



MAG MPO Title VI Plan

Update Approved 2024



MAG

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MAG MPO Title VI Plan

The Mountainland Association of Governments (MAG) Metropolitan Planning Organization (MPO) Title VI Plan is prepared by the MPO staff in cooperation with the United States Department of Transportation, Utah Department of Transportation (UDOT), Utah Department of Environmental Quality (UDEQ), Utah Transit Authority (UTA), and the members of the MPO Board:

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Acknowledgment

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The MAG MPO follows all civil rights provisions of federal statutes and related authorities prohibiting discrimination in programs and activities requiring federal financial assistance. Therefore, the MPO does not discriminate based on race, sex, color, age, national origin, religion, disability, or income status in admission or access to and treatment in the MPO's programs and activities, as well as the MPO's hiring or employment practices. If you have any complaints of alleged discrimination or inquiries regarding the MPO's nondiscrimination policies, you may contact the MAG Title VI Administrator, Rebecca Smyrniotopoulos, 586 East 800 North Orem, UT 84097, or rsmyrn@magutah.gov.

MPO Board Resolution

(to be inserted at approval, planned for October 3, 2024, at the MPO Board regularly scheduled meeting)

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1. Introduction

MAG Background

The Mountainland Association of Governments (MAG) is an organization through which local governments collaborate to establish guidelines, set policies, and allocate funding for transportation, local planning, community development, and aging and disability resources. The region includes Summit, Utah, and Wasatch Counties.

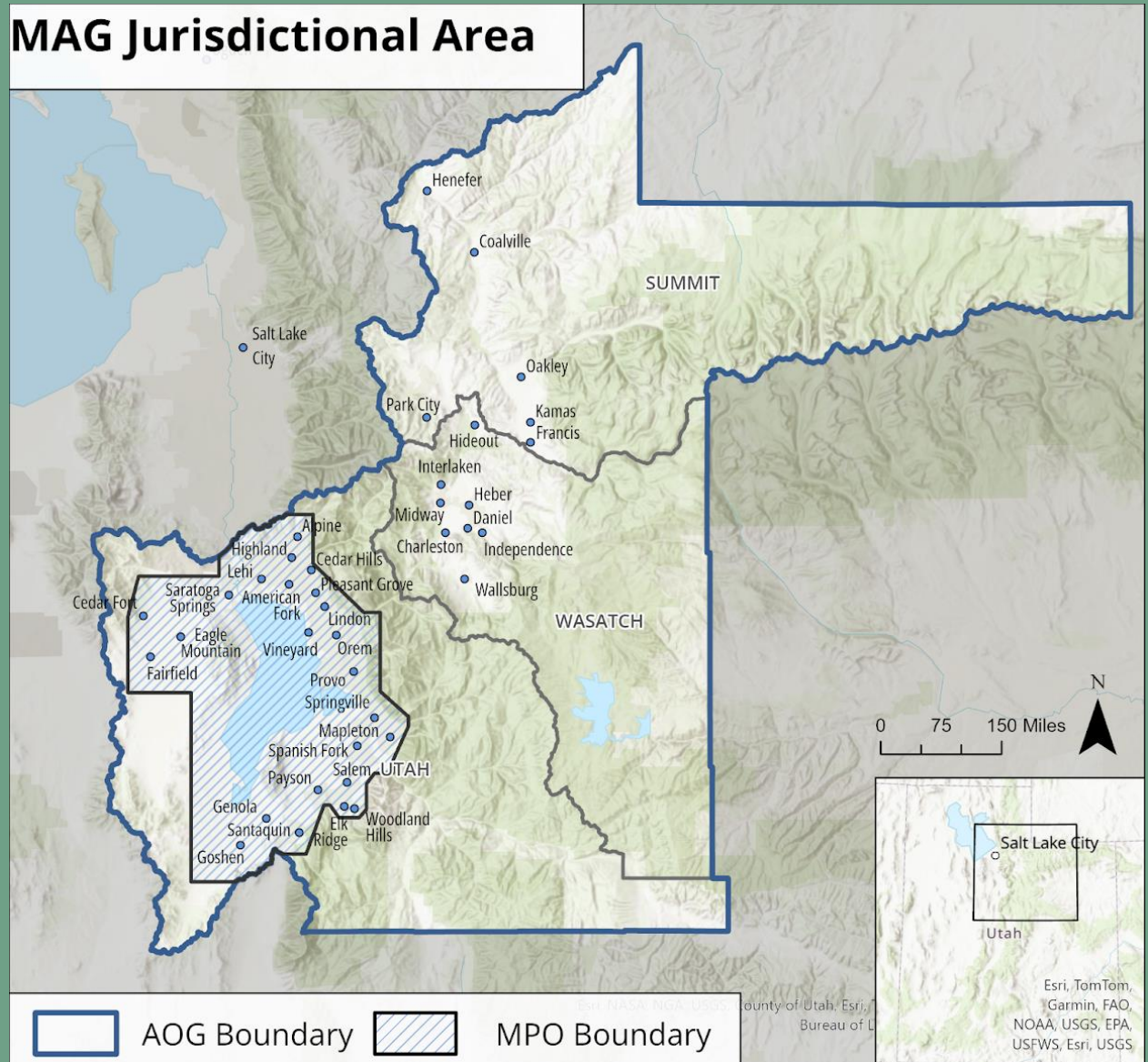
Within MAG is the federally designated Metropolitan Planning Organization (MPO) for the Provo-Orem urban area, which provides comprehensive, coordinated planning for the metropolitan transportation planning process. The MAG and the MPO boundaries are shown in Figure 1.

The MPO is responsible for creating and implementing the Regional Transportation Plan and Transportation Improvement

Program, which plan and program the region's transportation needs, including roads, transit, and active transportation for the next 20+ years.

The MPO works with local communities to create regional transportation plans, anticipate growth, maintain environmental standards, and develop programs for overall mobility needs. The MPO provides technical assistance, conducts studies to address member local governments' requests, fosters cooperation among different groups, and involves the private sector. The MPO is committed to involving the region's residents in the planning process and will follow federal Title VI and environmental justice mandates to create an inclusive planning process with transparent public participation.

Figure 1: MAG Jurisdictional Area



Title VI Background

The MPO is a recipient of federal financial assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964, which assures that,

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.”

The MPO’s work must be done with the involvement and for the benefit of all the region’s residents. The MPO is guided by federal Title VI and Environmental Justice mandates and strives to meet these mandates and create an overall transparent, inclusive process. The MPO is committed to making Title VI and Environmental Justice a part of its process, integrating it into all its programs and plans, and guiding public participation efforts.

Legal Framework

The following acts and executive orders guide the framework of this plan as they relate to nondiscrimination:

Federal Nondiscrimination Acts

- [Civil Rights Restoration Act of 1987](#) (Pub. L. 100-159) “Clarifies the intent Title VI and other nondiscrimination requirements by restoring the broad coverage of nondiscrimination statutes and requirements to include

all programs and activities that receive any portion of Federal funding.”

- [Title VI of the 1964 Civil Rights Act](#) states that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
- [Title 49 CFR Part 21](#) describes how the Title VI mandate applies to the transportation planning process for those receiving Federal financial assistance from the Department of Transportation. The Title VI Plan and resulting program policies are pursuant to this requirement.

Executive Orders

The President issues Executive Orders to federal agencies, and agencies that receive federal assistance are required to follow the same mandates.

- [Executive Order 12898](#): Federal actions to address Environmental Justice in Minority Populations and Low-Income Populations mandates that federal agencies or those receiving federal funds include Environmental Justice as part of their mission. The fundamental principles of Environmental Justice include:
 - Avoiding, minimizing, or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;

- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

These guiding principles are found in the Department of Transportation's Environmental Justice Strategy and have been incorporated into the Title VI Plan.

- [Executive Order 13166](#): Improving Access to Services for Persons with Limited English Proficiency requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.



2. MPO's Role in Title VI

General Requirements

Policy Statement

The MPO pledges to adhere to Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination statutes that afford legal protection. This policy statement is maintained on MAG's website (magutah.gov), and a copy is also available in Appendix A Title VI Policy Statement.

Assurances

The MPO hereby gives assurances that no person shall, on the grounds of race, color, national origin, age, gender, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the MPO regardless of whether those particular programs and activities are federally funded. It is the responsibility of every person within the MPO and all the MPO's responsible agents, contractors, and consultants to incorporate and implement actions consistent with nondiscrimination in programs. Refer to Appendix B Title VI Assurance for a signed copy.

Notice of Rights

The MPO provides a Title VI Notice of Rights against discrimination. This notice is maintained and posted on MAG's website (magutah.gov), in the lobby of the Orem MAG office, and found in Appendix C Title VI Notice to the Public.

Complaint Procedures and Form

Any individual who believes that they have been subjected to discrimination or retaliation by any of the MPO's programs, services, or activities, as prohibited by Title VI of the Civil

Rights Act of 1964, as amended, and related statutes, may file a written complaint. All written complaints received by the MPO shall be reviewed immediately. The complaint procedure and example complaint form can be found on MAG's website (magutah.gov), and a copy is also available in Appendix D Title VI Complaint Procedures and Form.

Public Engagement and Limited English Proficiency Plan

Informing and engaging the public in the transportation planning process is a continual effort. Language barriers may also inhibit or prohibit persons from fully engaging in the process. The MPO produces a Public Engagement Plan (PEP) and Limited English Proficiency (LEP) Plan to address these needs, which are found in the Public Involvement chapter (Ch. 4).

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

The MPO keeps a log of transit-related Title VI investigations, complaints, and lawsuits, as required by applicable laws and regulations. The MPO does not have any active investigations, complaints, or lawsuits.

