



GREATER MADISON
mpo

2020

Title VI Non-Discrimination Program and Language Assistance Plan

Greater Madison MPO

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The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation or WisDOT.

MPO 2020 Resolution No. 2
Approving the Title VI Non-Discrimination Program/Language Assistance Plan

WHEREAS Section 601 of Title VI of the Civil Rights Act of 1964 and U.S. Department of Transportation (USDOT) regulations to implement the law (49 CFR, Part 21) require all recipients and sub-recipients of Federal transportation funds such as the Greater Madison Metropolitan Planning Organization (MPO) to establish and maintain a Title VI Program that carries out the regulations and integrates the activities and considerations outlined in the USDOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005) ; and

WHEREAS the Federal Transit Administration (FTA) issued Circular FTA 4702.1B, Title VI Requirements and Guidelines for FTA Recipients, on October 12, 2012 providing further guidance and instructions necessary to carry the USDOT Title VI regulations and policy guidance related to Limited English Proficient (LEP) persons; and

WHEREAS Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities; and

WHEREAS a Title VI Non-Discrimination Program has been developed for the Greater Madison MPO and City of Madison as its administrative and fiscal agent, which aims to meet these requirements, updating the current Title VI Program approved in 2017; and

WHEREAS the Title VI Program includes an updated Language Assistance Plan (LAP) contained in Appendix F; and

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

WHEREAS the Greater Madison MPO and City of Madison as its agent intends that any agencies or firms with whom the city contracts on behalf of the MPO will comply with the Title VI Program as appropriate and the MPO will take reasonable steps to ensure such compliance:

NOW, THEREFORE, BE IT RESOLVED that the Greater Madison Area MPO, as the designated Metropolitan Planning Organization for the Madison Metropolitan Area, approves the Title VI Non-Discrimination Program/Language Assistance Plan dated October 2020 which reflects the draft document without substantive change; and

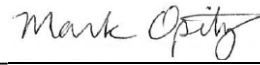
BE IT FURTHER RESOLVED that the Greater Madison MPO certifies that the federal metropolitan transportation planning process is addressing major issues facing the metropolitan area and is being conducted in accordance with all applicable federal requirements, including:

1. 23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;
3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Sections 1101(b) of the FAST Act (Pub. L. 114-357) and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in U.S. DOT funded projects;

5. 23 C.F.R. Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 C.F.R. Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. 23 U.S.C. 324 regarding the prohibition of discrimination based on gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. 27 regarding discrimination against individuals with disabilities.

October 7, 2020

Date Adopted



Mark Opitz, Chair

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Overview

Purpose

The U.S Department of Transportation's (USDOT) Title VI regulations¹ require that all programs which receive funding from the Federal Highway Administration (FHWA) and/or Federal Transit Administration (FTA) must be compliant with Section 601 of Title VI of the Civil Rights Act of 1964, which states:

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. – Title 42 USC Section 2000d

Furthermore, Title II of the Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination on the basis of disability in services, programs and activities provided by State and local government entities.

Recipients of USDOT financial assistance are required to prepare a Title VI Program in accordance with the guidance contained in FTA Circular 4702.1B, with the objectives to:

- *Ensure that the level and quality of transportation facilities and services are planned for and provided in a nondiscriminatory manner;*
- *Promote full and fair participation in transportation decision-making without regard to race, color, or nation origin;*
- *Ensure meaningful access to transportation planning-related programs and activities by person with limited English proficiency.*

The Greater Madison Metropolitan Planning Organization (the MPO) is committed to ensuring that no person is excluded from, participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by the MPO in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. As a subrecipient of USDOT funding, the MPO is required to prepare a Title VI Program containing:

1. *Evidence of Policy Approval (Section 1), Log of Policy Updates (Section 2), Contact Information/ Program Administration (Section 2)*
2. *Notice of Nondiscrimination (Appendix B)*
3. *Complaint Procedure (Appendix C)*
4. *Complaint Form (Appendix D)*
5. *List of Complaints, Investigations and Lawsuits (Appendix H)*
6. *Public Participation Plan (Appendix E)*
7. *Language Assistance Plan (Appendix F)*
8. *Minority Representation Table and Description (Section 4)*

Additionally, as a Metropolitan Planning Organization (MPO) the MPO is required to include a demographic profile of the metropolitan area that includes identification of the locations of minority populations in the aggregate, a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process, demographic maps that overlay the percent minority and non-minority populations and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, and an analysis of any actions that could result in a disparate impacts on the basis of race, color, or national origin. (Appendix G)

¹ 49 CFR Part 21

The Title VI program must be approved by the MPO and submitted to the Wisconsin Department of Transportation (WisDOT) every three years.

The MPO will review its policy on an annual basis to determine if modifications are necessary.

The MPO will use the table in Section 2 to record reviews/revisions made to the plan.

The MPO is committed to preventing discrimination and to fostering a just and equitable society, and recognizes the key role that transportation facilities and services provide to the community. The following Title VI program was approved by the Greater Madison MPO on October 7, 2020.

Definitions

The following are a selection of definitions applicable to the Title VI Program, which can be found in Chapter 1 of FTA Circular 4702.1B:

Discrimination: Refers to any action, or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub-recipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

Limited English Proficiency (LEP) Person: Refers to person for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Low-Income Person: Means a person whose median household income is at or below the U.S. Department of Health and Human Service poverty guidelines.

Metropolitan Planning Organization (MPO): The organization created and designated to carry out the federal required metropolitan transportation planning process.

Minority Person: Includes the following:

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
3. Black, or African American, which refers to peoples having origins in any of the Black racial groups of Africa.
4. Hispanic, or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Relationship between Title VI and Environmental Justice

President Clinton issued Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” in 1994, which builds upon Title VI principles by including the consideration of low-income populations in addition to minority populations into the transportation planning and decision-making process. The principles of environmental justice (EJ) are to:

1. Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
2. Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Although Title VI and EJ intersect and are closely related, they each have their own distinct authorities and requirements. Title VI prohibits intentional discrimination or disparate treatment on the basis of race, color, and national origin and is enforceable in court, whereas environmental justice policies require that in addition to intentional discrimination disproportionately high and adverse effects of proposed decisions on low-income and minority populations must be considered, but it provides no legal rights or remedies. A series of orders have been issued by Federal agencies, including USDOT, requiring the incorporation of Environmental Justice principles into Federal programs and policies. FTA issued Circular 4703.1 in 2012 containing the EJ requirements and guidelines for MPOs.

The MPO is committed to achieving the broader goal of environmental justice as part of its mission. While this program primarily focuses on meeting the statutory requirements for Title VI and its prohibition of discrimination on the basis of race, color, and national origin, EJ considerations are also integrated in this program in order to promote equity and inclusion within the Madison region.

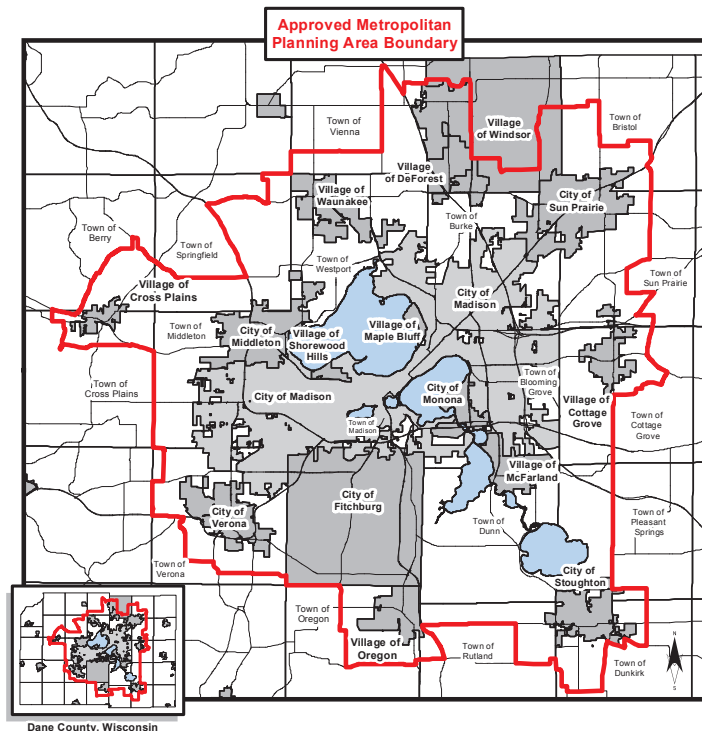
About The Greater Madison MPO

The Greater Madison MPO is the designated metropolitan planning organization (MPO) responsible for overseeing the continuous, comprehensive, and cooperative (3-C) transportation planning decision-making process for the Madison Metropolitan Planning Area. MPOs are federally designated decision-making bodies for metropolitan areas with a population greater than 50,000, which guide decisions about how federal transportation funds for planning studies and capital projects will be programed in the region. MPOs help facilitate implementing agencies (including municipal public works departments, county highway departments, and state departments of transportation) to prioritize their transportation investments in a coordinated way consistent with regional needs, as outlined in a long-range regional transportation plan.

The MPO was created through an agreement between the City of Madison, other units of government having more than 75% of the population in the MPO Planning Area, and the Governor effective May 2, 2007. The MPO assumed the responsibility to conduct transportation planning and programming for the metropolitan area from the previous MPO, the Madison Area MPO, following the MPO's reorganization. MPOs have served the Madison Urban Area since 1973. In 2020 following a rebranding initiative, the MPO adopted a new name, the Greater Madison MPO.

The MPO is comprised of all the major regional transportation stakeholders and continuously plans and coordinates decisions regarding the region's transportation system, taking into consideration the effects of population and economic growth, changes to the built environment, advances in technology and more, on the transportation system. As shown in Figure 1, the MPO is responsible for the oversight of transportation planning and programming within the Madison Metropolitan Planning Area, encompassing 36% of the land area of Dane County and 89% (2015 5-year ACS) of the population of Dane County, including:

- The cities of Madison, Fitchburg, Middleton, Monona, Stoughton, Sun Prairie, and Verona
- The villages of Cottage Grove, Cross Plains, DeForest, Maple Bluff, McFarland, Oregon, Shorewood Hills, Waunakee, and Windsor
- The towns of Blooming Grove, Burke, Dunn, Madison, Middleton, Westport, and a portion of the towns of Berry, Bristol, Cottage Grove, Cross Plains, Dunkirk, Oregon, Pleasant Springs, Rutland, Springfield, Sun Prairie, Verona, and Vienna.



Map 1: Greater Madison MPO Planning Area Boundaries

The primary responsibilities of the MPO include:

- Preparing and maintaining a long-range multi-modal transportation plan.
- Preparing a transportation improvement program to provide for transportation investments to meet metropolitan transportation needs.
- Other duties as required to comply with state and federal regulations.

Governance and Organizational Structure

The MPO is governed by a 14-member Policy Board appointed by the local units of government within the Metropolitan Planning Area, Dane County, and Wisconsin Department of Transportation. Federal law requires that the Policy Board shall consist of:

- Elected officials;
- Officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and
- Appropriate State officials

In addition, appointees must reside within the Metropolitan Planning Area.

The appointments to the MPO Policy Board serve two-year terms and are made as follows:

- The Mayor of Madison appoints six members. Four of the six appointees must be elected officials. One must be an official representative of Metro Transit. This can be the Madison Transportation Department Director, Metro Transit General Manager, or a non-elected citizen member of Madison's Transportation Commission.
- The Dane County Executive appoints three members. Two of the three appointees must be elected officials.
- Three members are appointed to represent other cities and villages in the Metropolitan Area. Appointment is by a simple majority vote of the chief elected officials of these cities and villages. Two of the three appointees must be elected officials.
- One member is appointed to represent the towns. Appointment is made by a simple majority vote of the Chairpersons of the towns with land area within the Metropolitan Planning Area. The appointee must be an elected official.
- The WisDOT Secretary appoints one member to represent the department.

The Policy Board is advised by a 21-member Technical Coordinating Committee (TCC) (including 5 alternates and 2 non-voting members) made up of representatives from WisDOT, USDOT, Dane County, and local planning and engineering staff. It reviews, coordinates, and counsels the MPO Policy Board on transportation planning matters and makes recommendations to the board on all plans and TIPs.

