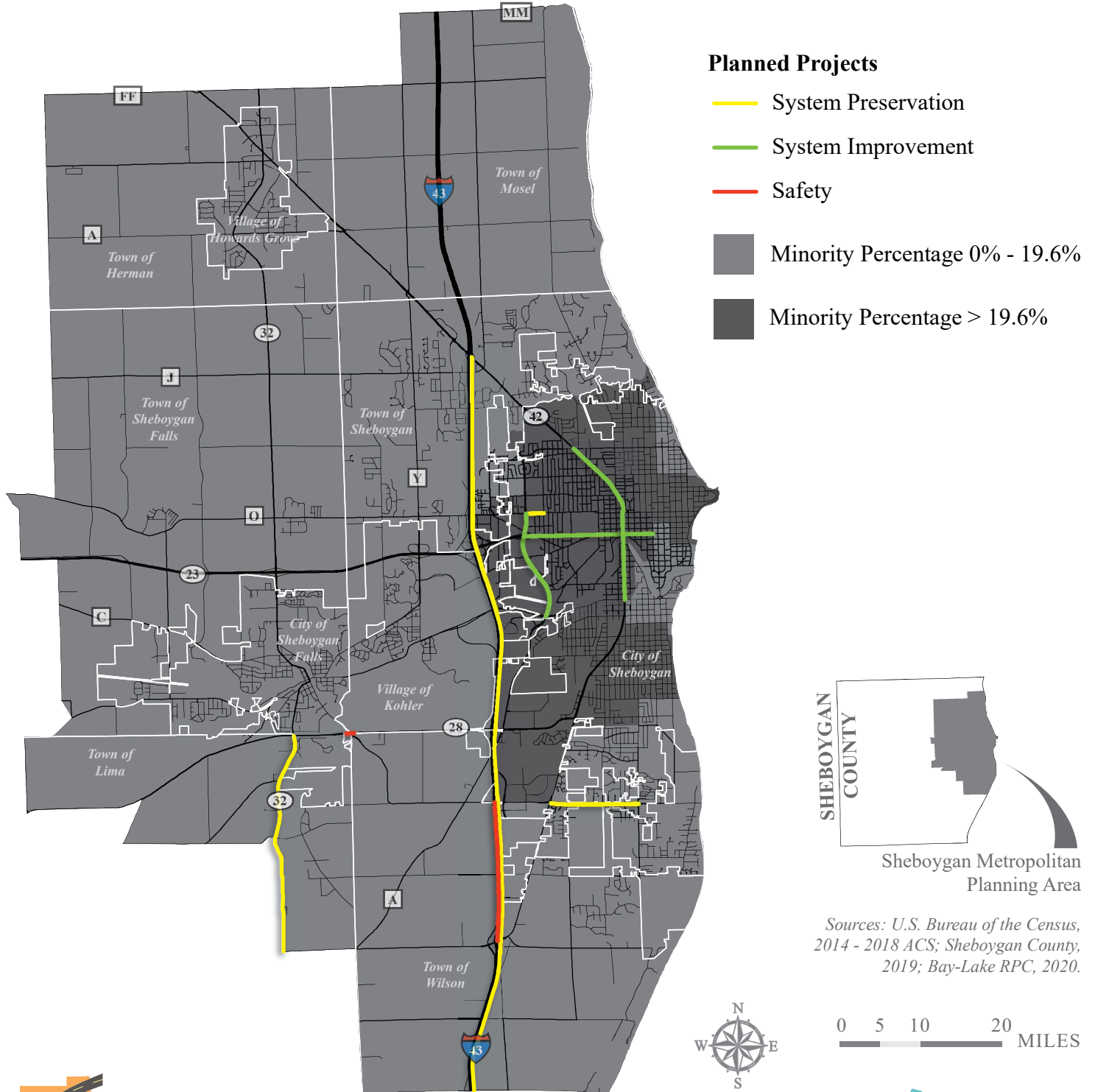
Title VI and Non-Discrimination Program/Limited English Proficiency Plan



Disclaimer: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data used for reference purposes only. Bay-Lake RPC is not responsible for any inaccuracies herein contained.