Minority Representation on Planning and Advisory Boards

The MPO acknowledges its responsibility to comply with Title 49 CFR Section 21.5(b)(1)(vii); however, at this time, the MPO does not have any transit-related, non-elected planning boards, advisory councils or committees, or similar committees, of which the membership is selected by the MPO staff, and therefore, no table is provided denoting the racial breakdown of the membership of such committees. To the extent that in the future,

the MPO staff creates such committees and selects its membership, the MPO will encourage the participation of minorities in these committees and provide the required information.

Board Resolution

The MAG MPO Board adopted the Title VI Plan on October 3, 2024. The adoption resolution is found on page 2.

Organization and Staffing

The MAG Executive Director is ultimately responsible for ensuring full compliance with the provisions of Title VI of Civil Rights. The MAG Human Resource Manager / Title VI Coordinator reports directly to the Executive Director. The MPO Title VI Liaison reports to the MPO Transportation Manager and works closely with the Title VI Coordinator.

Public Accommodation and Accessibility

The MPO promotes full accommodation and access to its meetings by publishing the following statement on its meeting agendas: "Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Kimberly Brenneman at 801-229-3834, kbrenneman@magutah.gov at least 24 hours prior to the meeting." Additional information can be found in the ADA Accessibility Plan at magutah.gov/public.

Staff Training

To ensure nondiscrimination in its programs and activities, the MPO continues to offer its employees training related to Title VI and other applicable statutes.

Monitoring and Reporting

Between regular three-year updates, the MPO completes a report that documents completed activities from previous federal fiscal years that illustrate compliance with nondiscrimination requirements.

MPO Requirements

Demographic Profile

Metropolitan Planning Organizations must develop demographic profiles to identify minority populations under the FTA's Title VI Circular 4703.1B. In addition to Title VI and EJ populations, the MPO includes other populations—older adults and people with disabilities. These two different populations were chosen because they often encounter transportation disadvantages and may face barriers to participating in the transportation planning process. The data gathered during these efforts and the profiles themselves contribute to the MPO's planning and analysis efforts. These map profiles are found in the MPO Demographic Profile (Ch. 3) and the data tables in Appendix F Data Collection.

How the Mobility Needs of Minority Populations are Identified and Considered

Planning must be done with the involvement and for the benefit of all the region's residents. The MPO is guided by federal Title VI and Environmental Justice mandates, and the MPO strives to not only meet these mandates, but to create overall transparency and inclusive planning processes. As the MPO for the Provo-Orem urban area, the MPO has integrated Title VI and Environmental Justice planning processes into its programs and public participation efforts. This helps to

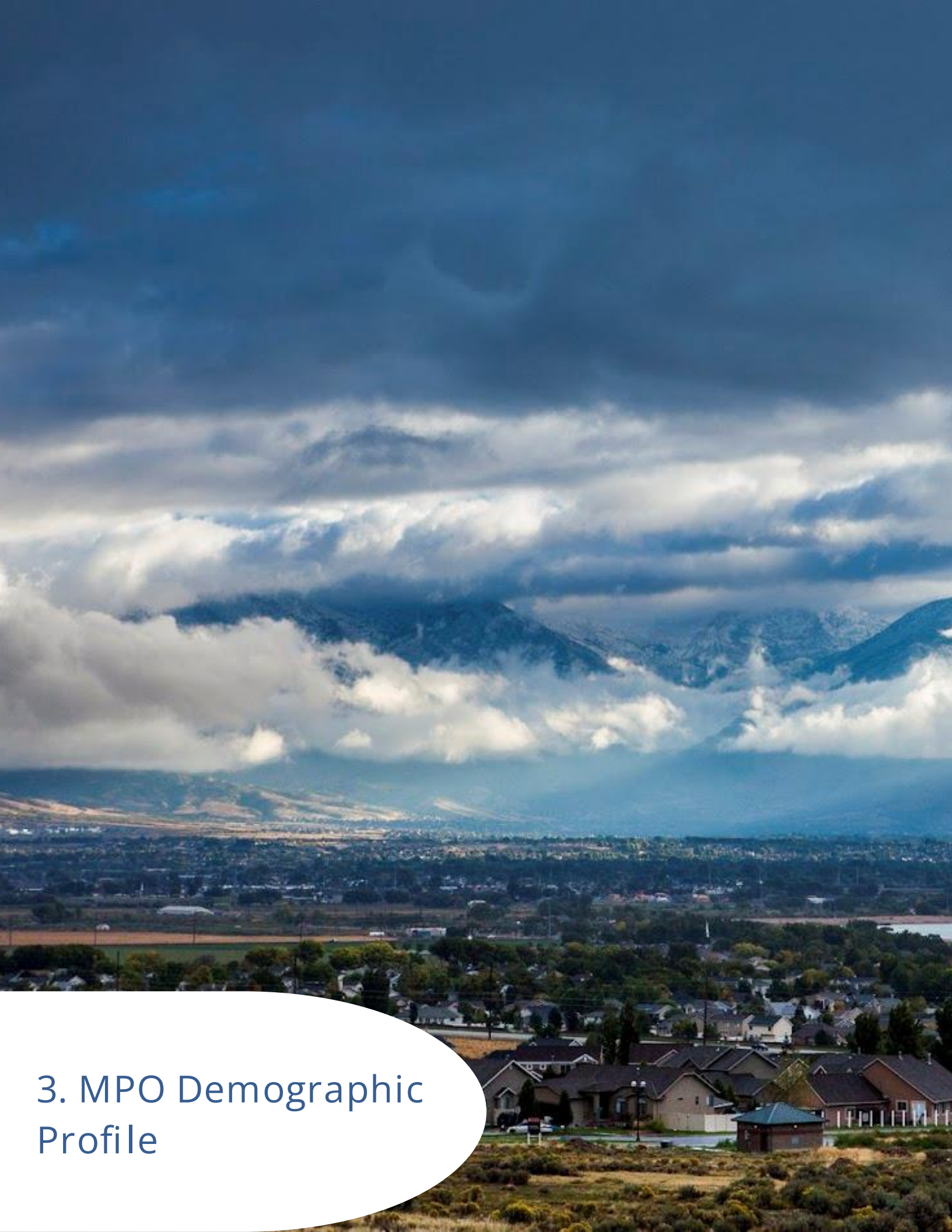
foster a region with an enhanced quality of life and a healthy environment for all its residents. Additional information can be found in Public Involvement (Ch.4).

Public Transportation Investment Analysis

During the Title VI Plan update, staff analyze investments, in the aggregate, for public transit projects funded with state and federal funds in the MPO region. These are compared with demographic profiles previously identified. The analysis can be found in the Transportation System Analysis Section (Ch.5).

MPO Transportation System and Community Impacts

As part of the transportation programming and planning process, the MPO examines the transportation system throughout the region to identify any disparate or disproportionate effect on its vulnerable populations. Maps fused to identify these populations can be found in the Transportation System Analysis Section (Ch.5).



3. MPO Demographic Profile

Background

An understanding of regional demographics is needed to ensure that the MPO planning efforts support mobility and accessibility, do not adversely impact equity focus populations, and that the participation efforts reach all segments of the regional population.

The MPO is home to nearly 740,000 people and includes 25 communities. The area consists of the Provo-Orem urban area located in Utah County. The maps on the following pages display the region's census tracts by the percentage of vulnerable populations. Census tracts generally have a population size between 1,200 and 8,000 people, with an optimum size of 4,000 people. The spatial size of census tracts varies widely depending on population density. The vulnerable populations mapped include:

- Individuals of Color (including racial and ethnic minorities)
- Low-income Households (households below the federal poverty level)
- Individuals with Limited English Proficiency
- Individuals with a Disability
- Adults Age 65 and Older

The populations included in this plan are aligned with the Environmental Justice and Impacted Communities Analysis performed for the Regional Transportation Plan, *Transplan50*. The analyses in this plan are intended to provide a baseline for developing and improving future Title VI Implementation Plans. The populations included fall into two groups:

- Environmental Justice (EJ) and Limited English Proficiency (LEP): as required by Title VI and LEP regulations.
- Other Profiles: Other vulnerable groups considered.