The City of Madison serves as the MPO's fiscal and administrative agent. MPO staff is provided by the City of Madison with the staff located in the city's Planning Division within the Planning & Community & Economic Development Department.

The management of the existing transportation system is vested with the governing bodies of each local unit of government within the metropolitan area, and WisDOT. Coordination efforts are achieved through the MPO organizational structure, through the annually prepared Transportation Improvement Program, and other means. Coordination in the City of Madison is through its Transportation Commission and Transportation Policy and Planning Board, which have responsibility for roadways, transit, parking, bicycle and pedestrian facilities, traffic engineering activities, and long-range transportation planning. Coordination in the 3rd/4th class cities within the metropolitan planning area is by their appropriate city committees, such as planning commissions, public works committees, and transportation committees. Coordination within the governmental structure of Dane County is through the County Public Works and Transportation Committee, which in turn coordinates many of the town government transportation

improvements. While the MPO provides regional coordination and approves the use of federal transportation funds within the metropolitan planning area, responsibility for the implementation of specific transportation projects lies with WisDOT, Dane County, City of Madison, and other local units of government as transportation providers.

Board and Committees Composition

The MPO understands that diverse representation on the MPO Policy Board and its committees helps result in sound policy reflective of the needs of the entire population. FTA Title VI Circular 4702.1B requires that for any recipients which have transportation-related, non-elected planning boards, advisory council or committees, or similar bodies, membership of these committees must be broken down by race and accompanied by a description of efforts made to encourage the participation of minorities on these committees. The 2007 MPO re-designation agreement includes the following statement regarding MPO Board appointments:

When making appointments, the appointing authorities are encouraged to keep in mind the MPO's commitment to meeting the transportation needs of all citizens, particularly those who have traditionally been under-represented in the transportation planning process. These include the transit dependent, low-income and minority populations, and persons with disabilities.

This language is also included in the [MPO's Rules and Operating Procedures](#). Appointing authorities are reminded of this directive when appointments are made. The City of Madison Mayor appoints six of the 14 members on the MPO Policy Board. The City of Madison's Civil Rights Director participates in the Mayor's review and decisions on all board and committee appointments, including those to the MPO Board. The Madison Mayor and Mayor's staff encourage city staff and others in the community to recommend city residents for appointment to boards and committees and recommendation of minority residents are strongly encouraged.

The MPO has established two standing advisory committees – an intergovernmental Technical Coordinating Committee (TCC) and a Citizen Advisory Committee (CAC). The CAC includes representatives from local government, community organizations, interest groups, businesses, and the general public. In addition to providing advice and serving as a sounding board on transportation planning issues, the CAC also provides liaison with other groups and the public. Table 1 depicts the racial and ethnic makeup of the Madison Metropolitan Planning Area and the MPO Policy Board and its two main advisory committees, the Technical Coordinating Committee and the Citizen Advisory Committee. In addition, ad hoc advisory committees are created for major plans such as the Regional Transportation Plan, Transit Development Plan, and Bicycle Transportation Plan. The MPO also makes use of other county and local transportation committees as part of its public involvement process.

The MPO Board encourages MPO staff to seek out Citizen Advisory Committee members that are representative of the diverse population in the Madison area; although the composition of this committee is currently entirely Caucasian, staff continue to try to recruit new members from diverse racial and ethnic backgrounds to this committee. Staff plan to reach out and try to forge partnerships with local organizations who primarily work with under-represented populations as one strategy for diversifying the committee membership. It is important to note that as the MPO Technical Committee membership consists of state and local planning and engineering staff, and is based on the person's title or position, the MPO does not have any control over the racial and ethnic composition of that committee.

The MPO encourages participation of all citizens in the regional transportation planning and programming process. The MPO will continue to make efforts to encourage and promote diversity. To encourage participation on its citizen advisory committee and any other ad hoc advisory committees, the MPO will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, the MPO strives to find ways to make participating on its committees convenient. This includes scheduling in-person meetings after traditional weekday daytime work hours and in locations with good transit service (e.g., downtown) and in or near neighborhoods with a high concentration of minority and low-income populations. When determined to be an important means of reaching hard-to-engage

populations, meetings may be held at alternative times to accommodate populations working swing or graveyard shifts. Daytime or weekend meetings, recorded and available on-demand presentations/ meetings, and on-line engagement tools are conducted or made available as appropriate to further the reach of opportunities for public input and engagement. The MPO uses the data available through contracts with private providers (e.g. StreetLight Data) to analyze and understand the travel patterns and transportation needs of minority, low-income, and other EJ populations. Further goals and strategies to actively engage minority populations are included in the Public Participation Plan, which is in the process of being updated.

Table 1:
Racial and Ethnic Composition of MPO Policy Board and MPO Technical and Citizen Advisory Committees

Body	Caucasian	Hispanic	African American	Asian American	Native American
MPO Policy Board	86%	0%	7%	7%	0%
MPO Technical Coordinating Committee	86%	0%	7%	7%	0%
MPO Citizen Advisory Committee	100%	0%	0%	0%	0%
Madison Metropolitan Planning Area ¹	83%	6%	6%	5%	0.4%

Greater Madison MPO Staff Racial Equity and Social Justice Training

As employees of the City of Madison, MPO staff have access to the educational resources offered through the City of Madison's Racial Equity and Social Justice Initiative (RESJI); RESJI Trainings I and II are required for all employees, and Training III is encouraged for all staff and especially supervisors. Employees are encouraged to re-take these trainings every few years. Additionally, the City of Madison's Equitable Hiring Tool is used when considering applicants for positions with the MPO.

MPO staff, in cooperation with partner agency Capital Area Regional Planning Commission (CARPC) staff, began holding regular discussions on issues related to conducting anti-racist planning work in 2020, as systemic institutionalized racism was thrust into the mainstream by protests following the killing of George Floyd by Minneapolis Police. MPO staff also follow and learn from the equity-related planning initiatives undertaken by the City of Madison and other regional and national cities, MPOs, RPCs, and DOTs.

(Footnotes)

1 2010 Census, based upon 2013 MPO Planning Area; Percentages will exceed 100% as race and ethnicity are counted separately.

Greater Madison MPO Nondiscrimination Policy

The MPO is committed to preventing discrimination and to fostering a just and equitable society, and recognizes the key role that transportation facilities and services provide to the community. The MPO assures that no person shall be excluded on the grounds of race, color, national origin, disability, sex, age, religion, income status, or limited English proficiency (LEP) as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The MPO further assures that every effort will be made to ensure nondiscrimination in all of its federally funded program activities. The following are some basic principles that serve as overall objectives in implementing this Title VI program:

- Make transportation planning and investment decisions that strive to meet the needs of all people.
- Enhance the public involvement process to reach all segments of the population and ensure that all groups have an opportunity to have a voice in the metropolitan transportation planning process regardless of race, color, and national origin, as well as income status, sex, age, religion, disability, and level of English proficiency.
- Provide the community with opportunities to learn about and improve the quality and usefulness of transportation in their lives.
- Improve data collection, monitoring, and analysis tools that assess the needs of, and analyze the potential impacts of transportation plans and programs on Title VI protected populations.
- Avoid disproportionately high and adverse impacts on Title VI protected populations.
- Comply with the requirements of Title VI and accompanying rules and orders.

The MPO adopted its first Title VI Non-Discrimination Program in 2014; prior to that the MPO had its own Language Assistance Plan for persons with limited English proficiency, but relied upon the City of Madison's Title VI program. MPOs are required to update their Title VI program every three years.

To view the Greater Madison MPO Title VI Assurances, please see Appendix A.

Title VI Notice to the Public

Information must be provided to the public regarding the recipient's obligations under U.S. DOT Title VI regulations and members of the public must be apprised of the protections against discrimination afforded to them by Title VI.

The MPO's Title VI notice to the public is posted under the [Civil Rights/Title VI](#) link on the agency's website in English, with language-specific links to [Spanish](#), [Hmong](#), and [Traditional Chinese](#) translations. The notice is also posted on the bulletin board in the agency office near the conference room. On English versions of Title VI Vital Documents, a sentence is included at the end in Spanish, Hmong, Traditional Chinese to contact the City of Madison Civil Rights Department at (608) 266-4910 if additional information is needed in another language.

To view a copy of Greater Madison MPO's Title VI notice to the public, please see Appendix B.

How to File a Title VI Complaint

Recipients are required to develop procedures for investigating and tracking VI complaints filed against them and to make the procedures available to the public upon request. They must also develop a Title VI complaint form.

Any person(s) or organization(s) believing they have been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status, or limited English proficiency by the MPO may file a Title VI complaint by completing and submitting the MPO's Title VI Complaint Form or by sending an email or letter with the necessary information to Greater Madison MPO or City of Madison Department of Civil Rights:

Greater Madison MPO
Attn: Title VI Complaint
100 State St., #400
Madison, WI 53703
PH: (608) 266-4336
Email: mpo@cityofmadison.com

City of Madison Dept. of Civil Rights
Attn: Title VI Complaint
210 Martin Luther King Jr. Blvd., #523
Madison, WI 53703
PH: (608) 266-4910
Email: dcr@cityofmadison.com

A person may also file a complaint directly with the Federal Transit Administration (FTA), at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

The MPO investigates complaints received no more than 180 days after the alleged incident. Filing times may be extended if deemed necessary. The MPO will only process complaints that are complete.

Once the complaint is received, Greater Madison MPO will review it to determine if our agency has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our agency within ten (10) business days. Once the complaint is received and it is determined that the Greater Madison MPO has jurisdiction, Greater Madison MPO will review the complaint and work to resolve the complaint informally, if possible.

If the complaint warrants a formal civil rights complaint process, The MPO will follow the steps listed in this complaint procedure. The MPO may also use this formal procedure to address general complaints.

Complaints will be investigated within thirty (30) calendar days from the date the original complaint was received. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has ten (10) business days from the date of the acknowledgement letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, the MPO and City of Madison can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue the case.

Once the complaint is investigated, the investigator will issue either a letter of finding if a case of discrimination is found, or a closure letter if no discrimination is found. A copy of the letter will be sent to the U.S. Department of Transportation and Wisconsin Department of Transportation. Every effort will be made to complete the investigation process and issue a letter within sixty (60) days of the complaint.

If the complainant wishes to appeal the decision, she/he has thirty (30) days after the date of the letter to do so.

The MPO's complaint form and detailed procedures for investigating a complaint are posted under the [Civil Rights/ Title VI](#) link on the agency's website in [English](#), [Spanish](#), [Hmong](#), and [Traditional Chinese](#), and also posted on the bulletin board in the agency office.

To view a copy of the MPO's detailed complaint investigation procedures please see Appendix C. To view a copy of the MPO's Complaint Form please see Appendix D.

Title VI Investigations

All recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination on the basis of race, color, or national origin. There have been no Title VI investigations, complaints, or lawsuits filed with the MPO or City of Madison on behalf of the MPO.

Greater Madison MPO Title VI Coordinator

The MPO's Transportation Planning Manager is responsible for ensuring the implementation of the MPO's overall Title VI Program. This includes responsibility for ensuring compliance, program monitoring, reporting, and education on Title VI issues within the MPO.

Greater Madison MPO
Transportation Planning Manager
William Schaefer
(608) 266-9115
wschaefer@cityofmadison.com

Title VI and Environmental Justice Considerations in the Planning and Programming Process

Procedures by which mobility needs of minority populations are identified and considered

The MPO seeks to identify the mobility needs of minority populations during the transportation planning and programming process through early and continuing public outreach to minority populations to obtain their input, and through data and GIS analysis of the location of minority population concentrations relative to existing and planned jobs and services and their travel patterns. The following sections outline in more detail how Title VI and environmental justice considerations are incorporated into the MPO's planning and programming process.

The MPO also monitors the Title VI analysis of transit service standards, policies, and the facility location equity analysis conducted by Metro Transit as part of its Title VI compliance efforts and references this analysis in its analysis for the TIP. The most recent analysis is included in Metro Transit's [July 2017 Title VI Program](#) report; an updated analysis is underway and will be completed in 2020. The plan highlights Metro's current fixed-route service standards, service quality/policies, and fare equity policy and equity analyses of service and fare changes since the last plan was adopted. The policies and analysis help ensure that the level of service and location of routes, age/quality of vehicles assigned to routes, and stop and other facilities are being provided in a non-discriminatory manner, and that the fare structure is also equitable.