Map 3: Street and Highway Project Locations in Relation to Minority Populations Sheboygan Metropolitan Planning Area

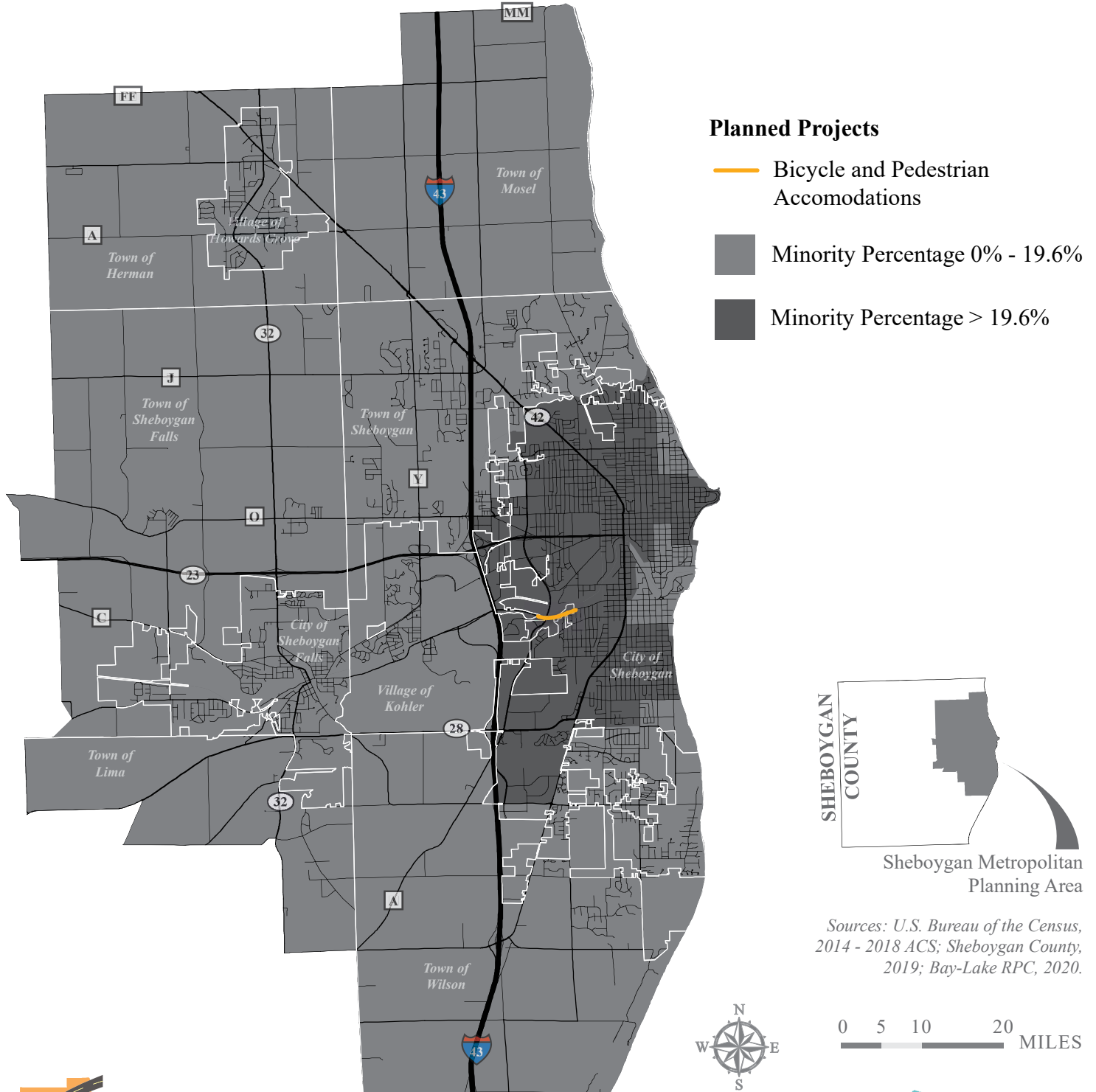
Title VI and Non-Discrimination Program/Limited English Proficiency Plan



Sources: U.S. Bureau of the Census, 2014 - 2018 ACS; Sheboygan County, 2019; Bay-Lake RPC, 2020.

Map 4: Bicycle and Pedestrian Project Locations in Relation to Minority Populations Sheboygan Metropolitan Planning Area