Environmental Justice and Limited English Proficiency Profiles

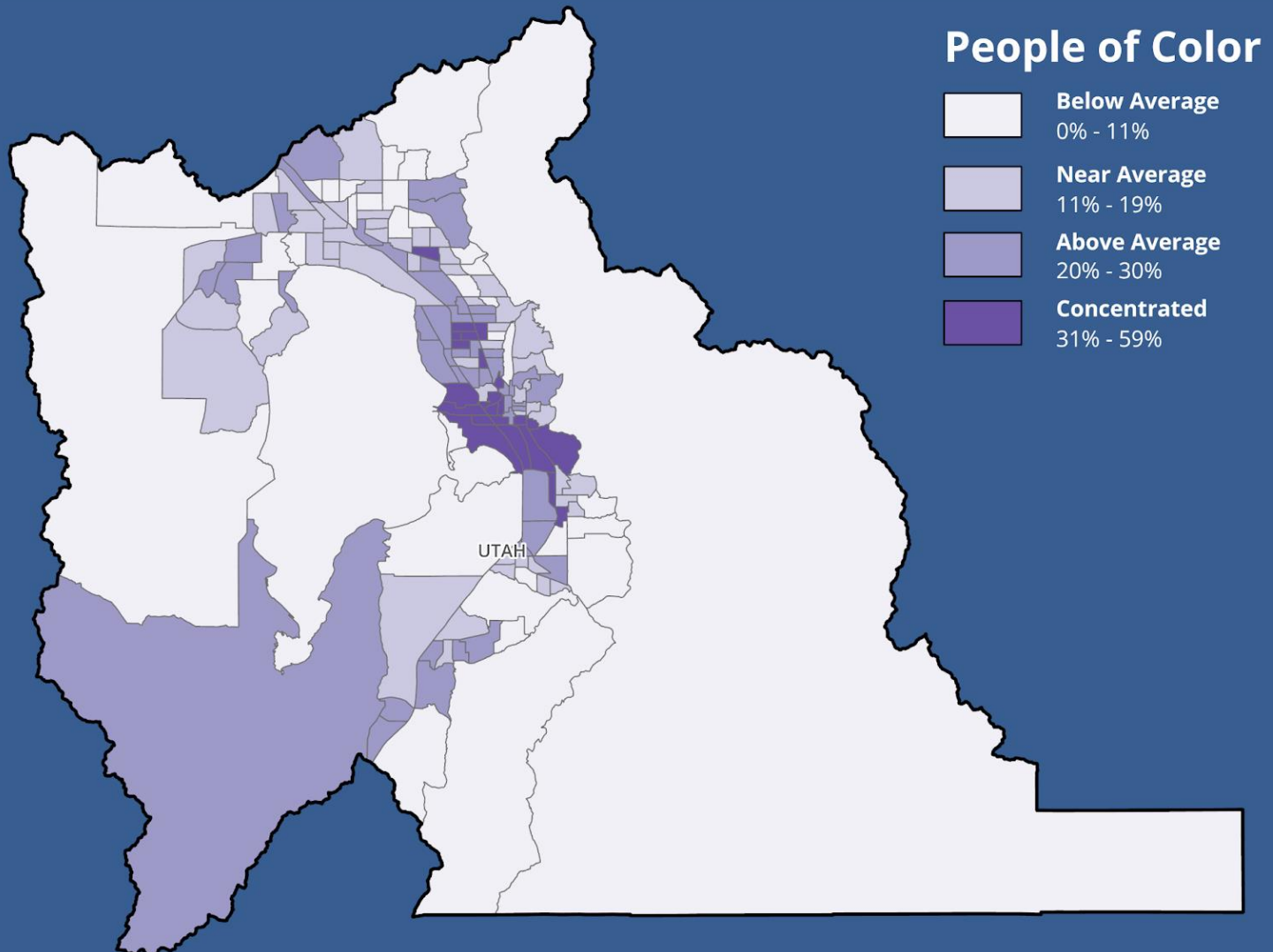
People of Color

The U.S. Census Bureau generally defines racial categories as “a social definition of race recognized in this country and not an attempt to define race biologically, anthropologically or genetically.” An individual can report as White, Black or African American, Asian, American Indian and Alaska Native, Native Hawaiian, and other Pacific Islander, some other race, or multiple races. Ethnicity is used to determine whether an individual is of Hispanic origin or not, so an individual of Hispanic origin may report as any race. The

number of people of color is calculated by subtracting the non-Hispanic or Latino White population from the total population, which yields all people of color and Hispanic or Latino people.

In Utah County, 19% of the population are people of Color. Figure 2 shows the percent of the population in the MPO region who are People of Color by census tract.

Figure 2 People of Color

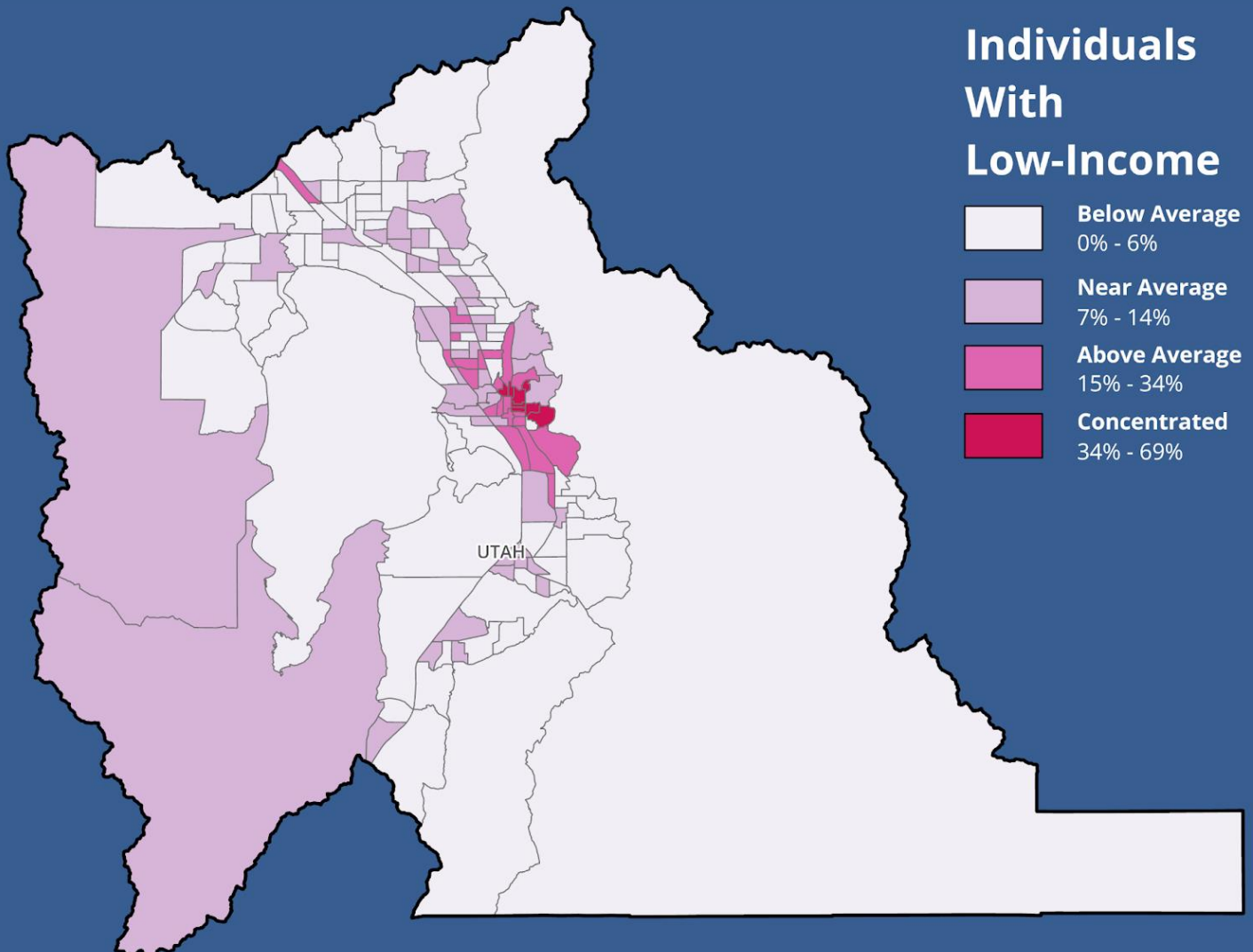


Individuals with Low-Income

Following the Office of Management and Budget's Statistical Policy Directive 14, the U.S. Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the poverty threshold, then the family and every individual in it is considered in poverty. The number of people with low income is calculated by summing all people in households with income less than 200% of the poverty level for their respective family size.

In Utah County, 10% of the population is low-income. Figure 3 shows the percentage of the population in the MPO region who are low-income by census tract.