Evaluating the environmental justice (EJ) impacts of transportation infrastructure and policies is a critical part of the MPO's planning activities. Mapping EJ populations in relation to existing and planned transportation infrastructure, jobs, and other destinations is one of the primary screening tools that planning agencies use to assess whether the transportation needs of EJ residents are being adequately served, and whether the costs and benefits of transportation projects and policies are fairly distributed. However, because EJ populations include a wide variety of potentially vulnerable groups—racial and ethnic minorities, people with low incomes, people with disabilities or other health-related challenges, zero-car households, etc.—they can be hard to map. Data about these populations can be unreliable or unavailable, and different data types and sources makes them difficult to combine.

Planning agencies often display different EJ population data separately, either by showing available race, income, and other measures overlaid on a single map or individually across a series of maps. This is how the MPO has mapped EJ populations in the past. It is difficult, however, for readers to discern the highest priority EJ areas when viewing several different types of demographic information. In order to simplify EJ analysis, the MPO has defined a set of EJ Priority Areas based on the concentration of low-income and racial/ethnic minority residents. While these two measures do not encompass the full range of potential EJ populations, they include the largest EJ categories and data about minority and low-income populations is widely available and relatively reliable. Furthermore, there is a high degree of correlation between minority and low-income populations and other EJ indicators, including Limited English Proficient (LEP) and zero-car households, so the EJ Priority Areas correspond to concentrations of those populations as well.

The MPO's EJ Priority Areas were first identified based on their concentration of minority (non-White and/or Hispanic) and low-income residents (those with household incomes below 150% of the federal poverty level). Each 2010 block group in the MPO area received an EJ index score of up to 8 points; block groups could receive up to 4 points each for their concentration of minority and low-income residents, according to the scoring system below.

Minority Score: Points were awarded based on percentage of minority (Hispanic and/or non-white) residents in 2010 Census block group. 23.5%–31% (1.5–2x MPO Average) = 2 pts; 31–38.75% (2–2.5x MPO Average) = 3 pts; 38.75%+ (>2.5x MPO Average) = 4 pts.

Poverty score: Points were awarded based on the percentage of residents with household incomes below 150% of poverty level based on American Community Survey (ACS) 2013–2017 block group data. 28.5%–38% (1.5–2x MPO Average) = 2 pts; 38–47.5% (2–2.5x MPO Average) = 3 pts; 47.5%+ (>2.5x MPO Average) = 4 pts.

Because of the large margin of error in the ACS household income data, some block groups were awarded additional points to correct what MPO staff believed to be underestimates of their low-income population. Adjustments were only made to zones that initially scored below six – the minimum threshold for designation as an EJ Priority Area – in cases where a higher estimate within the margin of error would result in a score of at least six. Additional points were only awarded to zones with a high proportion of students eligible for free and reduced price school lunch, with data provided by UW-Madison Applied Population Lab's Neighborhood Indicators Project. Zones receiving additional points in their adjusted index score were awarded the minimum number of points to reach a score of six. No scores were adjusted downward. Because of the imprecision inherent in the estimates and adjustments used to define EJ Priority Areas, it is advised that they not be compared to one another based on their index scores.

After the EJ Priority Areas were identified, block group geographies were adjusted to generally exclude non-residential land uses, with the exception of some schools and parks. EJ Priority Areas do not necessarily encompass all residential portions of their 2010 census block group. In one case, the residential portion of a block group has been divided between two separate EJ Priority Areas. In other cases, where higher income residential areas are located within the same block group but are not contiguous with lower income areas, EJ Priority Areas include only the lower income areas.

Promoting Inclusive Public Participation and Providing Meaningful Access to Limited English Proficient Persons

Public Participation Plan (PPP)

The MPO's Public Participation Plan, approved in September 2015, provides a framework for engaging the public in the regional transportation planning and programming process. The MPO recognizes that effective public involvement is inclusive of the needs of all transportation system users with an emphasis on traditionally underserved populations. The MPO is currently in the process of updating this plan to reflect lessons learned over the past five years, the impact of the COVID-19 pandemic, which has necessitated and highlighted the benefits of virtual public engagement, and planned new strategies. As part of the PPP update, the goals have been simplified. The new draft PPP goals are:

- Inform- Provide timely, objective information to keep the public informed about the MPO's ongoing transportation planning and programming processes throughout the region.
- Involve- Create inclusive opportunities for the public to provide comments and feedback for consideration at key decision-making points in the transportation planning and programming process, with an emphasis on actively seeking out input from traditionally underserved populations.
- Comprehend- Broaden the mutual understanding of priorities and concerns of all involved and impacted by planning and programming activities.
- Engage- Collaborate with communities and stakeholders in an interactive process to develop a transportation system reflective of the values of the region.
- Improve- Continuously seek ways to improve information, involvement, and engagement through annual evaluation of the public participation process.

The PPP identifies multiple stakeholders that are important participants in the transportation planning process, including but not limited to:

- minority and low-income populations,
- those that speak English less than very well,
- the elderly,
- persons with disabilities,
- autoless persons/households,
- transportation providers,
- local jurisdictions and public agencies,
- businesses, and
- various special interest groups.

The MPO relies on the distribution of printed and electronic materials, electronic communications, MPO website and social media, and staff presentations to keep stakeholders informed about its activities and

programs. Public involvement is an ongoing activity. It is also an integral part of one-time activities such as corridor studies and regularly repeated activities, including the long-range Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). Other strategies that the MPO will use to promote inclusive public participation include:

- Public information meetings and hearings, held throughout the metro area at various stages of plan development with different meeting sizes and formats considered,
- Coordination with other state and local planning efforts and public involvement activities,
- Use of advisory committees, and
- Employment of special efforts to ensure meaningful opportunities for participation by minority and low-income populations and those with a disability or language barrier, and to address environmental justice issues at all stages of the planning process.
 - These include holding meetings in places convenient to EJ population groups, seeking representation on advisory committees, making translators available if requested, providing meeting notices and plan information to minority news media, and utilizing available resources such as neighborhood associations and organizations working with these populations.

At the completion of the 2050 Regional Transportation Plan planning process an evaluation was done of the current PPP. The findings and recommendations from this evaluation have helped shape the update of the PPP, which is in the final draft stage.

The new, updated Public Participation Plan will be included in Appendix E.

Language Assistance Plan (LAP)

Under Title VI of the Civil Rights Act of 1964, individuals who do not speak English as their primary language and have a limited ability to read, write, or speak English are entitled to language assistance where language barriers may otherwise prohibit people who are Limited English Proficient (LEP) from obtaining service or information relating to service and programs, and may limit participation in the transportation planning process. The MPO's LAP includes a Four-Factor Analysis as required by Federal guidelines to identify LEP populations within the Madison Metropolitan Planning Area and the ways in which translation services and assistance may be provided to those that may otherwise have a difficult time participating in the transportation planning and programming process.

Typical measures to assist those needing language assistance include but are not limited to providing translated documents, opportunities to have interpreters present at MPO meetings and public hearings, and supporting continuing education and training for MPO employees.

The LAP is included in Appendix F.

Procedure for Conducting an Environmental Justice Analysis

The MPO is committed to continuing efforts to enhance the analytical capability for assessing impact distributions of transportation programs, policies, and projects in its transportation plans and the TIP. The object of Executive Order 12898 on Environmental Justice is to ensure that Federal agencies and programs that receive Federal funding promote and enforce nondiscrimination as one way of achieving the overarching objective of environmental justice. FTA issued FTA Circular 4703.1 in 2012 to provide guidance on how recipients of Federal funding can integrate environmental justice principles into the transportation planning and programming process. This section provides a brief overview of the process that the MPO follows to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.

An equity or environmental justice analysis is conducted for the Regional Transportation Plan (RTP) (including stand-alone plans incorporated into the RTP such as the Bicycle Plan) and the Transportation Improvement Program (TIP). This includes a qualitative analysis in which planned or programmed roadway, transit, and bicycle projects are overlaid or superimposed on a map highlighting the EJ Priority Areas established by the MPO to determine the extent to which these areas are negatively or positively impacted by the projects. It also includes an assessment of how well recent and any planned Metro Transit bus service

improvements have benefitted these areas. The EJ analyses of the RTP and TIP are conducted at the draft stage before they are finalized in order to inform the final plan and TIP and address any disproportionate impacts, if discovered.

These analyses for the 2030 RTP, 2035 RTP Update, 2050 RTP, and annual TIP updates have concluded that the planned and programmed projects do not impose disproportionately high and adverse impacts on minority and other EJ population groups and that the benefits of the recommended and programmed transportation projects and services are reasonably distributed to meet the needs of all populations in the MPO planning area.

In 2019, the scoring criteria used for evaluating and selecting projects for funding through the Surface Transportation Block Grant (STBG) – Transportation Alternatives (TA) Set Aside program were revised to increase the weight (now 12% of total) given to projects benefitting EJ areas. The MPO will be reviewing and considering potential revisions to its scoring criteria for STBG–Urban project this year. A similar revision to increase the weight for projects benefiting areas with EJ population concentrations will be considered, and if adopted, incorporated into the criteria used for the 2021 STBG–Urban application cycle.

The MPO plans to attempt to collect demographic data from participants in public outreach efforts in order to measure involvement of minority and low-income populations with the update to RTP 2050. This feedback will help inform both EJ Analyses and public engagement strategies.

Title VI and Environmental Justice in Greater Madison MPO Planning Documents

Federal regulations require the formation of an MPO for each urbanized area with a population over 50,000 people to facilitate a 3-C (Comprehensive, Coordinated, and Continuing) transportation planning process. Listed in this section are some of the major MPO planning efforts that reflect Title VI and EJ issues most closely.

Regional Transportation Plan (RTP)

The purpose of regional transportation plans (RTP) is to set a policy direction and identify how the region intends to invest in the transportation system across all modes. RTPs ensure that transportation projects are coordinated between the various levels of government (municipal, county, state, and federal). The Madison Area RTP 2050 contains the coordinated vision for our region. RTPs must:

- Forecast for demand for transportation facilities and services for 20 or more years
- Identify policies, strategies, and projects that are recommended for the future
- Include both short-range and long-range strategies and actions that lead to the development of an integrated multi-modal transportation system
- Contain reasonable cost estimates for identified capital investments and operations and maintenance
- Be updated every five years in air quality attainment areas (such as the Madison Metropolitan Area).


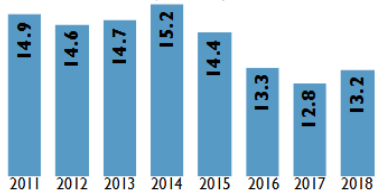



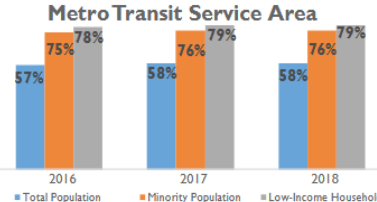


One of the RTP 2050's goals is to improve equity for all users of the transportation system by seeking to:

- Provide convenient, affordable transportation options that enable people of all ages and abilities to access jobs, services, and other destinations to meet their daily needs;
- Improve transit accessibility to jobs in areas with concentrations of transit-dependent populations and support provision of affordable housing in areas with high transit accessibility to jobs;
- Ensure that the interests of underrepresented populations, including minority, low-income, seniors and those with disabilities, are considered in the transportation planning process;
- Ensure that the benefits of regional transportation system investments, in terms of improved accessibility, mobility, and quality of life, are fairly distributed and that adverse public health and environmental impacts from transportation facilities do not disproportionately impact minority and low-income populations; and
- Retrofit existing transportation facilities to make them ADA compliant.

The MPO has begun an update of the RTP with public involvement activities beginning in 2021.