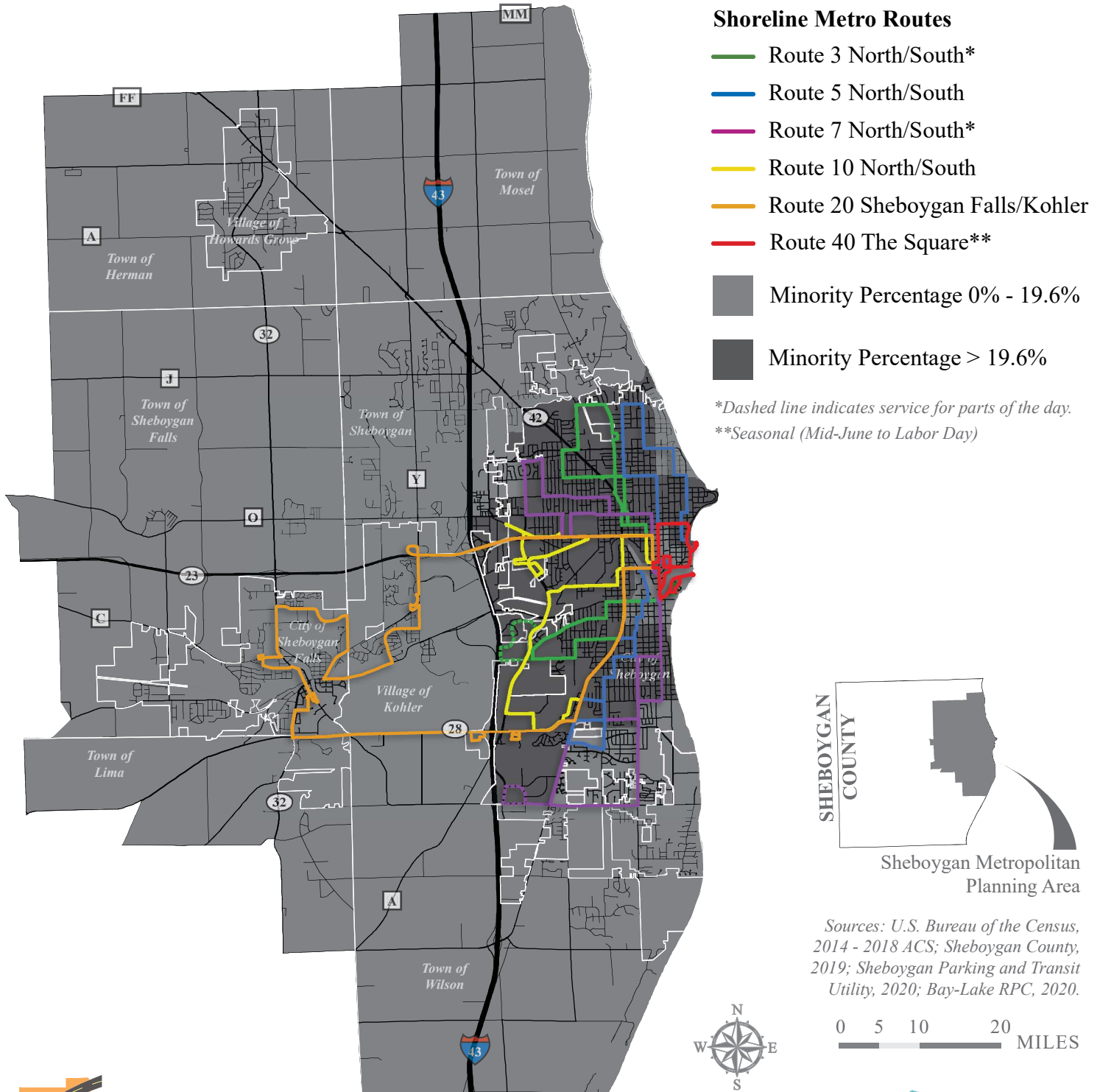
Title VI and Non-Discrimination Program/Limited English Proficiency Plan



Sources: U.S. Bureau of the Census, 2014 - 2018 ACS; Sheboygan County, 2019; Bay-Lake RPC, 2020.

Map 5: Shoreline Metro Fixed Routes in Relation to Minority Populations Sheboygan Metropolitan Planning Area

Title VI and Non-Discrimination Program/Limited English Proficiency Plan



Sources: U.S. Bureau of the Census, 2014 - 2018 ACS; Sheboygan County, 2019; Sheboygan Parking and Transit Utility, 2020; Bay-Lake RPC, 2020.

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APPENDIX A: BLRPC TITLE VI ASSURANCES

Title VI Assurances Bay-Lake Regional Planning Commission

The Bay-Lake Regional Planning Commission (BLRPC), (hereinafter referred to as the Recipient) 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 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (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, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance through the Wisconsin Department of Transportation or the U.S. Department of Transportation; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a)(1) of the Regulations.

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

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

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, and Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A in every contract subject to the Act and the Regulations.

4. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.
5. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal-Aid Highway or Transit Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-Aid Highway or Transit Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Dan Koski, BLRPC Chairperson

6-12-2020

Date



Cindy J. Wojtczak, BLRPC Executive Director

6-12-2020

Date

APPENDIX B: BLRPC RESOLUTION APPROVING THE TITLE VI PROGRAM

RESOLUTION 3-2020

Resolution by the Bay-Lake Regional Planning Commission (BLRPC) to approve the BLRPC Title VI Program/Limited English Proficiency (LEP) Plan

WHEREAS, the United States Department of Transportation regulations require the BLRPC to establish and maintain a Title VI Program to carry out U.S. Department of Transportation Title VI regulations (49 CFR part 21) and to integrate into its programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (70 FR 74087, December 2005); and