Figure 3: Individuals with Low Income

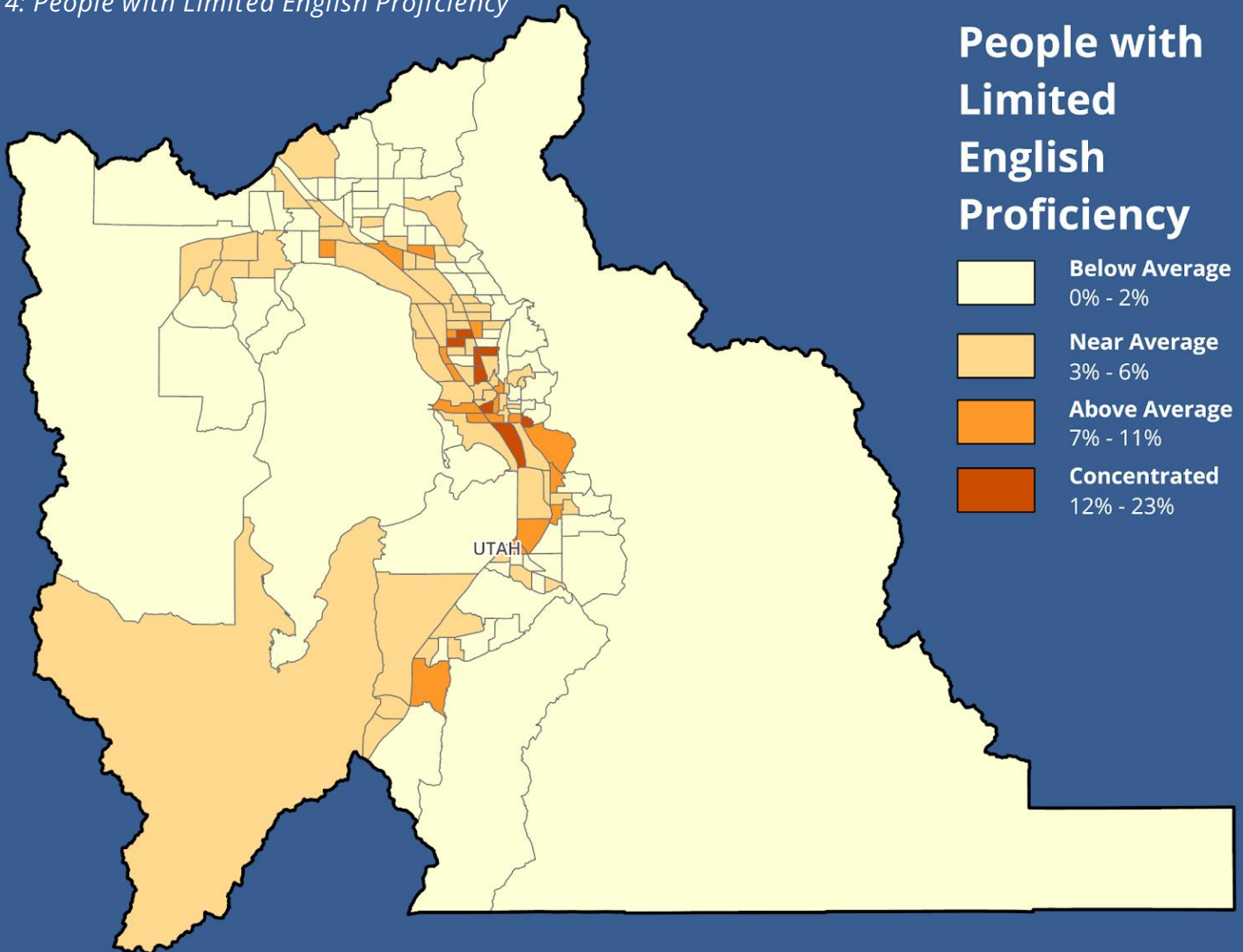


People with Limited English Proficiency

The Department of Justice and the Federal Interagency Working Group on Limited English Proficiency define people with limited English proficiency as “individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.” The U.S. Census Bureau collects data on limited English-speaking households and individuals 5 years and older through the American Community Survey.

The MPO uses this data to identify the Limited English Proficiency population within the region. The number of people with limited English proficiency is calculated by summing all individuals 5 years and older who report speaking English “well,” “not well,” or “not well at all.” In Utah County, 4% of people have limited English proficiency. Figure 4 shows the percentage of the population in the MPO region with limited English proficiency by census tract.

Figure 4: People with Limited English Proficiency



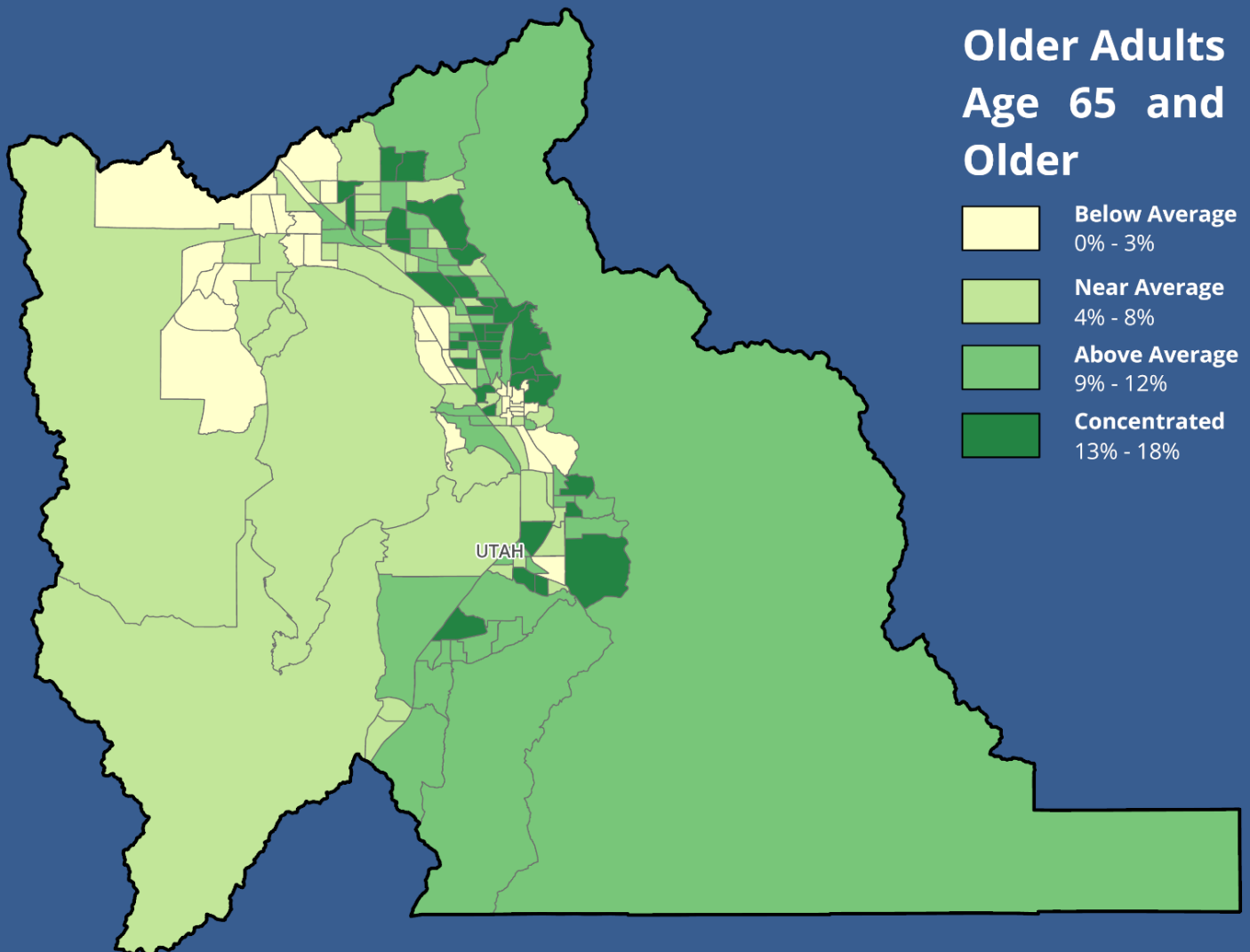
Other Demographic Profiles

Older Adults (65 and older)

In addition to the populations protected under Title VI and The Executive Order 12898 - Environmental Justice, the MPO includes other populations with the goal of improving their access to the MPO's transportation planning process and improving their transportation outcomes through MPO investments, studies, and policies. These additional populations are people with disabilities and older adults.

The MPO considers older adults to be those 65 and older. In Utah County, 8% of people are adults 65 and older. Figure 5 shows the percentage of older adults in the MPO region by census tract.

Figure 5 Older Adults Age 65 and Older



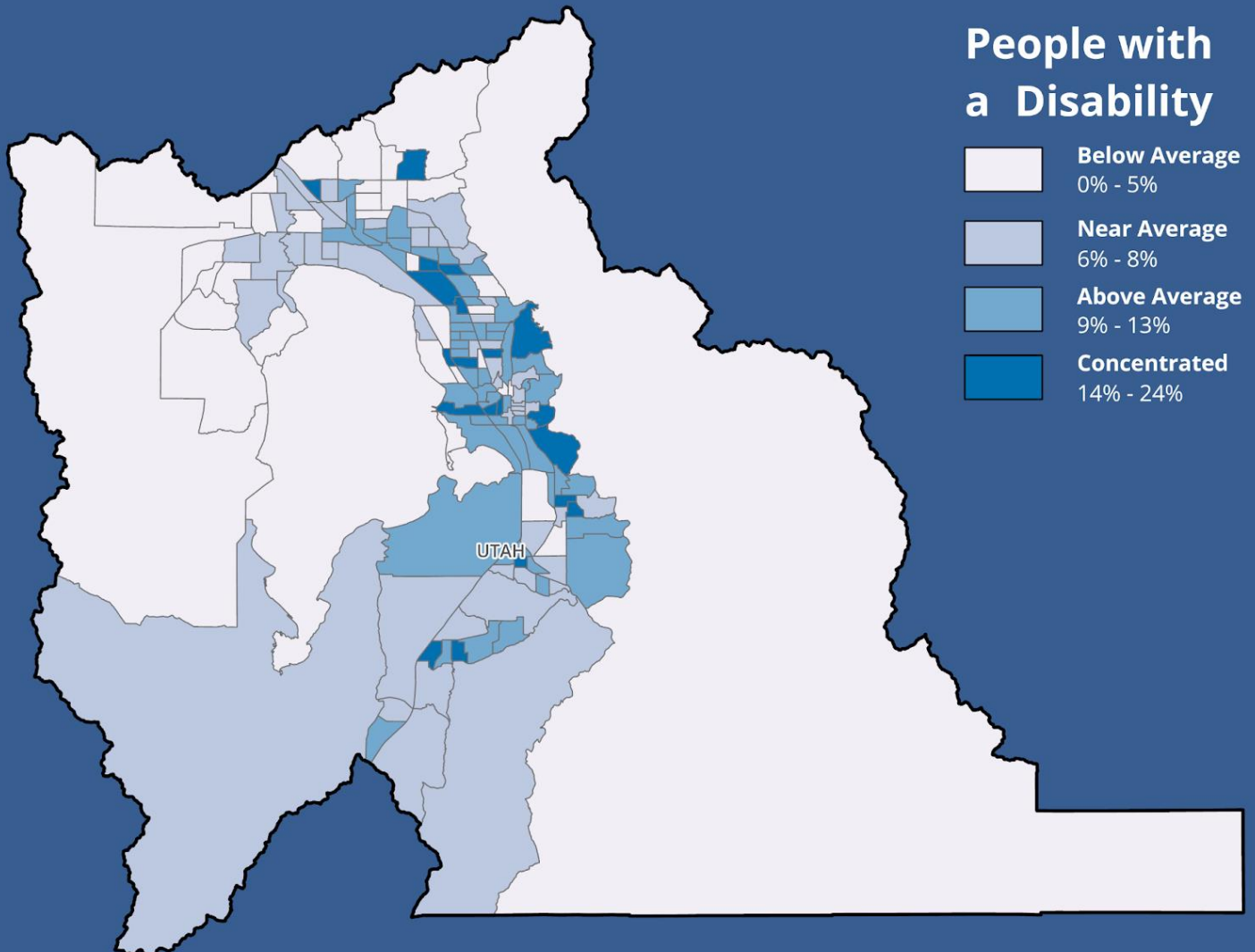
Individuals with a disability

The U.S. Census Bureau uses the definition selected by the U.S. Department of Health and Human Services to define individuals with disabilities, and the definition is outlined in Section 4302 of the Affordable Care Act. The American Community Survey uses a six-item set of yes-or-no questions to identify the portion of the population with at least one disability.