In 2016 the MPO began issuing an annual *Performance Measures Report* to track the region's progress towards achieving the goals and systems plan of the RTP, including measures to track the equity of transportation investments and access to the transportation system. The 2018 *Performance Measures Report* measures for improving equity in the transportation system are shown in Table 2:

Table 2

Improve Equity for Users of the Transportation System				
Performance Measure	Target	Data and Trends	Current Status	Analysis
Metro Transit Ridership <i>The total annual fixed-route ridership (in unlinked passenger trips)</i>	 INCREASE in ridership	Metro Fixed-Route Ridership <i>(in Millions)</i> 	 INCREASE in ridership	Efficient, well-used public transit service is a key part of a well-balanced transportation system that serves all users. After three years of declines, ridership increased to 13.2 million trips in 2018 from its 2017 low of 12.8 million trips.
Metro Transit Service Area <i>The percentage of the MPO area population living with 1/4 mile of transit service</i>	 STEADY in total population served  INCREASE in minority and low-income populations served	Percent of Population within Metro Transit Service Area 	 STEADY in total population served  STEADY in minority and low-income populations served	People need to live within 1/4 mile of a transit stop in order for it to be a viable mode of transportation. The all-day transit service area remains unchanged since 2017, at 55.8 square mile, encompassing 58% of the MPO area total population, 76% of minority populations, and 79% of low-income households. See Maps 6-9 in Map Book.

The COVID-19 pandemic, which struck the United States in March 2020, resulted in a state-wide “Safer-at-Home” order and subsequent county-specific limits on gatherings and places of employment. The resulting precipitous decline in travel and transit ridership resulted in drastic transit service reductions, both in terms of bus capacity restrictions and a reduced schedule through the spring and summer of 2020. In August 2020 service was increased from its initial COVID response system to better serve low-income riders and people of color. Capacity was also added in the downtown area and core sections of the system, with buses running more frequently to allow people more options to travel during rush hour times. This service increase amounted to a return to 85% of pre-COVID service levels.

Metro’s Equity Review of these changes identified two areas of equity concern: “Tree Ln. on the west side and Thompson Rd on the east side. Thompson Rd. typically saw very few boardings (less than 10 per day) pre-COVID and is within a relatively easy walk (1/3 of a mile) of Swanton Rd. or Milwaukee St., where service remains. Tree Ln. is similar, but is a bit further (1/2 mile) from service on Mineral Point Rd. In both cases, it appears that people are already walking a bit to get better service further away.”

The MPO conducted an independent EJ Analysis of the proposed August 2020 service improvements, using the EJ Priority Areas described above. The MPO analysis identified four EJ Priority Areas where the August 2020 service improvement plan initially raised equity concerns: Wexford Ridge-Walnut Grove (Tree Ln. area in Metro equity review); Jamestown; Arbor Hills; and Swanton (Thompson Rd. area in Metro equity review). The south end of Jamestown is nearly 9/10 of a mile from 30-minute service, with direct service every 60 minutes; however, this level of service is unchanged from 2019’s Route 52 and is not a service change. Portions of Arbor Hills are as far as ½ mile from 30-minute service, with direct service every 60 minutes; however, this area was served by peak-only 30-minute Route 47 and 60-minute Route 40 under the August 2019 route structure – the change to service is a reduction from 30- to 60-minute peak period service. The few stops affected by this change had 1.5-2 average weekday boardings in 2018. Given the reductions to service experienced by many non-EJ Priority Areas under this service plan, this is not a disproportionate reduction in service to the Arbor Hills EJ Priority Area. MPO staff concur with Metro’s equity review findings regarding service impacts to the Wexford Ridge-Walnut Grove and Swanton neighborhoods. While 60-minute service is not frequent enough to be practical for many trips, and will result in overall longer travel times compared to 30-minute headways due to increases in potential wait times, the average number of boardings at affected stops in these areas are so low that they do not justify higher service frequencies.

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP), which the MPO updates annually, is a coordinated listing of short-range transportation improvement projects anticipated to be undertaken in the next five-year period. The TIP is the mechanism by which the long-range RTP is implemented, and represents the transportation improvement priorities of the region.

Projects within the MPO Planning Area must be included in the TIP in order to be eligible to receive federal funding assistance. To be included, projects must be included in the RTP or determined to be consistent with the RTP. The TIP project list is multi-modal. In addition to streets/roadways, it includes transit, pedestrian, bicycle, parking, and rideshare/transportation demand management projects. The coordinated listing of projects in the TIP is a cooperative effort by state and local implementing agencies and staff from the MPO, and is primarily based upon state and local capital improvement programs and budgets. Implementing agencies submit their lists of proposed projects to MPO staff to coordinate into a comprehensive list of proposed transportation improvements, with information about project scope, cost, timing, etc. The listing is subject to review by local units of government, MPO Technical Coordinating Committee (TCC) and Citizen Advisory Committee (CAC), and the MPO. Opportunities are also provided for public comments; the Draft 2020 TIP was forwarded to organizations involved in equity and racial justice work with an invitation to provide comments on the EJ Analysis section, as well as on projects or other portions of the TIP.

Unified Planning Work Program (UPWP)

The MPO work program is an annual publication that outlines major transportation planning issues, describes the planning activities the MPO will undertake and be involved in during the following year, summarizes the MPO's recent planning activities and accomplishments, and identifies how federal, state, and local transportation funding will be spent on the different planning activities. The publication of an MPO work program is required by federal law as a condition of receiving federal transportation funding.

The MPO includes a report on Title VI activities as an appendix to the UPWP, which lists accomplishments from the prior year and anticipates work program activities for the coming year. The UPWP also includes a self-certification summary that details how the MPO complies with applicable federal laws, including Title VI.

Transit Development Plan (TDP)

The Transit Development Plan (TDP) for the Madison Urban Area is a short- to medium range strategic plan intended to identify transit needs and proposed improvements and studies over a five-year planning horizon. The MPO is responsible for developing and maintaining the TDP. The MPO works in close cooperation with Metro Transit and other transit providers, funding partners, and jurisdictions in the Madison area to develop the plan. The TDP is developed within the overall framework of the long-range RTP. An EJ analysis is typically conducted for the TDP and will be done as part of the next update, which is currently underway.

Coordinated Public Transit – Human Services Transportation Plan

Federal transit law requires that projects selected for funding under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) Program be "included in a locally developed, coordinated public transit-human services transportation plan," and that the plan be "developed and approved through a process that includes participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public" utilizing transportation services. These coordinated plans identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting these needs, and prioritize transportation services for funding and implementation. Plans include:

- An assessment of available services;
- An assessment of transportation needs, strategies, activities, and/or projects to address identified gaps between current services and needs and to improve efficiencies in service delivery; and
- Priorities for implementation based upon available resources, time, and feasibility.

Bicycle Transportation Plan

The Bicycle Transportation Plan for the Madison Metropolitan Area and Dane County is a comprehensive bicycle plan to serve as a blueprint for continuing to improve bicycling conditions and increase bicycle riding throughout Dane County. The planning horizon is 2050. It provides a framework for cooperation between state agencies, Dane County, and local governments in planning for and developing bicycle facilities and programs. It is also intended to educate citizens and policy makers on bicycle transportation issues and the needs of bicyclists as well as present resources for planning, designing, and maintaining bicycle facilities. The plan is a component of the MPO's RTP. Providing equitable access to the benefits of bicycling is one

of six plan goals. Performance measures – including equity – were developed for each goal, and the plan includes strategies and recommendations to increase participation in bicycling and facilities planning by EJ populations. An EJ analysis was conducted of the distribution of premium facilities in relation to EJ population concentration areas, and projects were highlighted that will improve bike access to these areas.

Title VI and Environmental Justice in Greater Madison MPO Programming

WisDOT and Metro Transit select the projects for the federal program funds that they control. For WisDOT this includes programs that fund state highway projects (e.g., National Highway Performance Program) and programs that fund local projects which WisDOT administers (e.g., Local Bridge, Highway Safety Improvement Program). These projects are submitted to the MPO for inclusion in the TIP. As a large MPO (urbanized area population over 200,000), the MPO receives its own allocation of federal highway funding under the Surface Transportation Block Grant (STBG) program, which includes the Urban program and the Transportation Alternatives (TA) program set aside used to fund bicycle/pedestrian projects. The MPO scores and selects projects for funding under these two programs using a set of approved screening and scoring criteria, which include an environmental justice and health equity category. As mentioned, the weight of the EJ criterion was increased for the TA program and a similar change will be considered for the STBG-Urban program criteria. Eligible applicants are Dane County and local units of government.

Surface Transportation Block Grant Program

The Surface Transportation Block Grant (STBG) Program provides flexible funding that may be used by states and localities for transportation projects. The intent of these projects is to preserve and improve the conditions and performance on any federal-aid highway, bridge, public road, pedestrian and bicycle infrastructure, and transit capital projects.

Currently, the MPO's annual allocation of funding is \$6.86 million per year. The MPO received an additional \$3.4 million in supplemental funding for the 2020-2025 program cycle. Most of the MPO's STBG – Urban funding has historically been used for local arterial street (re)construction projects, but STBG – Urban funding can be used for a wide variety of capital projects such as transit vehicles, bicycle/pedestrian projects, and Travel Demand Management (TDM) programs such as the MPO's Rideshare Etc. program (to be called RoundTrip starting in 2021).

The MPO completed a major revision to its scoring criteria for STBG-Urban projects in 2015. Eligible projects are required to be consistent with the MPO's RTP, compliant with its Complete Streets Policy and Title VI/ environmental justice requirements:

- All projects must be included in or consistent with the Regional Transportation Plan (RTP) 2050 for the Madison Metropolitan Area, including the Congestion Management Process (CMP) for the Madison Metropolitan Area, Regional Intelligent Transportation Systems (ITS) Strategic Plan, and other separate mode-specific elements of the plan such as the five-year Transit Development Plan and the Bicycle Transportation Plan.
- All major roadway and transit capacity expansion projects must be listed by reference in the financially constrained Regional Transportation Plan (RTP) 2050 for the Madison Metropolitan Area.
- All roadway projects must comply with the MPO's Complete Streets Policy. The State of Wisconsin's Pedestrian and Bicycle Accommodations law and associated rules in effect in May 2015 are used as a guide in determining compliance with the policy.
- For bus purchase projects, the transit agency shall maintain a maximum spare ratio of 20% of vehicles operated in peak or maximum fixed-route service after acquisition of the new buses. Any new buses resulting in that ratio being exceeded would not be eligible for funding.
- Projects shall not create significant adverse human health, environmental, social, or economic impacts on Title VI/environmental justice population groups or fail to avoid those impacts that could be avoided or mitigate unavoidable impacts on these groups.

The MPO established five project type categories eligible to apply for STBG funding: roadway, bicycle and pedestrian, transit buses, transit infrastructure, and ITS. While the weighting varies somewhat by project category, all projects are scored by the following categories with specific criteria tailored to each type of project:

- Importance to Regional Transportation System
- System Preservation
- Congestion Mitigation & TSM

- Safety Enhancement
- Enhancement of Multi-modal options/service
- Supports transportation efficient land use, livability, and economic prosperity
- Environment
- Environmental Justice and Health Equity
- Cost/Benefit

Recipients of STBG funding through the MPO are required to follow all Title VI requirements. The criteria are included as Attachment A of the Transportation Improvement Program.

Transportation Alternatives Program

The Transportation Alternatives Program (TAP) is a legislative program that is authorized in the "FAST" Act to provide funding for projects that meet eligibility criteria for the Safe Routes to School Program, Transportation Enhancements, and/or the Bicycle & Pedestrian Facilities Program. As a large MPO, the MPO receives a sub-allocation of TAP project funding. The MPO ranking criteria include points awarded to projects which would improve pedestrian/bicycle access for environmental justice areas, as well as projects which would be located in areas with health disparities and limited access to active transportation options. In 2019, the MPO amended the scoring criteria for the TA program to increase the weight of scores related to Title VI, EJ, and health disparity criteria from 4% to 12% for infrastructure projects and from 25% to 35% for Safe Routes to School Non-Infrastructure Projects.

Section 5310 Grant Program

The Section 5310 Program provides formula funding to states and large MPOs to improve mobility for seniors and individuals with disabilities. Grant recipients in the Madison area are selected through a competitive process by the MPO as laid out in the [Section 5310 Program Management and Recipient Coordination Plan](#). The Madison Urban Area's funding allocation for the 2020 calendar year is \$313,332.