WHEREAS, the BLRPC intends that no person shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any BLRPC program or activity, regardless of funding source; and

WHEREAS, the BLRPC will affirmatively ensure that in any contract entered into, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award, and

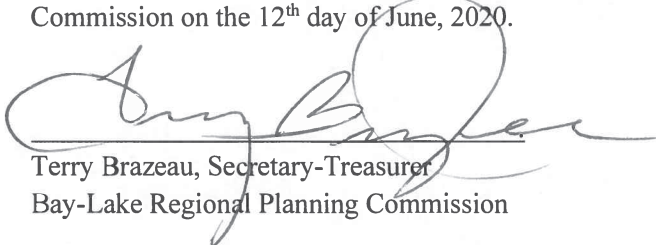
NOW, THEREFORE BE IT RESOLVED that Bay-Lake Regional Planning Commission approves the *Bay-Lake Regional Planning Commission Title VI Program/Limited English Proficiency (LEP) Plan*.



Dan Koski, Chairperson
Bay-Lake Regional Planning Commission

ATTEST:

I, Terry Brazeau, Secretary-Treasurer of the Bay-Lake Regional Planning Commission, hereby certify that the above is a true copy of a resolution adopted by the Bay-Lake Regional Planning Commission on the 12th day of June, 2020.



Terry Brazeau, Secretary-Treasurer
Bay-Lake Regional Planning Commission

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APPENDIX C: BLRPC TITLE VI NOTICE

The Bay-Lake Regional Planning Commission's Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

The Bay-Lake Regional Planning Commission

- ✓ The **Bay-Lake Regional Planning Commission** operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the **Bay-Lake Regional Planning Commission**.
- ✓ For more information on the **Bay-Lake Regional Planning Commission's** civil rights program, and the procedures to file a complaint, contact 920-448-2820, e-mail cwojtczak@baylakerpc.org or visit our office at 425 S. Adams Street, Suite 201, Green Bay, WI 54301. For more information, visit www.baylakerpc.org(.)
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- ✓ If information is needed in another language, contact 920-448-2820.
Si usted necesita información en español, llámanos al 920-448-2820 (pregunta por Jeff).
Yog tias cov ntaub ntawv uas yuav tsum tau ua lwm hom lus, hu rau 920-448-2820.

The Bay-Lake Regional Planning Commission's Notice to the Public is posted in the following locations:

- Commission website: <https://baylakerpc.org/about/civil-rights-title-vi-notice>; and
- Employment-related public notices at the Commission office.

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APPENDIX D: BLRPC TITLE VI COMPLAINT PROCEDURES

The scope of Title VI covers all external BLRPC activities. Adverse impacts resulting in Title VI complaints can arise from many sources, including advertising, bidding and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with BLRPC for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, etc.

Complaints can originate as a result of project impacts on individuals or groups. Such impacts can include social and economic, traffic, noise, air quality and access impacts; accidents; and failure to maintain facilities.

FORMAL TITLE VI COMPLAINT PROCEDURE

The BLRPC Title VI Policy assures that no person or groups of persons 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 and all programs, services, or activities administered by the BLRPC, its recipients, and contractors. In addition, Executive Order 12898 (Environmental Justice) prohibits discrimination based on income status.

BLRPC uses the following procedures for prompt processing of all Title VI complaints received directly by it. These procedures include but are not limited to:

1. Any person or groups of persons who believe that they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through a legally authorized representative, make and sign a complaint and file the complaint with the BLRPC. Allegations received do not have to use the key words “complaint,” “civil rights,” “discrimination,” or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of the BLRPC’s programs for it to be considered and processed as an allegation of a discriminatory practice.
2. The complaint must be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination. The BLRPC’s Title VI Complaint Form must be used (Appendix E).
3. The complaint may also be filed with the U.S. Department of Transportation, Office of the Secretary, 1200 New Jersey Avenue, SE (S-33), Washington, DC 20590. The complaint must be filed, in writing, no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of the U.S. Department of Transportation.
4. The BLRPC reviews and determines the appropriate action regarding every complaint. The BLRPC will recommend to the U.S. Department of Transportation, with a copy to the Wisconsin Department of Transportation, not to proceed with or continue a complaint investigation if:
 - a. The complaint is, on its face, without merit.
 - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous Federal court decisions.