If a participant answers “yes” to any of the questions, that participant is recognized as a person with a disability.

The number of people with disabilities at the tract level is calculated by summing males and females of all ages with disabilities. In Utah County, 9% of the population are individuals with disabilities. Figure 6 shows the percentage of the population in the MPO region with disabilities by census tract.

Figure 6: People with a Disability





4. Public Involvement

Public Engagement Plan

A Public Engagement Plan (PEP) provides the vision, framework, and process for how the MPO meaningfully engages the public in transportation decision-making. The MPO is committed to transparency and access to our services, information, and the decision-making process for people throughout the region. Figure 7 shows the goals for public engagement. The PEP is guided by goals and principles that consider EJ and Title VI populations.

The PEP incorporates the following efforts to help ensure meaningful engagement:

Community Advisory Committee

The CAC aims to ensure engagement and promote access to opportunities for all communities. It advises transportation partner agencies and works with equity groups to coordinate in-person events

accessible to historically disadvantaged communities.

Translation Services

The MPO uses external organizations for translation services for safe-harbor languages, currently limited to Spanish. Staff will accommodate additional languages per the MPO Limited English Proficiency (LEP) Plan.

The PEP, available on the MAG website at magutah.gov/public, contains more information, including past engagement efforts.

Figure 7: Goals for Public Engagement

Goals for Public Engagement

The MPO has developed plan goals to ensure meaningful participation with the public and transportation stakeholders in the MPO region:

Goal 1 : Increase awareness of regional planning in the area, including communities historically underserved by the planning process.

Goal 2 : Ensure early, continuous, innovative, and broad public notification of and participation in major actions and decisions.

Goal 3 : Coordinate public involvement with agencies & local governments, as applicable.

Guiding Principles

The principles aim to achieve the plan's goals and provide a framework for effective strategies and engagement opportunities.



Limited English Proficiency Plan

The MPO is committed to engaging and involving all residents of the region, including those with limited English proficiency, in its activities. Therefore, in accordance with the best practice standards for public involvement identified by state and federal partners, the MPO has developed a Limited English Proficiency (LEP) Plan. The goal of the LEP Plan is to ensure that all region residents can, to the fullest extent, participate in MPO activities.

The LEP Plan includes a Four-Factor Analysis that the MPO uses to assess language needs and determine reasonable steps to ensure meaningful access for LEP persons. The four-factor analysis considers the following:

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

Additional information and other languages prominent in the MPO can be found in the LEP Plan on the MAG website at magutah.gov/public.

Engaging Minority and Other Groups in the MPO Planning Process

Title VI and Environmental Justice (EJ) considerations for minority and other EJ populations are carried out through:

1. Public participation efforts, as described in the MAG MPO Public Engagement Plan (PEP), for the MPO's core products to include the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP).
2. Data and analytics efforts, including a demographic profile analysis, assessment of public transportation funds, and assessment of the regional transportation system as a whole for EJ groups, as described in the Transportation System Analysis Section (Ch.5).

The MPO's approach to engagement is centered on developing strong relationships with community members, particularly groups and organizations representing populations that have historically been underrepresented in the planning process.

Community Advisory Committee (CAC)

The CAC aims to ensure engagement and promote access to opportunities for all communities. The committee is a shared partnership between the MAG MPO and the MPO to the north, the Wasatch Front Regional Council (WFRC). It advises transportation partner agencies and works with equity groups to coordinate in-person events accessible to historically disadvantaged communities.

Activities include informing the CAC of transportation planning processes and gathering feedback on how the MPO can improve and better understand the needs of community groups. The PEP includes stages at which the CAC will be considered during the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) Planning processes.

Local Coordinated Human Service Transportation Plans

Transportation needs are also collected through the development of the Coordinated Plan created in partnership with the Utah Transit Authority (UTA). One of the main functions of the plan is to identify unmet transportation needs for seniors and people with disabilities in the MPO region through extensive public engagement and identify strategies and actions to meet those needs.

The Coordinated Plan is completed every four years. Engagement is primarily done through focus groups and interviews with people who work closely with seniors and people with disabilities, such as councils on aging and regional coordinating councils.

More information can be found in the plan, which is available on the UTA website at <https://www.rideuta.com/Rider-Info/Accessibility/Accessible-UTA/Coordinated-Mobility/Local-Coordinating-Councils>.



5. Transportation System Analysis

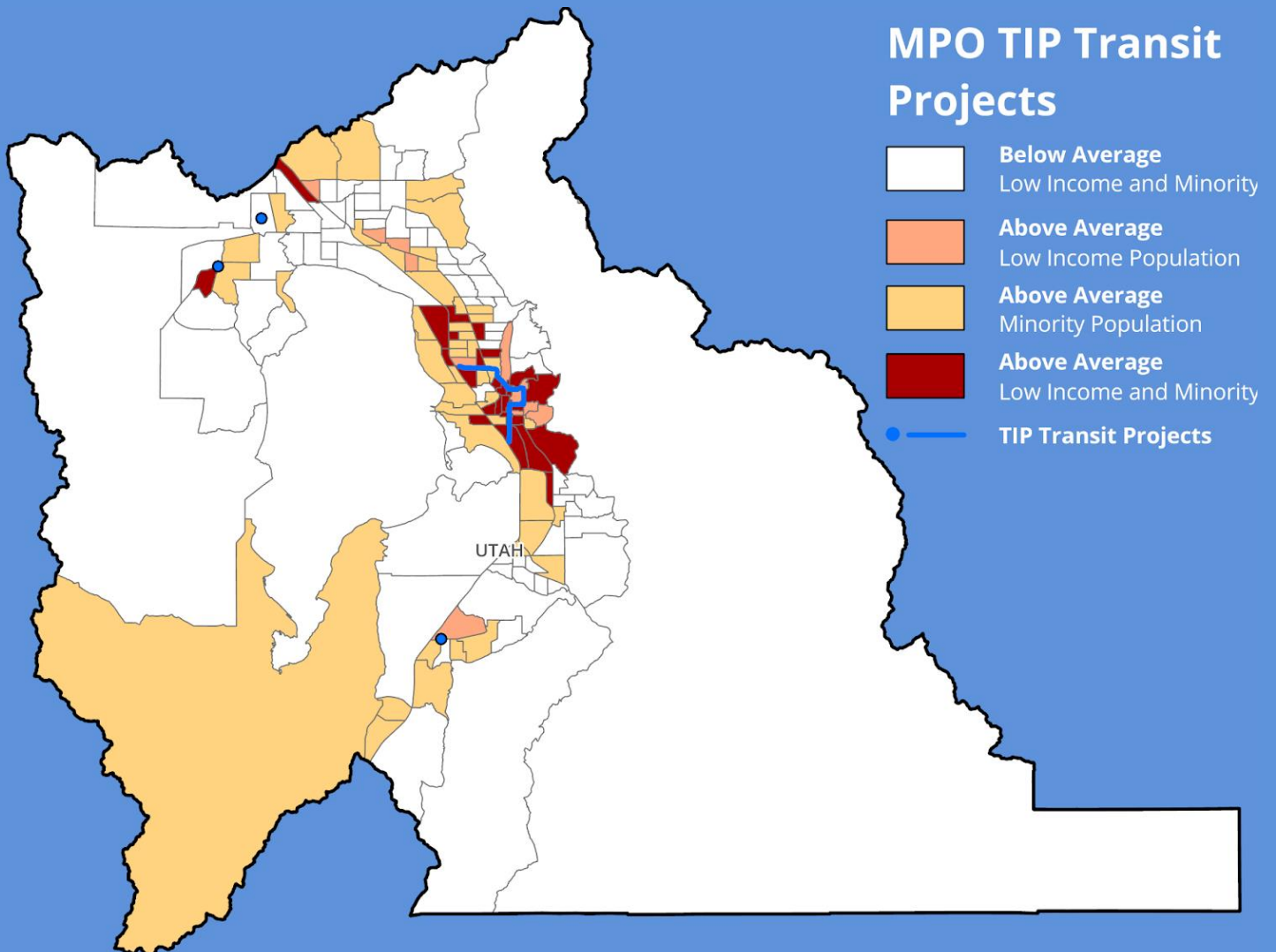
Analysis of Public Transit Investments

During the Title VI plan update, the MPO staff analyzes aggregate investments for public transit projects funded in the MPO region with state and federal funds. These are compared with demographic profiles previously identified, paying particular attention to environmental justice populations, including people of color (minorities) and low-income individuals.

The Title VI Plan analysis uses projects identified in the Transportation Improvement Program (TIP) from Fiscal Years 2024-2029.