The Federal Transit Administration (FTA) requires that projects funded under Section 5310 are included in a "locally developed coordinated public transit-human services transportation plan". This ensures that applicants are coordinating services with other private, public, and non-profit transportation providers. Proposed Section 5310 projects must be identified by a strategy and/or action item in a county, multi-county, or regional plan. The locally developed coordinated public transit-human services transportation plan in the Madison metropolitan area is the [2019 Coordinated Public Transit – Human Services Transportation Plan for Dane County](#). Applications must identify which strategy(ies) identified in the plan are supported by the project.

Recipients of 5310 funding through the MPO are required to follow all Title VI requirements.

Distribution of State and Federal Funds for Public Transportation

Table 3 illustrates the distribution of federal and state funds for public transportation for the years 2020–2024 as programmed in the MPO TIP. A little under one quarter (22.7%) of all federal transportation funding programmed in the Madison Metropolitan Area is allocated for public transportation, while over 3/4ths (77.5%) of statetransportation funding is allocated for public transportation.

Program	Federal	State
Transit Sec. 5307 Urbanized Area Program	39,006	
Transit Sec. 5310 E/D Enhanced Mobility Program	1,641	
Transit Sec. 5311 Non-Urbanized Area Program	5,290	
Transit Sec. 5337 State of Good Repair	3,700	
Transit Sec. 5339 Bus & Bus Facilities	3,760	
Transit Sec. 85.20 Operating Assistance Madison Metro Area		97,692
Transit Sec. 85.21 Senior/Disabled Transp. Assistance		5,186
Total Public Transportation Funds	53,397	102,878
Total TIP Funds	235,380	132,721
Percent of TIP for Public Transportation	22.7%	77.5%

Source: 2020-2024 Madison Metropolitan Area & Dane County TIP, adopted October 2019

Appendix A – Title VI Assurances

The Greater Madison Metropolitan Planning Organization (MPO) (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as a condition of receiving 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 be excluded from, on the grounds of race, color, and national origin, 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, and 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 or Transit Programs.

October 7th, 2020
Date Adopted



Mark Opitz, Chair
Greater Madison Metropolitan Planning Organization

Appendix B – Title VI Notice

Notifying the Public of Rights Under Title VI

Greater Madison MPO and City of Madison

The Greater Madison Metropolitan Planning Organization (MPO) and City of Madison, as its administrative and fiscal agent, assure that no person shall be excluded on the grounds of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The MPO and City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the MPO (PH: 608/266-4336; Email: mpo@cityofmadison.com) or with the City of Madison Department of Civil Rights (PH: 608/266-4910; Email: dcr@cityofmadison.com). For more information, visit www.GreaterMadison-MPO.org.

A complainant may file a complaint directly with the Federal Transit Administration (FTA) by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, FTA, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

If information is needed in another language, contact the City of Madison Civil Rights Department at (608) 266-4910.

Si se necesita información en otro idioma, póngase en contacto con la Ciudad de Departamento de Derechos Civiles de Madison al (608) 266-4190. (<http://www.gretermadisonmpo.org/about/civilrightsespanol.cfm>)

Yog tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm yam lus, ces hu mus rau lub nroog ntawm Madison lub Civil Rights Department ntawm (608) 266-4190. (<http://www.gretermadisonmpo.org/about/civilrightshmn.cfm>)

如果信息是需要另一种语言，然后致电 (608) 266-4190 市的麦迪逊民权处 (<http://www.madisonareampo.org/about/chinese.cfm>)

The MPO's Notice to the Public, information about the MPO's Title VI and ADA obligations, complaint procedure, and complaint form are posted on the agency's Website (<http://www.GreaterMadisonMPO.org/about/civilrights.cfm>) and on the bulletin board in the agency office reception area.

Appendix C – Title VI Complaint Procedure

The Greater Madison Metropolitan Planning Organisation (MPO) and the City of Madison, as its administrative and fiscal agent, assure that no person or groups of persons shall be excluded, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100-259), from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs, services, or activities. Furthermore, Madison General Ordinance (M.G.O.) Section 39.02(8) mandates the execution of this operational requirement. Greater Madison MPO and City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person(s) or organization(s) believing they have been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) by the MPO may file a Title VI complaint by completing and submitting the MPO's Title VI Complaint Form or by sending an email or letter with the necessary information to Greater Madison MPO or City of Madison Department of Civil Rights (see contact information below).

Greater Madison MPO
Attn: Title VI Complaint
100 State St., #400
Madison, WI 53703
PH: (608) 266-4336
Email: mpo@cityofmadison.com

City of Madison Dept. of Civil Rights
Attn: Title VI Complaint
210 Martin Luther King Jr. Blvd., #523
Madison, WI 53703
PH: (608) 266-4910
Email: dcr@cityofmadison.com

The MPO investigates complaints received no more than 180 days after the alleged incident. Filing times may be extended if deemed necessary. The MPO will only process complaints that are complete.

Once the complaint is received, the MPO will review it to determine if our agency has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our agency within ten (10) business days. Once the complaint is received and it is determined that the MPO has jurisdiction, the MPO will review the complaint and work to resolve the complaint informally, if possible.

If the complaint warrants a formal civil rights complaint process, the MPO will follow the steps listed in this complaint procedure. The MPO may also use this formal procedure to address general complaints.

Complaints will be investigated within thirty (30) calendar days from the date the original complaint was received. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has ten (10) business days from the date of the acknowledgement letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, the MPO and City of Madison can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF). A copy of the letter will be sent to the U.S. Department of Transportation and Wisconsin Department of Transportation. Every effort will be made to complete the investigation process and issue a letter within sixty (60) days of the complaint.

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has thirty (30) days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration (FTA), at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact the City of Madison's Civil Rights Department at (608) 266-4910.

Si se necesita información en otro idioma, póngase en contacto con la Ciudad de Departamento de Derechos Civiles de Madison al (608) 266-4190. (<http://www.greatermadisonmpo.org/about/civilrightsespanol.cfm>)

Yog tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm yam lus, ces hu mus rau lub nroog ntawm Madison lub Civil Rights Department ntawm (608) 266-4190. (<http://www.greatermadisonmpo.org/about/civilrightshmn.cfm>)

如果信息是需要另一种语言，然后致电 (608) 266-4190 市的麦迪逊民权处 (<http://www.greatermadisonmpo.org/about/chinese.cfm>)

Greater Madison MPO's Notice to the Public, information about the Greater Madison MPO's Title VI and ADA obligations, complaint procedure, and complaint form are posted on the agency's Website (<http://www.GreaterMadisonMPO.org/about/civilrights.cfm>) in English or at the web addresses above for Spanish, Hmong, and Traditional Chinese, and on the bulletin board in the agency office reception area.

Appendix D – Title VI Complaint Form

The Greater Madison Metropolitan Planning Organization (MPO) and the City of Madison, as its administrative and fiscal agent, assure that no person shall be excluded on the grounds of race, color, national origin, disability, sex, age, religion, income status, or limited English proficiency (LEP) as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Furthermore, Madison General Ordinance (M.G.O.) Sec. 39.02(8) mandates the execution of this operational requirement. The MPO and the City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person(s) or organization(s) believing they have been a victim of discrimination based on race, color, or national origin may file a complaint with the MPO or with the City of Madison Department of Civil Rights.

The purpose of this form is to assist persons in filing a complaint. Use of this form is not required. A letter or e-mail with the same information is sufficient.

Letters or completed complaint forms can be mailed to:
Greater Madison MPO
Attn: Title VI Complaint
100 State Street, Suite 400
Madison, WI 53703

City of Madison Department of Civil Rights
Attn: Title VI Complaint
210 Martin Luther King, Jr. Blvd., Room 523
Madison, WI 53703

Complaints can also be e-mailed to Greater Madison MPO at mpo@cityofmadison.com or to the City of

Section A: Accessible Format Requirements

Please check the preferred format for this document

<input type="radio"/> Large Print	<input type="radio"/> TDD or Relay	<input type="radio"/> Audio Recording	<input type="radio"/> Other (if selected please state what type of format you need in the box below)
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Click or tap here to enter text.

Madison Department of Civil Rights at dcrcityofmadison.com.

Section B: Contact Information

Name <input type="text"/>	Telephone Number (including area code) <input type="text"/>
Address <input type="text"/>	City <input type="text"/>

State <input type="text"/>	Zip Code <input type="text"/>
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Email Address <input type="text"/>

Are you filing this complaint on your own behalf?	<input type="radio"/> Yes	<input type="radio"/> No
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If no, please provide the name and relationship of the person for whom you are complaining and why you are completing the form on their behalf in the box below.

<input type="text"/>

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="radio"/> Yes	<input type="radio"/> No
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Section C: Type of Comment

What type of comment are you providing? Please check which category best applies.

<input type="radio"/> Complaint	<input type="radio"/> Suggestion	<input type="radio"/> Compliment	<input type="radio"/> Other
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Which of the following describes the nature of the comment? Please check one or more of the check boxes.

<input type="radio"/> Race	<input type="radio"/> Color	<input type="radio"/> National Origin	<input type="radio"/> Religion
<input type="radio"/> Age	<input type="radio"/> Sex	<input type="radio"/> Service	<input type="radio"/> Income Status
<input type="radio"/> Limited English Proficient (L.E.P)		<input type="radio"/> Americans with Disability Act (A.D.A)	

Section D: Comment Details

Please answer the questions below regarding your comment

What was the date of the occurrence?	<input type="text"/>	
What was the time of the occurrence?	<input type="text"/>	
What is the name or identification of the employee or employees involved?	<input type="text"/>	
What is the name or identification of others involved, if applicable?	<input type="text"/>	
Where was the location of the occurrence?	<input type="text"/>	
Was the use of a mobility aid involved in the incident?	<input type="radio"/> Yes	<input type="radio"/> No

Please add any additional descriptive details about the incident.	Click or tap here to enter text.
---	----------------------------------

In the box below, please explain as clearly as possible what happened and why you believe you were discriminated against.

Click or tap here to enter text.

Section E: Follow-up

May we contact you if we need more details or information?	<input type="radio"/> Yes	<input type="radio"/> No
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If yes, how would you best liked to be reached? Please select your preferred form of contact below

<input type="radio"/> Phone	<input type="radio"/> Email	<input type="radio"/> Mail
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If you would prefer to be contacted by phone, please list the best day and time to reach you.

Click here to add your preferred time

Click here to add your preferred day

Section F: Desired Outcome

Please list below, what steps you would like taken to address the conflict or problem.

Click or tap here to enter text.

If applicable, please list below all additional agencies you have filed this complaint with such as Federal, State, Local agencies, or with any Federal or State Court. Please include the contact information to where the complaint was sent.

Click or tap here to enter text.

You may attach additional written materials or other information that may be relevant to your complaint.

Section G: Previous Title VI Complaints

Have you previously filed a Title VI complaint with this agency?	<input type="radio"/> Yes	<input type="radio"/> No
Have you filed a complaint with any other federal, state, or local agencies?	<input type="radio"/> Yes	<input type="radio"/> No

If so, list agency/agencies and contact information below.

Contact Name: _____

Agency: _____

Street Address: _____

Phone: _____

Contact Name: _____

Agency: _____

Street Address: _____

Phone: _____

Section H: Signature

Please attach any documents you have which support the allegation. Then date and sign this form and send it to the Greater Madison MPO.

Name

Date:

Signature

A person may also file a complaint directly with the Federal Transit Administration (FTA), at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact the City of Madison's Civil Rights Department at (608) 266-4910.

Si se necesita información en otro idioma, póngase en contacto con la Ciudad de Departamento de Derechos Civiles de Madison al (608) 266-4190.

(<http://www.greatermadisonmpo.org/about/civilrightsespanol.cfm>)

Yog tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm yam lus, ces hu mus rau lub nroog ntawm Madison lub Civil Rights Department ntawm (608) 266-4190.

(<http://www.greatermadisonmpo.org/about/civilrightshmn.cfm>)

如果信息是需要另一种语言，然后致电 (608) 266-4190 市的麦迪逊民权处

(<http://www.greatermadisonmpo.org/about/chinese.cfm>)

Greater Madison MPO's Notice to the Public, information about the MPO's Title VI and ADA obligations, complaint procedure, and complaint form are posted on the agency's Website

(<http://www.GreaterMadisonMPO.org/about/civilrights.cfm>) in English or at the web addresses above for Spanish, Hmong, and Traditional Chinese, and on the bulletin board in the agency office reception area.