- c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
- 5. If an investigation is to be initiated, the BLRPC determines the method of investigation and who will conduct the investigation.
- 6. The BLRPC acknowledges receipt of the allegation(s) within ten (10) working days. The complainant is notified of the proposed action to be taken to process the allegation(s). The notification letter contains:
 - a. The basis for the complaint;
 - b. A brief statement of the allegation(s) over which the BLRPC has jurisdiction; and
 - c. An indication of when the parties will be contacted.
- 7. The investigation consists of an in-depth, personal interview with the complainant(s). Information gathered in this interview includes, but is not limited to: identification of each complainant by race, color and national origin; name of the complainant; a complete statement concerning the nature of the complaint, including names, dates, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigator(s) feel is relevant to the complaint. The interview(s) is/are recorded, either digitally or by one or more investigators taking notes. The investigator(s) arrange(s) for the complainant to read, make necessary changes to, and sign the interview transcript or interview notes.
- 8. Following the interview(s), the investigator(s) develop(s) a report on the investigation and recommendations based on the facts. The report contains the investigator's (or investigators') findings, conclusions concerning each issue raised in the complaint, and recommendations for corrective action. This report is the last document prepared by the investigator(s). Any other actions taken as a result of the investigator's findings and conclusions are the responsibility of BLRPC management.
- 9. The complainant receives a letter from the BLRPC detailing the findings and any recommendations for corrective action to be taken based on the facts. All issues in the complaint are addressed.
- 10. The BLRPC forwards the annual submission of its Title VI Program to the Wisconsin Department of Transportation (WisDOT), the Federal Highway Administration (FHWA), and to the Federal Transit Administration (FTA). Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date that the complaint was filed, the date that the investigation was completed, and any other pertinent information. This information will be submitted for all complaints received in the course of the previous year.

APPENDIX E: BLRPC TITLE VI COMPLAINT FORM

Title VI Complaint Form Bay-Lake Regional Planning Commission (BLRPC)

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

<p>Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, check all that apply:</p> <p><input type="checkbox"/> Federal Agency: _____</p> <p><input type="checkbox"/> Federal Court: _____</p> <p><input type="checkbox"/> State Court: _____</p> <p><input type="checkbox"/> State Agency: _____</p> <p><input type="checkbox"/> Local Agency: _____</p>
Please provide information as to the agency/court and person in which the complaint was filed:
Name: _____
Title: _____
Agency/Court: _____
Address: _____
Telephone: _____

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

Signature and Date are required below

Signature

Date

Note - We cannot accept your complaint without a signature.

Please mail your completed form to:

Executive Director
 Bay-Lake Regional Planning Commission
 425 S. Adams Street, Suite 201
 Green Bay, WI 54301

Generally, complaints must be filed within 180 days of the alleged act of discrimination. Late filings may lead to a finding of an untimely complaint.

INSTRUCTIONS

1. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or group(s) of persons 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 and all programs, services or activities administered by the BLRPC. Any person or group(s) of persons who feel they have been discriminated against may file a complaint.
2. Instructions provided within this form are not meant to be all inclusive. Complainants are responsible for all procedural requirements.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the BLRPC Title VI Complaint Procedure. (Note: The complaint **must** be filed in writing no later than 180 days after the date of the alleged discrimination).
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to BLRPC (Attn: Cindy J. Wojtczak, Executive Director), 425 S. Adams Street, Suite 201, Green Bay, WI 54301.

PART I: Complete all information in this section.

PART II: Complete all required information in this section.

PART III: Check all boxes that apply indicating the basis for the complaint. The discrimination must be based on at least one of the listed categories. State the specific complaint in a manner that clearly identifies that issues upon which the complaint is based.

PART IV: Answer “Yes” or “No” to this question.

PART V: Complete required information in this section.

Sign and Date the Form.


Complaints filed with the U.S. Department of Transportation

Discrimination complaints based on race, color or national origin may be filled with the U.S. Department of Transportation, Office of the Secretary, 1200 New Jersey Avenue, SE (S-33), Washington, DC 20590. The complaint **must** be in filed, in writing, no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of the U.S. Department of Transportation.

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APPENDIX F: BLRPC ANNUAL REPORT OF TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

List of Title VI Investigations, Complaints, and Lawsuits

Subrecipient: Bay-Lake Regional Planning Commission (BLRPC)		
Contact Person: Cindy J. Wojtczak	Signature: 	Date: June 12, 2020

Check One:

<p>There have been <u>no</u> investigations, complaints and/or lawsuits filed against the BLRPC during <u>X</u> the report period.</p> <p>There have been investigations, complaints and/or lawsuits filed against the BLRPC. <i>See list below. Attach additional information as needed.</i></p>

	Date (Month, Day, Year)	Complainant Name/Address	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations					
1.					
2.					
Lawsuits					
1.					
2.					
Complaints					
1.					
2.					

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APPENDIX G: BLRPC LIMITED ENGLISH PROFICIENCY PLAN

PLAN SUMMARY

This *Limited English Proficiency Plan* has been prepared to address the BLRPC's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. This plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based on a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

BLRPC has developed its *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, BLRPC used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the BLRPC Region and within the Sheboygan Metropolitan Planning Area who may be served by the BLRPC or are likely to require BLRPC services.
2. The frequency with which LEP persons come into contact with BLRPC programs or services.
3. The nature and importance of programs or services provided by the BLRPC to the LEP population.
4. The interpretation services available to the BLRPC and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

Factor #1: The number or proportion of LEP persons in the BLRPC Region and within the Sheboygan Metropolitan Planning Area who may be served by the BLRPC or are likely to require BLRPC services.