In developing the TIP, the MPO seeks to distribute transportation funds equitably throughout the region. Figure 8 shows census tracts with above-average environmental justice groups compared to transit investments in the current TIP. Figure 9 shows the total transit investments made in the region compared to transit investments that directly impact environmental justice populations or “impacted groups.” Direct impact projects are considered to benefit people who live within one-half mile of

Figure 8 MPO TIP Transit Projects



the project and do not include transit studies or projects that only benefit the region at large. Currently, 21% of transit investments are made in impacted group census tracts. This is near average for minority groups (19% of the population) and above average for individuals with low income (10% of the population).

Transit projects included in the Transportation Improvement Program are likely to increase access to essential opportunities and services, increase access to mobility choices, and reduce injuries, fatalities, and crashes, especially for impacted communities.

Title VI, Environmental Justice, and Transportation System Analysis

Title VI and Environmental Justice (EJ) considerations for minority and other EJ populations are carried out through:

Public participation efforts, as described in the MAG MPO Public Engagement Plan (PEP), for the MPO's core products which include the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP).

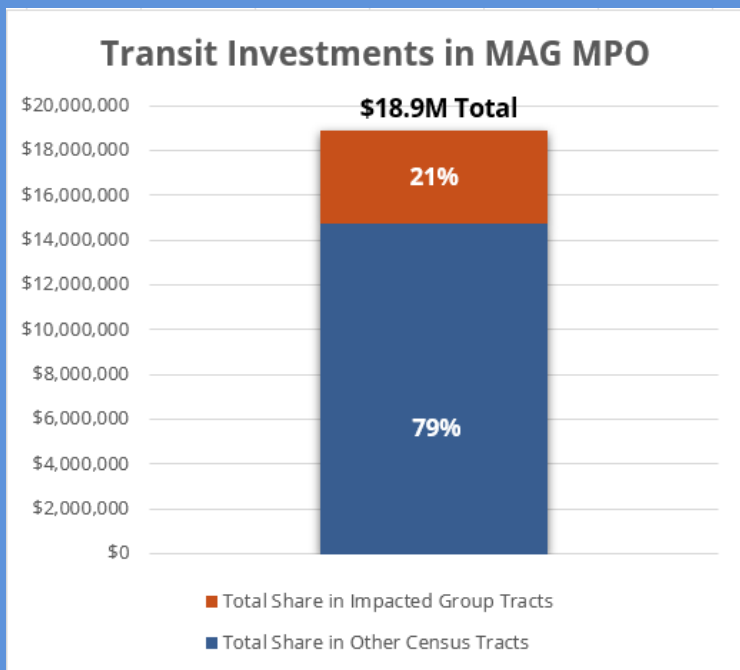
Data and analytics efforts, including a demographic profile analysis, an assessment of public transportation funds, and an assessment of the regional transportation system for EJ groups, as described in this chapter.

These efforts are incorporated into planning processes such as the development of the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) and are supported by the Unified Planning Work Program (UPWP), the Public Engagement Plan (PEP), and the Limited English Proficiency Plan (LEP).

Title VI, Environmental Justice, and Regional Transportation Plan (RTP)

The MPO develops the Regional Transportation Plan (RTP) for the Provo-Orem area. The RTP is the fiscally constrained plan for roadway, transit, and active transportation improvements over the next 20+ years. The RTP is developed in accordance with federal guidelines and includes transportation facilities paired with land use development. Projects are identified, modeled, and financially phased with the help of the Utah Department of Transportation (UDOT) and the

Figure 9 Total MPO Transit Investments



Utah Transit Authority (UTA) as well as local communities, transportation stakeholders, community-based organizations, and the public through an extensive planning process.

- Greater than 25% Low-Income
- Greater than 40% Persons of Color
- Greater than 10% Zero-Car Households

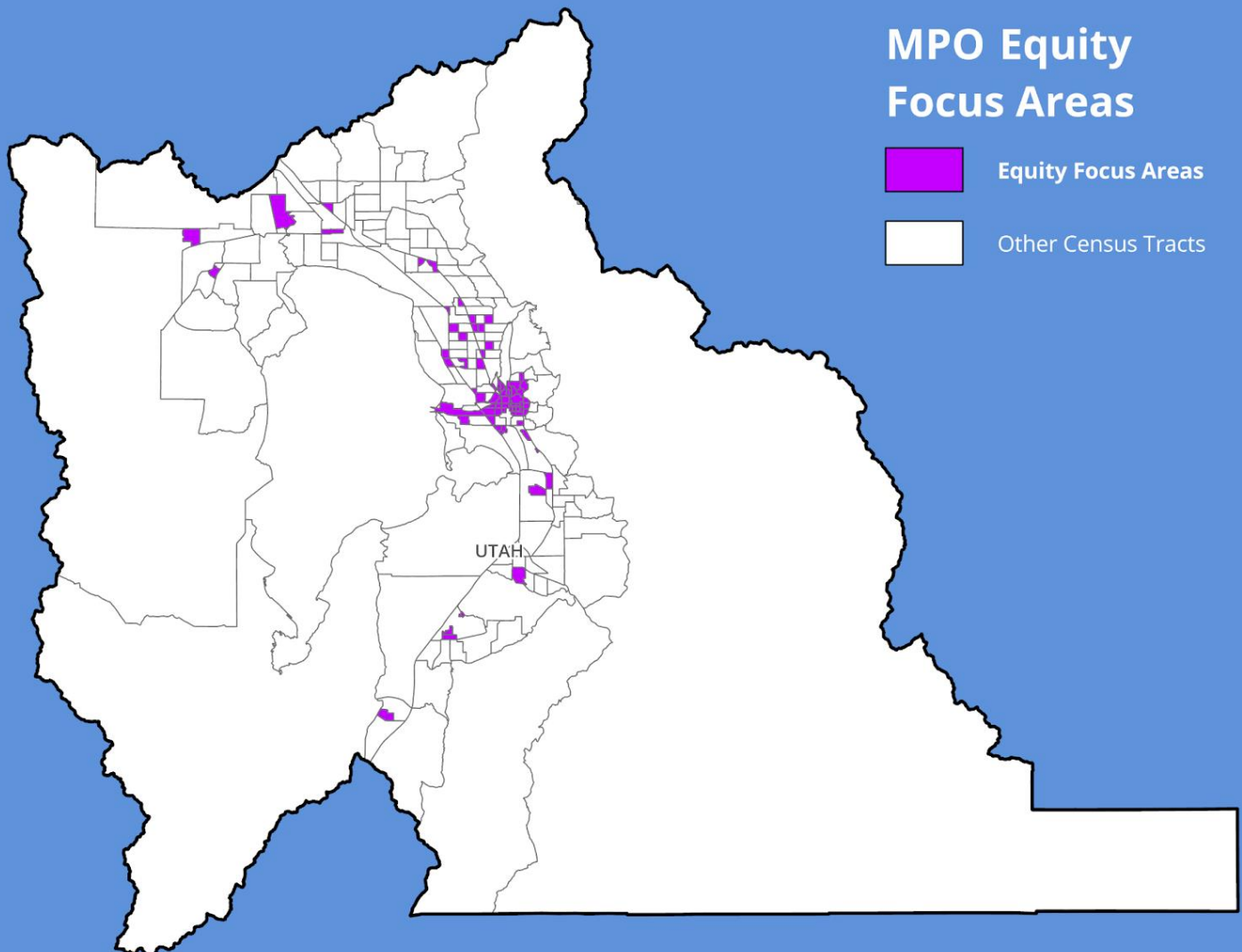
Demographic data will be used through the Regional Transportation Plan development process to help identify and analyze the impacts of transportation projects that may serve EJ groups. The RTP, *TransPlan50*, considered Equity Focus areas in prioritizing projects, as shown in Figure 10.

With the next RTP, planned to be completed by the summer of 2027, staff will use updated EJ demographic metrics along with other performance measures that will consider EJ populations, including:

This metric was compiled from the following criteria within a census tract:

1. High Injury Network focused on transportation corridors with high crash rates. The metric was developed using the number and type of crashes and comparing them with equity

Figure 10: MPO Equity Focus Areas



tracts from USDOT Equitable Transportation Community Explorer.

2. Access to opportunities. In connection with highway and transit modes, analyze corridors that can provide better access for equity-focused areas.

communities. This information can be found earlier in this chapter.

Title VI, Environmental Justice Analysis and TIP

The MPO develops and manages the Transportation Improvement Program (TIP), a six-year program of roadway, transit, and active transportation projects. The TIP's total program amount represents approximately \$3.1B of infrastructure investments over a six-year period. The TIP is updated annually following public review and comment. Biannually, the MPO selects projects with funds under the MPO's jurisdiction.

As an implementation program of the RTP, *TransPlan50*, the TIP relies on data produced by the RTP, which focuses on different metrics, such as EJ groups.

Biannually, the MPO analyzes TIP policies and procedures to improve how MPO-funded TIP projects are scored, selected, and implemented. The Community Advisory Committee, which focuses on equity communities, as described in the Public Involvement chapter, will have the opportunity to comment on metrics that analyze TIP projects. The MPO will consider this feedback during the next TIP policy update.

As part of the Title VI Plan, public transportation investments are analyzed to determine their impacts on minority



Appendices

Appendix A: Title VI Policy Statement



Title VI Policy Statement

It is the policy of the Mountainland Association of Governments Metropolitan Planning Organization that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other applicable nondiscrimination Civil Rights laws and regulations.

The Mountainland Association of Governments Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI Civil Rights Act of 1964 and any subsequent legislation and will provide assistance as needed. Further, the Mountainland Association of Governments Metropolitan Planning Organization recognizes the need for and provides training of staff on Title VI procedures.