Office use

Date Received:

Received By:

Appendix E – Public Participation Plan

The 2015 MATPB (now Greater Madison MPO) Public Participation Plan can be found at http://greatermadisonmpo.org/planning/documents/Final_PPP_2015_web.pdf

The plan is in the process of being updated. Once finalized in early 2021, it can be viewed at https://www.greatermadisonmpo.org/planning/documents/Final_PPP_2021_web.pdf

Appendix F – Language Assistance Plan (LAP)

Introduction and Legal Basis for Language Assistance Requirements

The Greater Madison Metropolitan Planning Organization (MPO) is the designated Metropolitan Planning Organization (MPO) responsible for ongoing, cooperative, comprehensive transportation planning and decision making in the Madison metropolitan area. As a recipient of federal financial assistance, the MPO is obligated under Title VI of the Civil Rights Act of 1964 and Executive Order 13166 to develop and implement a plan to ensure accessibility to its programs and services for persons who are not proficient in the English language.



This language assistance plan outlines the policies and procedures that the MPO will use in addressing the needs of persons with limited English proficiency (LEP) that wish to access or participate in MPO programs and planning activities. This plan updates the previous one adopted in August 2017.

The MPO relies in large part on the City of Madison’s Language Access Plan as the city staffs the MPO and is the MPO’s fiscal and administrative agent. The City of Madison developed and adopted a new comprehensive Language Access Plan in December 2017 and has been implementing it over the past 3 years.

Executive Order 13166: *Improving Access to Service for Persons with Limited English Proficiency*, issued in 2000, clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. It directed federal agencies to prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons consistent with LEP guidelines. Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. The U.S. Department of Transportation published guidance in December 2005 concerning recipients’ responsibilities to LEP persons. The guidance specifically identifies MPOs as organizations that must follow the guidance. The Federal Transit Administration (FTA) published Title VI Requirements and Guidance for FTA Recipients, FTA Circular 4702.1B in October 2012. It provides guidance and instructions for carrying out U.S. DOT Title VI regulations and integrating into FTA recipients’ programs and activities the considerations expressed in the U.S. DOT’s 2005 policy guidance. It specifies requirements for MPOs.

The MPO seeks to ensure access to the regional transportation planning process, information published by the MPO, and MPO programs like Rideshare Etc. (to be called “RoundTrip” starting in 2021) to area residents who do not speak or read English proficiently. It is the MPO policy to inform residents with LEP of the right to free language assistance and interpreter services at no cost to them. This plan outlines the procedures and practices the MPO will use to provide meaningful access to its programs and activities for LEP populations.

The plan includes the following elements:

1. An LEP assessment that includes the results of the Four Factor Analysis, including a description of the LEP populations served;
2. A description of how language assistance services provided, by language;
3. A description of public outreach efforts to inform LEP persons of the availability of language assistance services;
4. A description of how the language assistance plan is monitored and updated;
5. A description of how employees are trained to provide language assistance to LEP persons; and,
6. Additional information deemed necessary.

LEP Assessment (Four Factor Analysis) for the Madison Urbanized Area

Factor 1: Number and proportion of LEP persons who may be served or are likely to encounter an MPO planning activity or service

According to 2014–2018 American Community Survey (ACS) Census data, approximately 52,616 (15.7%) persons aged five years and over in the Madison urbanized area population speak a language other than English at home. Table F-1 illustrates that of those whom speak a language other than English at home, Spanish is the most common (5.3% of total population). Language-specific data other than Spanish is not available for all ACS data sets or for Urban Area geographies; the most recent estimates for other languages are from the 2009–2013 ACS and are for all of Dane County; although somewhat outdated and of a larger geographic area than the Madison urban area, this data set indicates that Spanish (2.16% of county population) is followed by Chinese (0.48%), Hmong (0.29%), Korean (0.22%), Laotian (0.10%), and German (0.9%). In the Urban Area, of those who speak another language at home, a total of about 19,807 (4.8% of total population) reported they speak English less than very well and are therefore considered LEP; of those, by far the highest number, 8,660 (40.1% of LEP persons) speak Spanish (2018 ACS).

Table F-1
Language Spoken at Home for Madison Urbanized Area Population Aged 5 and Over

Language	Number	Percent
English Only	340,787	86.6%
Spanish	22,488	5.7%
Speaks English less than very well	10,019	2.5%
Chinese	5,274	1.3%
Speaks English less than very well	2,531	0.6%
Hmong	5,054	1.3%
Speaks English less than very well	1,789	0.5%
Korean	1,706	0.4%
Speaks English less than very well	1,108	0.3%
French	1,568	0.4%
Speaks English less than very well	224	0.1%
German	1,912	0.5%
Speaks English less than very well	271	0.1%
Hindi	1,219	0.3%
Speaks English less than very well	273	0.1%
Other Languages	13,395	3.4%
Speaks English less than very well	4,014	1.0%
Total- Population 5 years and older	393,403	100.0%
Total-Speaks English less than very well	20,229	5.1%

Source: 2011-2015 American Community Survey (ACS)

USDOT has adopted the Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision applies to eligible LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less of the total population of persons eligible to be served or likely to be affected or encountered. Under the 5% threshold, only Spanish falls under the Safe Harbor Provision in Dane County. Based on the 1,000 person threshold, however, language groups which may fall under the Safe Harbor Provision in the Madison area include Spanish, Traditional Chinese, Hmong, and Korean. The City of Madison used data from the past four years of language assistance provided by the city to determine the primary non-English language groups in need of language services. This included information on documents translated, interpreters requested, and languages utilized via telephone interpreter services. Based on this, Spanish, Traditional Chinese, and Hmong were identified as the target language groups for language services. The MPO intends to follow this determination, but this may change in the future as new data is collected.

Table F-2 shows the population that speaks another language at home and the percentage of those who are LEP for selected communities in the Madison urbanized area. The cities of Madison and Fitchburg have by far the largest numbers of LEP persons. The town of Madison (which has the highest percent of population that is LEP) and the cities of Middleton and Sun Prairie also have a significant number of LEP persons.

Table F-2

LEP Populations by Community for the Madison Urbanized Area Population Aged 5 and Older

Community	Total Population	Number Who Speak English Less Than "Very Well"	Percent of Total Population
Cottage Grove, Village	6,195	319	5.1%
Cross Plains, Village	3,576	7	0.2%
DeForest, Village	8,660	160	1.8%
Fitchburg, City	24,667	2,661	10.8%
McFarland, Village	7,706	77	1.0%
Madison, City	229,416	13,790	6.0%
Madison, Town	6,230	1,100	17.7%
Maple Bluff, Village	1,435	12	0.8%
Middleton, City	17,536	611	3.5%
Monona, City	7,336	73	1.0%
Shorewood Hills, Village	1,739	40	2.3%
Stoughton, City	11,987	105	0.9%
Sun Prairie, City	28,720	724	2.5%
Verona, City	10,823	61	0.6%
Waunakee, Village	12,017	66	0.5%
Westport, Town	3,990	74	1.9%
Windsor, Village	6,152	249	4.0%
Remainder of Madison Urbanized Area	5,218	100	1.9%
Total	393,403	20,229	5.1%

Source: 2011-2015 American Community Survey (ACS)

Factor 2: Frequency of contact with LEP persons

To date, MPO staff has never received a request for language assistance services such as a request for translation services at a meeting or a request to have a document translated. MPO staff is housed within the Planning Division of the City of Madison Planning & Community & Economic Development Department. The most frequent non-English language encountered by Department staff is Spanish, followed by Hmong. The growing minority and LEP population in the Madison area increases the probability of future contact of LEP persons with the MPO.

Agendas for all MPO Policy Board meetings include a notice about the availability of an interpreter or materials in alternative formats if requested 48 hours in advance of the meeting. The MPO has not had a request for interpreter services at any of its meetings, but budgets funding each year for such services.

Factor 3: The nature and importance of the services and programs provided by the MPO to the LEP population

The MPO plans and programs the use of federal funds for future transportation projects. The MPO also administers the Rideshare Etc. program, which provides ride-matching services for persons interested in carpooling and provides information on other alternative transportation options to driving alone. However, the MPO does not provide a direct service or program that requires vital, immediate, or emergency assistance. The MPO also does not conduct required activities such as permit applications or interviews. Involvement by citizens with the MPO or its committees is voluntary.

While the MPO does not provide an essential service directly to the public, the MPO is committed to ensuring that all segments of the population, including LEP persons, are involved or at the very least have

the opportunity to be involved in the transportation planning process and benefit from programs such as Rideshare Etc. Special efforts are made to involve LEP persons and other traditionally under-represented populations in the planning process. The MPO also evaluates the impact of proposed transportation investments on under-served and under-represented population groups as part of the planning and programming process consistent with Title VI, Executive Order 12898, and other federal guidance.

Factor 4: Resources available and overall MPO cost to provide LEP assistance

Given the size of the LEP population in the Madison Metropolitan Planning Area, the nature of the MPO's services, and financial constraints, full multi-language translation of large transportation plan documents is not considered warranted or feasible. However, the MPO has created a Spanish webpage with information on the MPO translated in Spanish. Links to Spanish versions of the MPO Profile and the Executive Summary of Regional Transportation Plan are also available. The Spanish page makes sense because the Spanish speaking population makes up the great bulk of the LEP population. The 2020 Dane County Bicycle Map was published with both English and Spanish text.

In 2020 the MPO added web pages in Hmong and Traditional Chinese; these pages currently only contain the Title VI Vital Documents (Policy, Complaint Procedure, and Complaint Form) in the appropriate language. Going forward, the MPO will consider summaries of other plans or study documents that might be able to be translated into Spanish, Hmong, and/or Traditional Chinese as well. If requested, the MPO will attempt to provide verbal and/or written translation of other documents or key portions of them within a reasonable time and within available resources.

The MPO will also work with the City of Madison Department of Civil Rights and the City IT Department to have the same documents now translated in Spanish also translated into Traditional Chinese and Hmong and the same website information translated in those languages. The MPO will also follow the city's standards for translation services and interpretation procedures outlined in the city's Language Access Plan. This includes use of only city-approved vendors available through the city's Language Access Program for translation and interpretation services, where needed. City approved vendors or providers must meet a standard of competency and cultural sensitivity for interpretation and translators must have a high level of fluency and fundamental knowledge of the target group's vocabulary and phraseology. For documents such as the Dane County Bike map, the MPO will work with native-language speakers who are also technically proficient with the subject of the document to ensure that translations are contextually correct and not simply literal translations, which may miss the intent of the original language. Substantial recommended changes will be forwarded to the city's Language Access Program for review and approval.

Language Assistance Services Provided

Oral Interpretation

The MPO currently includes a notice on all MPO Policy Board agendas and public meeting notices in English, Spanish, Hmong, and Traditional Chinese providing information on how individuals can request interpretation services or materials in alternative format for the meeting. The MPO maintains "I Speak" Language Chart cards in the office and brings them to all in-person meetings.

Members of the public do not regularly stop by the MPO office, but if it were necessary to respond to an LEP individual at the front desk, MPO staff have access to City of Madison Department of Civil Rights resources, including interpretation vendors, and are trained to follow city interpretation procedures. This includes use of a Language Chart and language service under contract to the city. The same holds true for phone calls to or from LEP individuals. MPO staff have access to the city's interpretation vendor. An offer of assistance log will be kept and provided to the Department of Civil Rights for any language assistance services provided or offered.

Written Translation

At this time, the MPO has translated the MPO profile, the Regional Transportation Plan Summary, and the Dane County Bicycle Map (2020) into Spanish. The Title VI notice, complaint procedures, and form have all been translated into Spanish, Hmong, and Traditional Chinese. These are the documents that the MPO has determined to be vital documents at this time. The MPO will continue to evaluate other potential documents for translation in the future. The MPO will also seek to translate any documents or parts of documents upon request. In conjunction with the city's implementation of its Language Access Plan, the MPO will continue translating selected documents (e.g. Plan Summaries) into the languages (Spanish, Hmong, and Traditional Chinese) deemed to fall under the Safe Harbor Threshold.