For the region, the BLRPC staff obtained data from the *2014 – 2018 American Community Survey 5-Year Estimates* for “Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over” (Table B16004) for each county in the BLRPC Region. Table G.1 shows the number and percentage of various language groups that speak English “less than very well” by county in the region. Table G.1 indicates that the Spanish speaking population and the Asian/Pacific Island language speaking population (overwhelmingly Hmong based on our analysis of Asian subgroups and working knowledge of the region) both meet the Safe Harbor threshold (over 1,000 persons) in both Brown and Sheboygan counties, and the BLRPC will provide translation of vital documents in written or other formats as applicable.

Table G.1: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over: Counties in the Bay-Lake Region

County	Total Population	Speak Only English	Speak English "Less than Very Well"							
			Spanish		Other Indo-European Languages		Asian/Pacific Island Languages		Other Languages	
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Brown County	242,760	216,595	8,083	3.33%	627	0.26%	2,159	0.89%	336	0.14%
Door County	26,415	25,354	220	0.83%	31	0.12%	19	0.07%	0	0.00%
Florence County	4,154	4,060	6	0.14%	0	0.00%	0	0.00%	0	0.00%
Kewaunee County	19,296	18,745	210	1.09%	5	0.03%	10	0.05%	0	0.00%
Manitowoc County	75,226	71,142	859	1.14%	193	0.26%	605	0.80%	4	0.01%
Marinette County	38,721	37,639	218	0.56%	139	0.36%	11	0.01%	0	0.00%
Oconto County	35,739	34,635	178	0.50%	111	0.31%	46	0.13%	9	0.03%
Sheboygan County	108,767	98,211	1,196	1.10%	401	0.37%	2,054	1.89%	97	0.09%
Region	551,078	506,381	10,970	1.99%	1,507	0.27%	4,904	0.89%	446	0.08%

Source: U.S. Bureau of the Census, *2014 – 2018 American Community Survey 5-Year Estimates*, Table B16004 (Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over).

For the Sheboygan MPO, the BLRPC staff obtained data from the *2014 – 2018 ACS 5-Year Estimates* for “Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over” (Table B16004) for each city, village and town in the Sheboygan metropolitan planning area. Table G.2 shows the number and percentage of various language groups that speak English “less than very well” by city, village or town in the metropolitan planning area. Table G.2 indicates that the Spanish speaking population and the Asian/Pacific Island language speaking population (overwhelmingly Hmong based on our analysis of Asian subgroups and working knowledge of the area) both meet the Safe Harbor threshold (over 1,000 persons) in the Sheboygan metropolitan planning area, and the BLRPC will provide translation of vital documents in written or other formats as applicable. Table G.2 also indicates that the MPO may want to target its language outreach programs largely within the City of Sheboygan, since nearly 80 percent of the Spanish-speaking LEP population and nearly 90 percent of the Asian and Pacific Island (mostly Hmong) speaking LEP population reside within the city.

Table G.2: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over: Communities of the Sheboygan Metropolitan Planning Area

Community	Total Population	Speak Only English	Speak English "Less than Very Well"							
			Spanish		Other Indo-European Languages		Asian/Pacific Island Languages		Other Languages	
			Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
City of Sheboygan	45,333	37,276	850	1.88%	278	0.61%	1,830	4.04%	55	0.12%
City of Sheboygan Falls	7,480	7,165	8	0.11%	33	0.44%	23	0.31%	24	0.32%
Village of Howards Grove	3,025	2,992	0	0.00%	17	0.56%	0	0.00%	0	0.00%
Village of Kohler	2,124	2,014	10	0.47%	4	0.19%	7	0.33%	0	0.00%
Town of Herman	2,099	1,966	25	1.19%	7	0.33%	44	2.10%	0	0.00%
Town of Lima	2,757	2,668	26	0.94%	0	0.00%	0	0.00%	0	0.00%
Town of Mosel	722	699	0	0.00%	2	0.28%	2	0.28%	0	0.00%
Town of Sheboygan	7,157	6,451	104	1.45%	41	0.57%	113	1.58%	0	0.00%
Town of Sheboygan Falls	1,596	1,516	24	1.50%	2	0.13%	1	0.06%	0	0.00%
Town of Wilson	3,196	3,027	20	0.63%	0	0.00%	22	0.69%	18	0.56%
Total	75,489	65,774	1,067	1.41%	384	0.51%	2,042	2.71%	97	0.13%

Source: U.S. Bureau of the Census, 2014 – 2018 *American Community Survey 5-Year Estimates*, Table B16004 (Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over).