Michelle Carroll
Executive Director
Mountainland Association of Governments

Date

For more information, contact:
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Appendix B: Title VI Assurance

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Mountainland Association of Governments, a Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the Federal Aid

Highway Program and Federal Aid Transit Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Mountainland Association of Governments also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration's (FHWA) access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA). You must keep records, reports, and submit the material for review upon request to the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

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

Michelle Carroll, Executive Director

DATED _____

TITLE VI ASSURANCE APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. canceling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the U.S. Department of Transportation (DOT), through the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA), may direct as a means of enforcing such provisions including

sanctions for noncompliance. Provided that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

TITLE VI ASSURANCE APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Mountainland Association of Governments will accept title to the lands and maintain the project constructed thereon in accordance with 23 U.S. Code § 107, the Regulations for the Administration of Federal Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration and the Federal Transit Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Mountainland Association of Governments all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

The Mountainland Association of Governments, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Mountainland Association of Governments will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

TITLE VI ASSURANCE APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Mountainland Association of Governments pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Mountainland Association of Governments will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Mountainland Association of Governments will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Mountainland Association of Governments and its assigns.*

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

TITLE VI ASSURANCE APPENDIX D

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

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

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non discrimination covenants, Mountainland Association of Governments will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Mountainland Association of Governments will there upon revert to and vest in and become the absolute property of Mountainland Association of Governments and its assigns. *

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

TITLE VI ASSURANCE APPENDIX E


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

Pertinent Non-Discrimination Authorities:


- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix C: Title VI Notice to the Public

MAG MPO provides a notice of rights against discrimination under Title VI of the Civil Rights Act of 1964. This notice is maintained and posted on MAG's website, in the lobby of the Orem MAG office, and in this appendix.



MAG
Expert Resources. Enriching Lives.



UDOT
Keeping Utah Moving

CIVIL RIGHTS/TITLE VI NON-DISCRIMINATION

Title VI and Nondiscrimination Commitment (FHWA)(FTA):
Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, Mountainland Associations of Government Metropolitan Planning Organization (MAG) and Utah Department of Transportation (UDOT) will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability or income status.

Limited English Proficiency (LEP):
In accordance with Presidential Executive Order 13166 – *Improving Access to Services for Persons with Limited English Proficiency (LEP)*, MAG and UDOT are committed to taking the steps necessary to provide meaningful access to its services, programs and activities for people with limited English proficiency.

Language Assistance:
Services are provided free without charge for individuals with special needs and/or disabilities. The public will have access to translators, "I Speak Cards", Text Telephone (TTY), Telecommunication Device (TDD) services, and vital documents translated when requested.

Environmental Justice:
MAG and UDOT are committed to full compliance with the requirements of Title VI of the Civil Rights Act of 1964 and Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." During the public participation process, minority populations, including but not limited to low-income, minority, persons with disabilities, and senior citizen groups that have been traditionally under-served by existing transportation systems, shall be sought out in order to obtain their input relative to transportation needs. Title VI states that "no person in the United States, shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." UDOT and MAG have developed and adopted a comprehensive Title VI Plan, available at www.udot.utah.gov/go/titlevi and www.magutah.gov/public.

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

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

<p>MAG Title VI Coordinator Rebecca Smyrniotopoulos 586 East 800 North Orem, UT 84097 Email: rsmyrn@magutah.gov Phone: 801-229-3800</p>	<p>UDOT Title VI Specialist PO BOX 141265 Salt Lake City, UT 84114-1265 Email: civilrights@utah.gov Phone: 801-965-4384</p>
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DERECHOS CIVILES/TÍTULO VI NO DISCRIMINACIÓN

Título VI y Compromiso de No Discriminación (FHWA)(FTA):

De conformidad con el Título VI de la Ley de Derechos Civiles de 1964 y las leyes y reglamentos conexos, Mountainland Association of Governments (MAG) y El Departamento de Transporte de Utah (UDOT) no excluirá de la participación en, negará los beneficios o sujeto a discriminación a cualquier persona por motivos de raza, color, origen nacional, sexo, edad, discapacidad o ingresos Estado.

Dominio limitado del inglés (LEP):

De acuerdo con la Orden Ejecutiva Presidencial 13166 – Mejorar el acceso a los servicios para personas con dominio limitado del inglés (LEP), MAG y UDOT se compromete a tomar las medidas necesarias para proporcionar un acceso significativo a sus servicios, programas y actividades para personas con dominio limitado del inglés.

Asistencia de idiomas:

Los servicios se proporcionan de forma gratuita para personas con necesidades especiales y/o discapacidades. El público tendrá acceso a traductores, "I Speak Cards", Text Telephone (TTY), servicios de dispositivos de telecomunicaciones (TDD) y documentos vitales traducidos cuando se solicite.

Justicia Ambiental:

MAG y UDOT está comprometido con el pleno cumplimiento de los requisitos del Título VI de la Ley de Derechos Civiles de 1964 y la Orden Ejecutiva 12898, "Acciones Federales para Abordar la Justicia Ambiental en Poblaciones Minoritarias y Poblaciones de Bajos Ingresos". Durante el proceso de participación pública, se buscarán poblaciones minoritarias, incluidos, entre otros, los grupos de bajos ingresos, minorías, personas con discapacidad y personas de la tercera edad que tradicionalmente han sido desatendidos por los sistemas de transporte existentes, a fin de obtener sus aportaciones en relación con las necesidades de transporte. El Título VI establece que "ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional será excluida de la participación en, se les negarán los beneficios de, o será objeto de discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal." UDOT y MAG han desarrollado y adoptado planes completos del Título VI, disponible en www.udot.utah.gov/go/titlevi, y www.magutah.gov/public.

Declaración ADA/504:

De conformidad con la Sección 504 de la Ley de Rehabilitación de 1973 (Sección 504), la Ley de Estadounidenses con Discapacidades de 1990 (ADA) y las leyes y regulaciones federales y estatales relacionadas, MAG y UDOT hará todo lo posible para garantizar que sus instalaciones, programas, servicios y actividades sean accesibles para las personas con discapacidades. MAG y UDOT proporcionará adaptaciones razonables a las personas discapacitadas que deseen participar en eventos de participación pública o que requieran asistencia especial para acceder a las instalaciones, programas, servicios o actividades de MAG y UDOT. Debido a que proporcionar adaptaciones razonables puede requerir asistencia, organización o recursos externos, MAG y UDOT solicita que las solicitudes se realicen al menos cinco (5) días calendario antes de la necesidad de adaptación. Las preguntas, inquietudes, comentarios o solicitudes de adaptación deben hacerse al Especialista Título VI de UDOT.

Procedimientos de reclamación:

FHWA / FTA ha establecido un procedimiento de queja por discriminación y tomará medidas rápidas y razonables para investigar y eliminar la discriminación cuando se encuentre. Cualquier persona que crea que ha sido agraviada por una práctica discriminatoria ilegal bajo el Título VI tiene derecho a presentar una queja formal ante FHWA / FTA. Cualquier queja de este tipo debe presentarse por escrito y presentada ante la FHWA / FTA dentro de los ciento ochenta (180) días calendario siguientes a la fecha del presunto hecho discriminatorio. Para obtener más información, comuníquese con MAG o el Especialista Título VI de la UDOT.

MAG Coordinador Título VI

Rebecca Smyrniotopoulos
586 East 800 North
Orem, UT 84097
Email: rsmyrn@magutah.gov
Teléfono: 801-229-3800

UDOT Especialista Título VI

PO BOX 141265
Salt Lake City, UT 84114-1265
Email: civilrights@utah.gov
Teléfono: 801-965-4384

Appendix D: Title VI Complaint Procedures and Nondiscrimination Form

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal assistance.

As a sub-recipient of the Utah Department of Transportation (UDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA), the Mountainland Association of Governments (MAG) Metropolitan Planning Organization (MPO) has adopted a Title VI Complaint Procedure as part of its Title VI Program. The purpose of Title VI is to prevent the denial, reduction, or delay of benefits to minority populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the MPO avoid producing disproportionately negative effects on minority populations.

Filing of Complaints

Complainants or their representative may file a written complaint with MAG's Title VI Coordinator at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. Contact information: Rebecca Smyrniotopoulos, 586 E 800 N, Orem, Utah, 84601, by email at rsmyrn@magutah.gov, or by phone at 801-229-3800.

Complainants or their representative may also file a complaint with UDOT's Title VI Specialist.

Contact information:

Lynn Starley, 4501 South 2700 West, P.O. Box 148380, Salt Lake City, UT 84114-1265, by email at lstarley@utah.gov or by phone at (801) 965-4384

All complaints to include the following information:

- Name, address, phone number, and email (if available) of the Complainant
- Name, address, phone number, and relationship of a representative to Complainant (if applicable)
- Basis of complaint (i.e. race, color, national origin)
- Date of alleged discriminatory act(s)
- The date the complaint was submitted to MAG MPO and/or UDOT
- A statement of the complaint, including specific details, relevant facts, and documentation.

Tracking System

MAG's Title VI Coordinator will maintain a Complaint Intake Log for MAG MPO complaints received establishing the race, color, or national origin or protected class of the complainant; the identity of the recipient; the nature of the complaint; the date of the investigation, lawsuit, or complaint; a summary of the allegations; the status of the investigation, lawsuit or complaint; and actions taken in response to the investigation, lawsuit or complaint. These logs will be maintained electronically (five years) and in hardcopy format (three years) at the MAG offices.