The MPO maintains a Spanish-language page on its webpage with an easy-to-see link from the home page. The Spanish-language page features information about the MPO, including responsibilities, planning area, MPO facts, and staff contacts, and a link to .pdf documents of the MPO profile and Executive Summary of the *Regional Transportation Plan 2050* in Spanish. The MPO also intends to add translated information on the Rideshare Etc. program to that page. There is also a link to Metro Transit's Spanish page. As part of implementation of the city's Language Access Plan, the MPO will continue to work with the city IT Department to expand the content on the Traditional Chinese and Hmong pages, or otherwise post translated information on the MPO's website. The IT Department has a website content management system with multilingual feature that provides the ability to associate English pages to multiple translated pages that are associated with the "parent page."

Public Outreach Regarding Language Assistance Services

The MPO posts the Title VI Program/LAP Plan on its website via a "Civil Rights/Title VI" link on the MPO homepage. That link also provides the Title VI notice, complaint procedure, and complaint form, with links to the same documents in Spanish, Hmong, and Traditional Chinese. A statement regarding the availability of translation services at MPO Board and other major public meetings upon request is included in all meeting notices in English, Spanish, Hmong, and Traditional Chinese. Additional tools will be considered as appropriate, including use of community-based organizations.

Monitoring, Evaluating and Updating the Plan

The MPO will review the LAP Plan annually as part of its self-certification procedure per 23 CFR 450.334 and document the review in its annual Unified Planning Work Program. The annual review and update, if necessary, will include:

1. The number of documented LEP person contacts, if any;
2. Any complaints received regarding the MPO's failure to meet the needs of LEP persons;
3. How the needs of LEP persons have been addressed;
4. Regular update of the information on the LEP population in the MPO planning area, as updated data is available, and how it affects the Four Factor Analysis;
5. Assessment of need to revise translation service policies or methods;
6. Assessment of whether language assistance services have been sufficient to meet needs;
7. Sufficiency of staff training;
8. Review of any new opportunities for LEP communication; and,
9. Assessment of whether the MPO's financial resources are sufficient to fund current or possible enhanced language assistance services.

Updates to the LAP will be logged and tracked in the Title VI Plan Policy Updates – Activity Log.

Training of Staff on Language Assistance Services

MPO staff, including the Transportation Planning Manager (the LAP designee) and the Administrative Clerk, will be made aware of the MPO's Title VI Program and LAP, including services provided, resources available, and how to process a Title VI/LEP complaint. New employees will be made aware of the MPO's Title VI program and LAP as part of new employee orientation. The Madison Department of Civil Rights has developed a training for front-line staff regarding language access services, including interpretation procedures. Training is provided for all new city staff at orientation. As city staff, MPO staff have access to this training. Self-guided training and resources are also available at LEP.gov, an inter-agency website. The posting of the Title VI Program/LAP on the MPO website under the Civil Rights/Title VI link is also a reminder to staff about the MPO Title VI policy and LAP resources and protocols.

Appendix G - Demographic Profile

Between 2000 and 2010, over 31% of the state of Wisconsin's population growth occurred within Dane County. That rate accelerated between 2010 and 2018, when it is estimated Dane County saw more than 45% of the state's population growth. A highly urban county, 82% of the county population lived in the Census' Madison Urban Area in 2018; nearly 90% of the county population lived in the Greater Madison MPO (MPO) planning area in 2010.¹ As the region grows and evolves, it will need an efficient, safe, and integrated transportation system. The system must provide a mix of transportation choices – walking, biking, transit, and driving – that provide a variety of ways to access jobs, recreational facilities, shops, restaurants, and other communities for all users of the transportation system.

Minority Populations

In recent trends, the minority population groups have been growing at a much faster rate than the White population. Although decennial Census data for 2020 will not be available for several years, the American Community Survey (ACS) 5-year estimates for 2014–2018 indicate that the trends seen between 2000 and 2010 have continued between 2010 and 2020. From 2000 to 2010, the populations of Black, Asian, Other Race, and Two or More Race groups in Dane County all grew by approximately 50% or more. Between 2010 and 2018 major population growth occurred in American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, Other Race, and Two or More Race groups, with each of these groups growing by at least 29%. The Native Hawaiian and Other Pacific Islander population, while still very small overall at just 0.03% of the county's population, grew by over 334% in this eight-year period. The Black population grew more slowly than other minority groups between 2010 and 2018 at 17.93%; the Hispanic population grew by 25.99% during the same period. Combined, these changes resulted in the minority population in Dane County increasing from 11.0% of the total population in 2000 to 15.2% in 2010, and to an estimated total of 20.2% in 2018. The Hispanic population nearly doubled in that timeframe, increasing from 3.4% to 5.9% and to an estimated 6.3% of the total county population in 2000, 2010, and 2018 respectively.

Within the Madison Metropolitan Planning Area, 22.6% of the population belongs to a minority group, according to the 2014–2018 ACS estimates. Figure G-1 shows the distribution of minority population groups within the Madison Metropolitan Planning Area overlaid with the Metro Transit bus service and Sun Prairie and Stoughton shared ride taxi service areas. The data is shown at the block group level using the 2011–2015 ACS. Minority population groups are defined to include non-White Alone and/or Hispanic (i.e., excludes non-Hispanic White Alone). The percentage of minority and non-minority populations by municipality is listed in Table G-1.

Minority populations are generally concentrated mostly in the City of Madison's South, Southwest (Gammon Rd., McKenna Blvd., Allied Dr.), and North (Northport Dr.) sides with some other areas on the East side (Stoughton Road and East Washington Avenue, N. Thompson Dr.), West side (Eagle Heights, Sheboygan Ave., Tree Ln.), and in the Cities of Sun Prairie and Fitchburg.

Title VI of the 1964 Civil Rights Act (42 U.S.C. 2000d-1) 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." To further amplify Title VI, President Clinton issued Executive Order 12898 in 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The purpose of the order is to make achieving environmental justice part of each Federal agency's mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of government programs, policies, and investments, such as transportation facilities, on minority and low-income populations. The goal is to ensure that the benefits and burdens of all government actions and investments are fairly distributed, and that minority and low-income populations are not disproportionately affected in an adverse way.

¹ 2000 and 2010 figures from decennial Census; 2018 figures from 2014–2018 5-year ACS. MPO Planning Area figures calculated from 2010 decennial Census Block data; Urban Area figures are for Census Urban Area (2010), not MPO-adopted urban area (2013).

In 1997, the U.S. Department of Transportation (USDOT) issued an order to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice. The Order generally describes the process for incorporating environmental justice principles into all DOT existing programs, policies, and activities.

Title VI, Executive Order 12898, the USDOT order, and other USDOT guidance do not contain specific requirements in terms of evaluating the impacts of transportation plans and programs on environmental justice populations. As part of its efforts to address environmental justice, the MPO conducts a qualitative transportation project analysis of the TIP, comparing the location of transit services and programmed projects in relationship to areas with concentrations of environmental justice (EJ) populations.

Evaluating the environmental justice (EJ) impacts of transportation infrastructure and policies is a critical part of the MPO's planning activities. Mapping EJ populations in relation to existing and planned transportation infrastructure, jobs, and other destinations is one of the primary screening tools that planning agencies use to assess whether the

transportation needs of EJ residents are being adequately served, and whether the costs and benefits of transportation projects and policies are fairly distributed. However, because EJ populations include a wide variety of potentially vulnerable groups—racial and ethnic minorities, people with low incomes, people with disabilities or other health-related challenges, zero-car households, etc.—they can be hard to map. Data about these populations can be unreliable or unavailable, and different data types and sources makes them difficult to combine. Methodology for Identifying Environmental Justice Priority Areas is discussed in the Title VI and EJ Considerations section of this plan.

Planning agencies often display different EJ population data separately, either by showing available race, income, and other measures overlaid on a single map or individually across a series of maps. This is how Greater Madison MPO has mapped EJ populations in the past. It is difficult, however, for readers to discern the highest priority EJ areas when viewing several different types of demographic information. In order to

Table G-1: Percentage of Minority and Non-Minority Populations by Municipality within the Metropolitan Planning Area (2013)

Community		Non-Hispanic White Population	Minority Population	Total Population	Percent Minority
<i>Cities</i>					
	Fitchburg	16,367	10,249	26,616	38.5%
	Madison	181,439	61,683	243,122	25.4%
	Middleton	15,038	3,440	18,478	18.6%
	Monona	7,096	739	7,835	9.4%
	Stoughton	11,820	1,156	12,976	8.9%
	Sun Prairie	25,879	5,295	31,174	17.0%
	Verona	10,954	769	11,723	6.6%
<i>Villages</i>					
	Cottage Grove	5,049	1,590	6,639	23.9%
	Cross Plains	3,716	118	3,834	3.1%
	DeForest	8,487	860	9,347	9.2%
	Maple Bluff	1,379	99	1,478	6.7%
	McFarland	7,524	568	8,092	7.0%
	Oregon	9,042	727	9,769	7.4%
	Shorewood Hills	1,590	249	1,839	13.5%
	Waunakee	11,755	1,091	12,846	8.5%
<i>Towns</i>					
	Berry ¹	1,179	21	1,200	1.8%
	Blooming Grove	1,653	172	1,825	9.4%
	Bristol ¹	3,424	417	3,841	10.9%
	Burke	3,227	117	3,344	3.5%
	Cottage Grove ¹	3,750	128	3,878	3.3%
	Cross Plains ¹	1,465	70	1,535	4.6%
	Dunkirk ¹	2,000	93	2,093	4.4%
	Dunn	4,984	128	5,112	2.5%
	Madison	3,474	3,228	6,702	48.2%
	Middleton	5,527	556	6,083	9.1%
	Oregon ¹	3,169	63	3,232	1.9%
	Pleasant Springs ¹	3,083	206	3,289	6.3%
	Rutland ¹	1,928	120	2,048	5.9%
	Springfield ¹	2,648	190	2,838	6.7%
	Sun Prairie ¹	2,159	434	2,593	16.7%
	Verona ¹	1,630	92	1,722	5.3%
	Vienna ¹	1,581	47	1,628	2.9%
	Westport	3,936	171	4,107	4.2%
	Windsor ^{1,2}	6,030	578	6,608	8.7%
Planning Area Total		356,042	94,459	450,501	21.0%
¹ Only portions of these towns are within the Planning Area Boundary; only the portion of these towns within the Planning Area Boundary are included in the Planning Area Total.					
² The town of Windsor voted to become a village in 2015.					

simplify EJ analysis, the MPO defined a set of EJ Priority Areas based on the concentration of low-income and racial/ethnic minority residents in 2020. While these two measures do not encompass the full range of potential EJ populations, they include the largest EJ categories and data about minority and low-income populations is widely available and relatively reliable. Furthermore, there is a high degree of correlation between minority and low-income populations and other EJ indicators, including Limited English Proficient (LEP) and zero-car households, so the EJ Priority Areas correspond to concentrations of those populations as well.

The MPO's EJ Priority Areas were first identified based on their concentration of minority (non-White and/or Hispanic) and low-income residents (those with household incomes below 150% of the federal poverty level). Each 2010 block group in the MPO area received an EJ index score of up to 8 points; block groups could receive up to 4 points each for their concentration of minority and low-income residents, according to the scoring system below.

Minority Score: Points were awarded based on percentage of minority (Hispanic and/or non-white) residents in 2010 Census block group based on 2010 complete US Census data. Scores were assigned as follows: 23.5%–31% (1.5–2x MPO Area Average) = 2 pts; 31–38.75% (2–2.5x MPO Average) = 3 pts; 38.75%+ (>2.5x MPO Average) = 4 pts.

Poverty score: Points were awarded based on the percentage of residents with household incomes below 150% of poverty level based on American Community Survey (ACS) 2013–2017 block group data. Scores were assigned as follows: 28.5%–38% (1.5–2x MPO Average) = 2 pts; 38–47.5% (2–2.5x MPO Average) = 3 pts; 47.5%+ (>2.5x MPO Average) = 4 pts.

Because of the large margin of error in the ACS household income data, some block groups were awarded additional points to correct what MPO staff believed to be underestimates of their low-income population. Adjustments were only made to zones that initially scored below 6 – the minimum threshold for designation as an EJ Priority Area – in cases where a higher estimate within the margin of error would result in a score of at least 6. Additional points were only awarded to zones with a high proportion of students eligible for free and reduced price school lunch². Zones receiving additional points in their adjusted index score were awarded the minimum number of points to reach a score of 6. No scores were adjusted downward. Because of the imprecision inherent in the estimates and adjustments used to define EJ Priority Areas, they should not be compared to one another based on their index scores.