Factor #2: The frequency with which LEP persons come into contact with BLRPC programs, activities and services.

BLRPC staff reviewed the frequency with which its Commission, advisory committees (in the case of the Sheboygan MPO), staff and contractors (where applicable) have, or could have, contact with LEP persons. This includes documenting phone, mail and e-mail inquiries or office visits. To date, the BLRPC has had no requests for interpreters and no requests for translated program documents. The BLRPC Commission, advisory committees, staff and contractors (where applicable) have had very little contact with LEP persons. The one exception to this has been in the case of administering passenger opinion surveys for area transit operations, in which case the survey form has been translated into other languages, and a few responses to these translated survey forms have been received.

Factor #3: The nature and importance of programs, activities and services provided by the BLRPC to the LEP population.

A total of nearly 91.9 percent of the population 5 years and older in the eight counties of the Bay-Lake Region speaks only English, while a total of just over 87.1 percent of the population 5 years and older in the cities, villages and towns of the Sheboygan metropolitan planning area speaks only English. Most of the concentration of LEP populations is in the Green Bay and Sheboygan metropolitan planning areas, with smaller concentrations in the Manitowoc and Two Rivers urban areas. There are some organizations in these areas that directly or indirectly provide outreach to LEP individuals, including Hmong and Hispanic advocacy organizations, religious institutions that have large numbers of parishioners from these LEP concentrations, and literacy services, among others. The BLRPC Commission, advisory committees, staff and contractors (where applicable) are most likely to come into contact with LEP individuals through public informational meetings, public hearings, and other public outreach opportunities.

Factor #4: The resources available and overall costs to the BLRPC to provide LEP assistance.

The BLRPC staff has reviewed its available resources that could be used for providing LEP assistance. Hmong language resources may include the Hmong Center of Green Bay, the Hmong Community Center in Manitowoc, the Hmong Mutual Assistance Association in Sheboygan, and parishes in the region that serve Hmong populations. The BLRPC's Sheboygan

MPO Transportation Planner is fluent in Spanish; however, if additional outreach is needed to reach key populations, the BLRPC staff can work with the Hispanic Community Council, Casa Alba Melanie and various parish communities in Green Bay, with the Mi Pueblo Hispanic Community Center in Manitowoc, and with Partners for Community Development and St. Clement Parish in Sheboygan. English literacy organizations can also be utilized (where they exist) to reach these populations. In addition, technology-based applications (such as Google Translate) may be utilized. The BLRPC will provide assistance at no cost to LEP persons.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient (LEP) person and may be entitled to language assistance with respect to the BLRPC's programs, activities and services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

The BLRPC staff may identify an LEP person who needs language assistance in the following ways:

- BLRPC staff will post notice of the LEP Plan and the availability of interpretation or translation services free of charge in languages that LEP persons would understand.
- BLRPC staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- BLRPC staff will be informally surveyed annually on their experience concerning any contacts with LEP persons during the previous year.
- A notice will be posted on the BLRPC website and at the BLRPC office specifying that special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals) will be available when the BLRPC sponsors an informal meeting or event. In addition, a staff member may greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event, it will help to identify the need for translation services at future events.

Language Assistance Measures

Although there are low percentages of LEP individuals (persons who speak English "less than very well") in the BLRPC Region and in the Sheboygan Metropolitan Planning Area, the BLRPC will strive to offer the following measures:

1. The BLRPC staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.

2. The following resources will be available to accommodate LEP persons:
 - Interpretive services, within reason, will be provided for public meetings if advance notice is provided to the BLRPC and such services are readily available; and;
 - The BLRPC will make translated versions (or provide for the interpretation of relevant sections) of all documents and publications available upon request, within a reasonable time frame and as resources permit.

STAFF TRAINING

The following training will be provided to all BLRPC staff:

- Information on the Title VI Policy and LEP responsibilities (including self-guided training and resources at <https://www.lep.gov/>).
- Description of language assistance services offered to the public.
- Use of the “I Speak” cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the BLRPC will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

The BLRPC weighed the costs and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, the BLRPC will consider the translation of documents (or portions thereof) on a case-by-case basis, as requested.

If and when the need does arise for LEP outreach related to the BLRPC’s programs, activities and services, BLRPC staff will coordinate with member counties and municipalities in the BLRPC region (in the case of the regional transportation planning program) and with the municipalities of the Sheboygan Metropolitan Planning Area (in the case of the Sheboygan MPO) to determine an appropriate course of action in regard to existing interpretive and outreach resources available. It is likely that the BLRPC will utilize or consult with some or all of the resources identified in Factor #4 in the four-factor analysis (above) in an effort to provide translation and LEP outreach services.