Procedure of Investigation of Complaints

Within 15 calendar days after receipt of the complaint, MAG's Title VI Coordinator shall confirm receipt and inform the Complainant of the investigation process in writing. The MAG MPO cannot investigate Title VI complaints against itself, so the complaint will be forwarded to UDOT's Title VI Coordinator, and this action will be recorded in the Complaint Intake Log. UDOT's Title VI Coordinator will determine if the complaint has investigative merit. If the complaint is incomplete, additional information will be requested by UDOT's Title VI Coordinator, and the Complainant will have 15 calendar days to submit the requested information. Failure to provide the information may be considered good cause for a determination of no investigative merit.

Within 60 calendar days, if the complaint is determined to have merit, UDOT shall commence an investigation of the allegation(s). If the complaint does not warrant investigation, notification to the Complainant shall specifically state the reason for the decision. An investigation aims to determine whether there is a reason to

believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, UDOT will render a recommendation for action in a report of findings or resolution.

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

Resolution of Complaints

If a probable cause of discriminatory practice based on race, color, or national origin is found to exist, MAG MPO shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Action Plan shall include a list of corrective actions accepted by the agency, a description of how the corrective action will be implemented, and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan. Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Highway Administration or the Federal Transit Administration as cited in FTA Circular 4702.1


MAG CIVIL RIGHTS NONDISCRIMINATION FORM

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

Contact person:	
Title:	
Phone:	
Explanation:	
Section IV	
You may attach any written materials or other information that you think are relevant to your complaint. By signing below you acknowledge that the information in this complaint is true and accurate to the best of your knowledge and belief.	
Signature and date required below:	
Signature	Date

Appendix E: Data Collection

The MPO uses the following tables to analyze historically disadvantaged and other environmental justice populations.

People of Color	Utah County
White Alone	537,162
Hispanic or Latino	83,047
Black or African American alone	3,616
American Indian and Alaska Native alone	1,834
Asian alone	9,260
Native Hawaiian and Other Pacific Islander alone	5,179
Some other race alone	1,293
Two or more races	24,630
Total Population	666,021
Population of People of Color	128,859
Percent People of Color	19%
Table Source: ACS 5-Year 2018-2022, B03002, Utah County Census Tract Summary	

Individuals with Low Income	Utah County
Population Below Poverty Level	57,565
Total Population	649,200
Percent Below Poverty Level	10%
Table Source: ACS 5-Year 2018-2022, B17001, Utah County Census Tract Summary	

Older Adults Age 65 and Older	Utah County
Population Over 65	51,513
Total Population	666,021
Percent Over 65	8%
Table Source: ACS 5-Year 2018-2022, B01001, Utah County Census Tract Summary	

Individuals with a Disability	Utah County
Population w/ Disability	56,278
Total Population	663,054
Percent w/ Disability	9%
Table Source: ACS 5-Year 2018-2022, B18101, Utah County Census Tract Summary	

Number or Proportion of LEP Persons in MAG MPO's Service Area		
Languages	Utah County	
	Total	Percent
Spanish	19,612	3.2%
French, Haitian, or Cajun	126	0.0%
German or other West Germanic languages	69	0.0%
Russian, Polish, or other Slavic languages	172	0.0%
Other Indo-European languages	1,248	0.2%
Korean	554	0.1%
Chinese (incl. Mandarin, Cantonese)	970	0.2%
Vietnamese	283	0.0%
Tagalog (incl. Filipino)	80	0.0%
Other Asian and Pacific Island languages	869	0.1%
Arabic	167	0.0%
Other and unspecified languages	155	0.0%
Percent LEP Persons	4%	
Total population	607,764	
Table Source: ACS 5-Year 2018-2022, C16001, Utah County Census Tract Summary		

Appendix F: List of Acronyms

The following is a list of acronyms used within the transportation planning community. Not all acronyms listed are used in this document, and the list is not all-inclusive.

AA Alternatives Analysis	FAA Federal Aviation Administration
ACS American Community Survey	FAST-Act Fixing America's Surface Transportation Act of 2016
ADA Americans with Disabilities Act	FEIS Final Environmental Impact Statement
AGRC Automated Geographic Reference Center (state)	FEMA Federal Emergency Management Agency
AOG Association of Governments	FHWA Federal Highway Administration
APC Automated Passenger Counting	FMCSA Federal Motor Carrier Safety Administration
ATC Active Transportation Committee	FONSI Finding of No Significant Impact
ATMS Advanced Traffic Management System	FTA Federal Transit Administration
AVL Automated Vehicle Location	GIS Geographic Information System
BEBR Bureau of Economic and Business Research	GMAT Grants Management Advisory Team
BIL Bipartisan Infrastructure Law (see as IIJA)	GOED Governor's Office of Economic Development
BMS Bridge Management System	GOPB Governor's Office of Planning and Budget
BRT Bus Rapid Transit	GPS Global Positioning System
BYU Brigham Young University	HOV High Occupancy Vehicle
CAT Committee on Accessible Transportation	HPMS Highway Performance Monitoring System
CDBG Community Development Block Grant	HUD U.S. Department of Housing and Urban Development
CEDS Comprehensive Economic Development Strategy	ISTEA Intermodal Surface Transportation Efficiency Act of 1991
CMAQ Congestion Mitigation and Air Quality	IT Information Technology
CMP Congestion Management Process	ICT Interagency Consultation Team
CO2 Carbon Dioxide	IIJA Infrastructure Investment and Jobs Act of 2021
COG Council of Governments (counties)	ITS Intelligent Transportation System
CPG Consolidated Planning Grant	JARC Job Access and Reverse Commute
DAQ Division of Air Quality	JPAC Joint Policy Advisory Committee
DBE Disadvantaged Business Enterprise	LCC Local Coordinating Council
DCED Department of Community and Economic Development	LEP Limited English Proficiency
DEIS Draft Environmental Impact Statement	LPA Locally Preferred Alternative
DESHS Department of Emergency Services and Homeland Security	LRT Light Rail Transit
DMU Diesel Multiple Unit	LTAP Local Technical Assistance Program
DSPD State Division of Services for People with Disabilities	MAG Mountainland Association of Governments
EA Environmental Assessment	MAP-21 Moving Ahead for Progress in the 21st Century Act of 2012
EDA Economic Development Administration	MPO Metropolitan Planning Organization
EDD Economic Development District	NAAQS National Ambient Air Quality Standards
EDMS Electronic Document Management System	NEPA National Environmental Protection Agency
EEO Equal Employment Opportunity	NOX Oxides of Nitrogen
EIS Environmental Impact Statement	NTD National Transit Database
EPA Environmental Protection Agency	PE Preliminary Engineering
ESR Environmental Study Report	

PMS	Pavement Management System	TDM	Transportation Demand Management
PM10	Particulate Matter < 10 microns	TDM	Travel Demand Model
PM2.5	Particulate Matter < 2.5 microns	TDP	Transit Development Program
RCR	Regional Commuter Rail	TEA-21	Transportation Equity Act for the 21st Century
REMM	Real Estate Market Model	TIP	Transportation Improvement Program
RFP	Request for Proposals	TMA	Transportation Management Area
RFQ	Request for Qualifications	TOD	Transit-Oriented Development
ROD	Record of Decision	TSM	Transportation System Management
ROW	Right-of-Way	UAM	Urban Airshed Model
RPO	Rural Planning Organization	UCATS	Utah Collaborative Active Transportation Study
RTP	Regional Transportation Plan	UCSP	Utah Comprehensive Safety Plan
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005	UDOT	Utah Department of Transportation
SIP	State Air Quality Implementation Plan	UPWP	Unified Planning Work Program
SOV	Single Occupant Vehicle	UrbanSim	Urban Simulation Land Use Model
SPWP	Statewide Planning Work Program	USDOT	U.S. Department of Transportation
STIP	Statewide Transportation Improvement Program	USRP	Utah State Rail Plan
STBG	Surface Transportation Block Grant Program	UTA	Utah Transit Authority
TAC	Technical Advisory Committee	UVU	Utah Valley University
TAP	Transportation Alternatives Program	VMT	Vehicle Miles Traveled
TAZ	Traffic Analysis Zone	VOC	Volatile Organic Compounds
TCM	Traffic Control Measure	WBRPO	Wasatch Back Rural Planning Organization
		WFRC	Wasatch Front Regional Council

Appendix G: Public Comment Posting

Public notice was posted on the [magutah.gov website](http://magutah.gov), the [State of Utah Public Notice website](#), in the MAG office, and on the MAG social media accounts on [Facebook](#), [Instagram](#), and [LinkedIn](#).

The Metropolitan Planning Organization (MPO) has prepared the MAG MPO Title VI Plans, which include the Title VI Plan, Limited English Proficiency Plan, and ADA Accessibility Plan. These plans outline how the MPO plans to accommodate Title VI, Limited English, and ADA populations in the MPO's planning processes and plans. Federal transportation planning funds, provided through the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and state and local funding, provide the revenues for these planning activities.

The public is invited to review and comment on these documents during the official public comment period. The comment period will run from Friday, August 30, 2024, until the end of day on Sunday, September 29, 2024. A public meeting will be held at the beginning of the regularly scheduled MPO Board meeting on November 7, 2024, at 5:30 pm at Central Utah Water Conservancy District, 1426 E 750 N St #400, Orem, UT 84097. However, comments and questions are always welcomed, even outside the comment period.

If you would like to give your comments or ask questions, you can do so by:

Mail: Title VI Comments, Attn. Kendall Willardson, 586 East 800 North, Orem, UT 84097

Email: kwillardson@mountainland.org

Website: www.magutah.gov/public

Phone: 801-229-3800

Comments Received and Actions Taken

(none)