After the EJ Priority Areas were identified, block group geographies were adjusted to generally exclude non-residential land uses, with the exception of some schools and parks. EJ Priority Areas do not necessarily encompass all residential portions of their 2010 census block group. In one case, the residential portion of a block group has been divided between two separate EJ Priority Areas. In other cases, where higher income residential areas are located within the same block group but are not contiguous with lower income areas, EJ Priority Areas include only the lower income areas.

Transit Service Analysis

Analysis of the impacts identified in comparing EJ Priority Areas and transit service areas must be conducted to identify any disparate impacts on the basis of race, color, or national origin. If disparate impacts are identified, the analysis must determine 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.

Figure G-2 shows the transit service areas for Metro Transit's fixed-route system, the City of Monona's bus route, and the Sun Prairie and Stoughton shared-ride taxi systems. Transit service areas are shown in relationship to the EJ Priority Areas. The map shows that, taken in whole, the transit service areas do not impose disproportionately high and adverse impacts on minority and/or low-income populations. Also, the benefits of the transit service provided are reasonably distributed to serve the needs of all populations in the area.

The transit service areas encompass nearly all of the areas with concentrations of EJ populations, with the notable exception of the Central Sun Prairie EJ Priority Area, which abuts Route 23. Sun Prairie is pursuing the implementation of local bus service, which would connect portions of the community that are not currently served by transit to Route 23, with bus stop improvements for this service programmed for 2025. For those areas outside the transit service area, the number of people or households is relatively small. However, travel times from a number of areas to peripheral job centers, shopping, and other destinations are long due to their locations, which often require 1-2 transfers. Also, while EJ populations in Sun Prairie and Stoughton have local publicly subsidized shared-ride taxi service for local trips, the cost per ride can be prohibitive for some. Stoughton residents also don't have public transit service or affordable taxi service into the Madison area where they could connect to Metro Transit. Sun Prairie implemented weekday peak express bus service to downtown Madison in August 2019; this service is part of Metro Transit's fixed-route service and standard transfers between the Sun Prairie express and Metro fixed route services are available at no additional charge. However, most residents will need to drive or take an expensive taxi to access the route. Sun Prairie also has taxi service to/from East Towne Mall, but at \$5 for a one-way trip it is not inexpensive.

The annual Transportation Improvement Program includes an analysis of the impacts of all programmed projects on EJ Priority Areas; staff consider both potential negative impacts of projects on adjacent or neighboring EJ Priority areas and the equitable distribution of benefits from projects, and draft a written synopsis of potential impacts on EJ Priority areas and other minority or low-income populations. A similar analysis is conducted with other plans and studies to ensure the equitable distribution of benefits from transportation system investments, and to prevent disproportionate negative impacts of transportation systems on disadvantaged communities. These EJ Analyses are made available for public review and comment with the associated draft plan or study. Transit-related project funding sources and amounts for 2020-2024 are shown in Table 3 for state and federal funding programs.

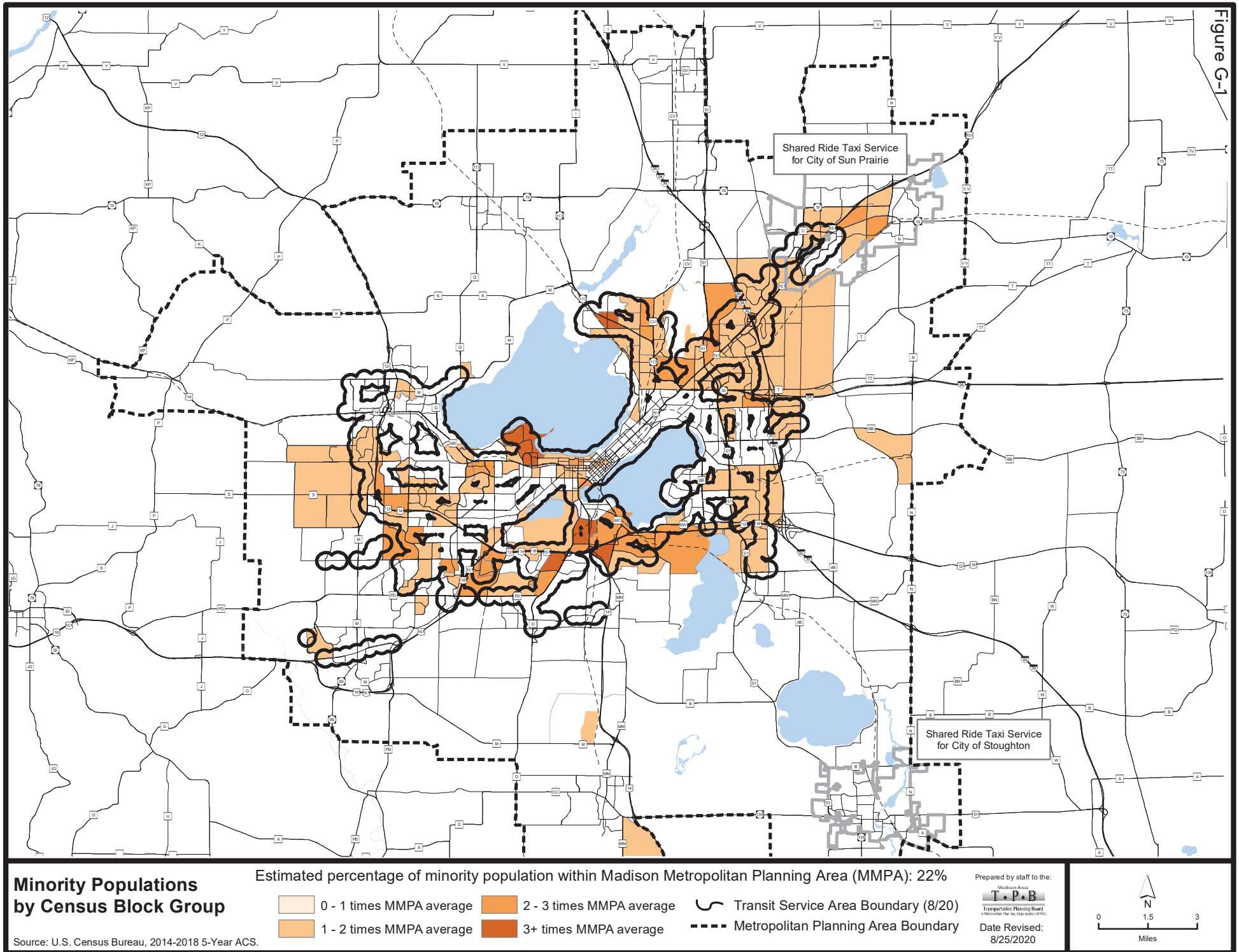
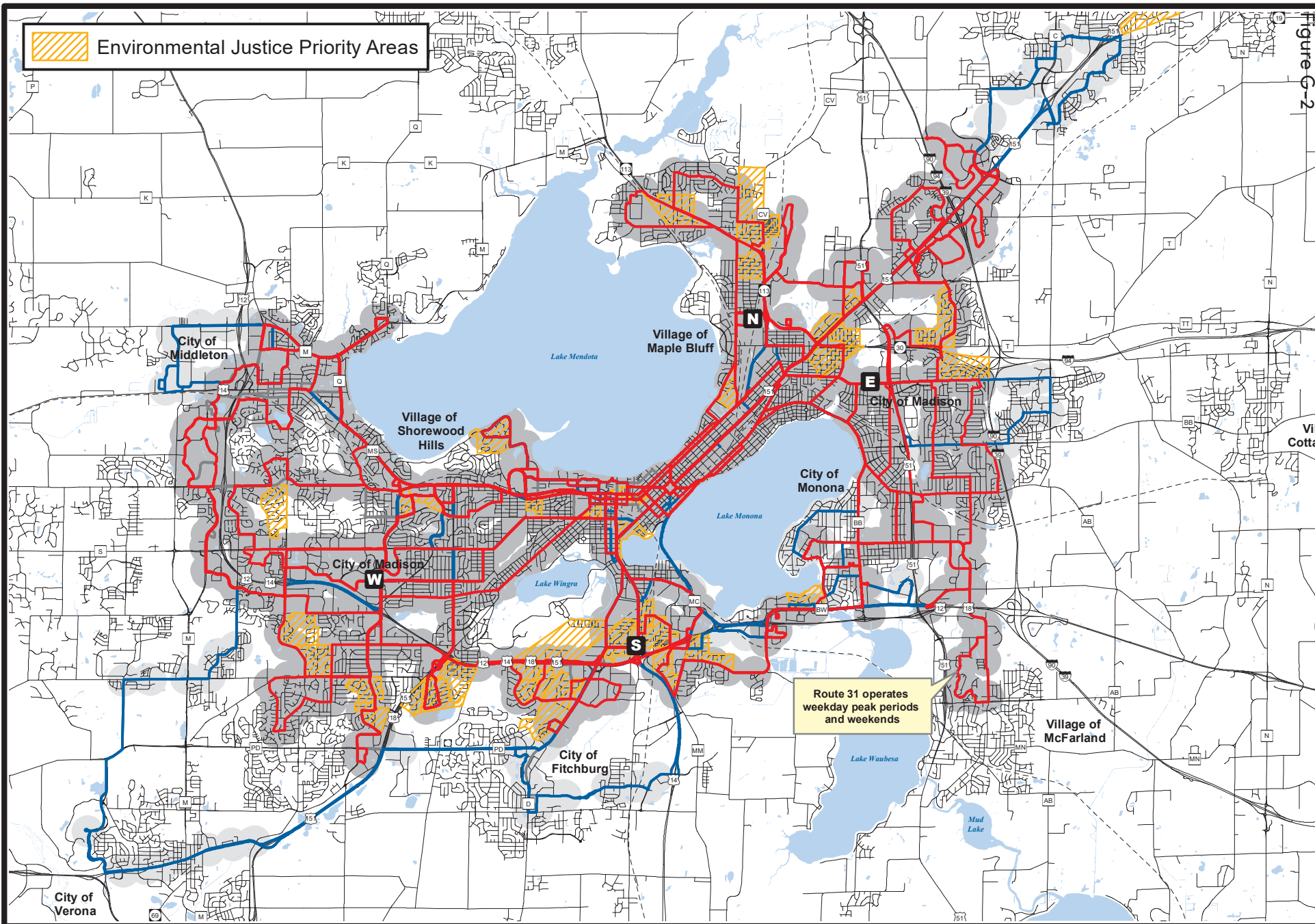


Figure G-2

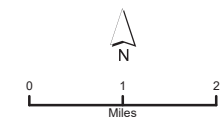


Service Areas **Metro Transit and** **Monona Systems, 8/2020** Source: GTFS data (Metro Transit)

- Weekday Peak and Off-Peak Service Area*
- Weekday Peak Service Area Only*
- Transfer Point
- *1/4 mile buffer of bus stops

- Service Generally Throughout the Day
- Service Peak Periods Only
- Service Limited / Weekends Only

Prepared by staff to the:
T.P.B.
 Transportation Planning Board
 A Metropolitan Planning Organization (MPO)
 Date Revised: 8/25/2020



Appendix H - List of Complaints, Investigations and Lawsuits¹

The **Greater Madison Metropolitan Planning Organization (MPO)** maintains a log to track and resolve all complaints, investigations and lawsuits, pertaining to its transit-related activities.

Check One:

- ☒ There have been no investigations, complaint and/or lawsuits filed against us during the report period.
- ☐ There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

Type Complaint Investigation Lawsuit	Date (Month, Day, Year)	Complainant's Name/Address	Basis of Complaint ²	Summary Complaint Description	Status	Action(s) Taken/ Final Outcome if Resolved

1

Lawsuit: The protected class under Title II is disability. The protected classes under Title VI are Race, Color and Nation Origin.

2

Basis of Complaint: Specify Race, Color, National Origin, Disability, Religion, Sex, Age, Service, Income Status, Limited English Proficient (LEP), Safety, Other