MONITORING

The BLRPC will review the LEP Plan annually with its self-certification procedure pursuant to 23 CFR 450.334. An annual review and update (if appropriate) will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.

- Determine the current LEP population in the BLRPC region (by county) and in the Sheboygan Metropolitan Planning Area (if updated information is available from the Census).
- Determine whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet needs.
- Determine whether the BLRPC's financial resources are sufficient to fund needed language assistance resources.
- Determine whether the BLRPC fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

NOTICE OF THE BLRPC LEP PLAN

The BLRPC will provide notice of the LEP Plan by:

- Posting notice of the LEP Plan at conspicuous and accessible locations in the BLRPC office notifying LEP persons of the LEP Plan and how to access language services.
- Including a statement that LEP persons needing interpretative services may contact the BLRPC as a part of public notices and related materials placed on the BLRPC website.
- Posting the LEP Plan on the BLRPC website.

APPENDIX H: SHEBOYGAN MPO TECHNICAL AND POLICY ADVISORY COMMITTEE MEMBERS

SHEBOYGAN METROPOLITAN PLANNING ORGANIZATION TECHNICAL ADVISORY COMMITTEE

Kelley Brookins, Regional Adm.
FTA Region 5
Chicago

Kevin Struck
Growth Management Educator
Sheboygan Co. UW Extension
Sheboygan

Steve Sokolowski
City of Sheboygan Dept. of Planning and Development
Sheboygan

Aaron Brault
Sheboygan County Planning and Conservation Department
Sheboygan

Megan Zielke, Urban Planning Section
WisDOT Bureau of Planning & Economic Development
Madison

Greg Schnell**, Director
Sheboygan County Transportation Dept.
Sheboygan

Mitch Batuzich (Ex-Officio Member)
Federal Highway Administration, Wisconsin Division
Madison

Ryan Sazama
City of Sheboygan DPW Engineering Division
Sheboygan

Jerry Benzschawel, Director
City of Sheboygan Falls Public Works Department
Sheboygan Falls

Derek Muench, Director
Shoreline Metro
Sheboygan

Steve Hirshfeld
WisDOT Bureau of Transit, Local Roads, Railroads & Harbors
Madison

Matt Halada
WisDOT Northeast Region
Green Bay

Ryan Welsing
Village of Howards Grove

Matthew Grenoble
Sheboygan Co. Memorial Airport
Sheboygan Falls

David Bizot
Bureau of Air Management
Wisconsin DNR
Madison

Al Bosman
Eastern WI Counties Railroad Consortium
Sheboygan

David Smith
Bicycling Advocate
Sheboygan

David Biebel*, Director
Department of Public Works
City of Sheboygan

Christopher Bovee
Bureau of Air Management
Wisconsin DNR
Madison

Jeremiah Schiefelbein
Wisconsin DNR Northeast Region
Green Bay

Cory Roeseler
Sheboygan Co. Traffic Safety
Commission
Sheboygan

Brett Edgerle
Village of Kohler

SHEBOYGAN METROPOLITAN PLANNING ORGANIZATION
POLICY ADVISORY COMMITTEE

Vernon Koch, Chairperson
Sheboygan County Board

Steven Bauer*, Chairperson
Town of Sheboygan Falls

John Ehmann, Chairperson
Town of Wilson

William Blashka (for Daniel Hein, Chairperson)
Town of Sheboygan

Tom Schnettler, President
Village of Kohler

Randy Meyer, Mayor
City of Sheboygan Falls

Michael Vandersteen, Mayor
City of Sheboygan

Aaron Anger, Chairperson
Town of Mosel

Charles Born**, Chairperson
Town of Lima

Jeff Plass, President
Village of Howards Grove

Ald. Todd Wolf, Chairman
Sheboygan Transit Commission
Sheboygan

George Marthenze, Chairperson
Town of Herman

Will Dorsey, Director
WisDOT Northeast Region
Green Bay

*Indicates Committee Chair

**Indicates Committee Vice-Chair

BAY-LAKE REGIONAL PLANNING COMMISSION

Commission Members

BROWN COUNTY

Vacant

DOOR COUNTY

Vacant

FLORENCE COUNTY

Edwin Kelley

Larry Neuens

Rich Wolosyn

KEWAUNEE COUNTY

Mary Ellen Dobbins

Tom Romdenne

Vacant

MANITOWOC COUNTY

Dan Koski, Chairperson

Marc Holsen

James Falkowski

MARINETTE COUNTY

Ann Hartnell

Michael Kunesh

Thomas Mandli

OCONTO COUNTY

Karl Ballestad

Terry Brazeau, Secretary/Treasurer

Dennis Kroll

SHEBOYGAN COUNTY

Mike Hotz, Vice-Chairperson

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