

The background features a stylized landscape with rolling hills in shades of brown and tan. On the left, there are two green trees, one with a brown trunk and the other with a green trunk. A dashed line forms a spiral shape in the upper right. A thick, wavy orange line is in the top left corner. A green brushstroke is in the top right. A dashed line forms a spiral shape in the bottom right. A green brushstroke is in the bottom right.

ADOT FHWA Title VI Liaisons Quarterly Meeting

February 16, 2023

ADOT CRO

Title VI and Environmental Justice Team

Danielle Valentine
Civil Rights Compliance
Program Manager



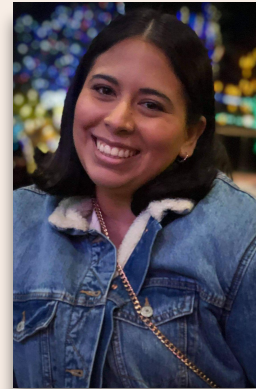
Jesse Zaragoza
Title VI and Environmental
Justice/FHWA
Program Manager



Sara Martinez
Civil Rights Specialist






Josie Olmos
Civil Rights Specialist





Virtual Housekeeping Items

- Please make sure your phone and/or device is on mute.
 - You might be prompted for feedback throughout the meeting, please utilize the “raise your hand” and/or the chat feature to make your responses, comments, or questions.
 - Do not use the “Present now” feature.
 - The meeting will be recorded.
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Ice breaker

If you could be any supernatural creature, which would you choose and why?





Quarterly Meeting Agenda

- Environmental Justice Analysis
 - On-site Review Process
 - Closeout
 - Updates
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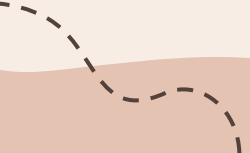

Environmental Justice





Executive Order 12898: Environmental Justice



- Signed on February 11, 1994.
 - Requires recipients of federal funds to achieve Environmental Justice (EJ) by:
 - Identifying and addressing disproportionately high and adverse human health and environmental effects,
 - Including interrelated social and economic effects, of their programs, policies, and activities on **minority populations and low-income populations.**
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Environmental Justice and Title VI

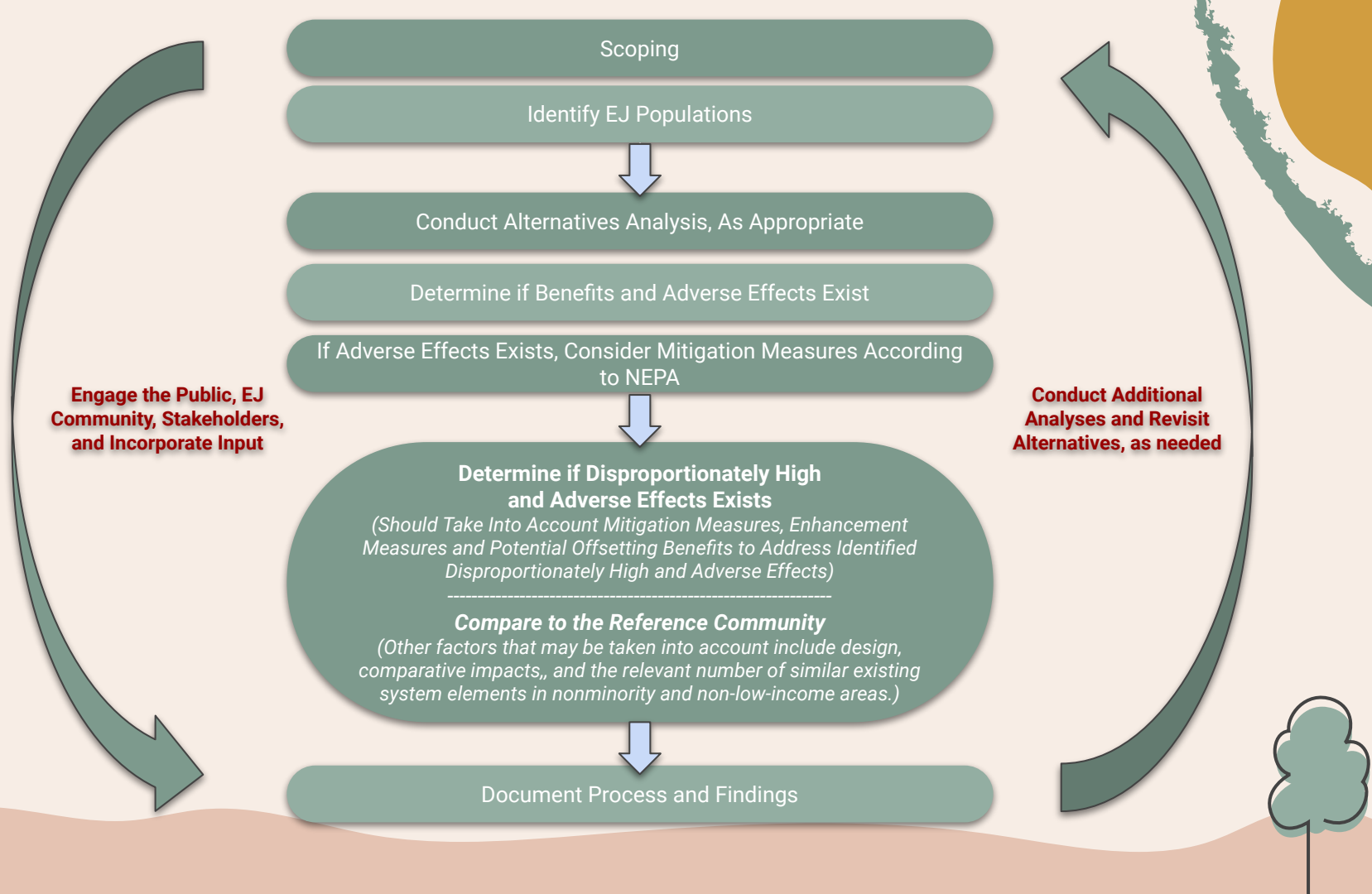
- Although the nondiscrimination principles of EO 12898 and the Title VI Statute intersect, they are two separate mandates, each with its own requirements. For example, the term “minority,” which is a category under EJ overlaps with Title VI.
- Title VI does not cover low-income populations

Environmental Justice (EJ)	Title VI
Identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations	Prohibits discrimination on the basis of race, color, or national origin in programs receiving Federal assistance

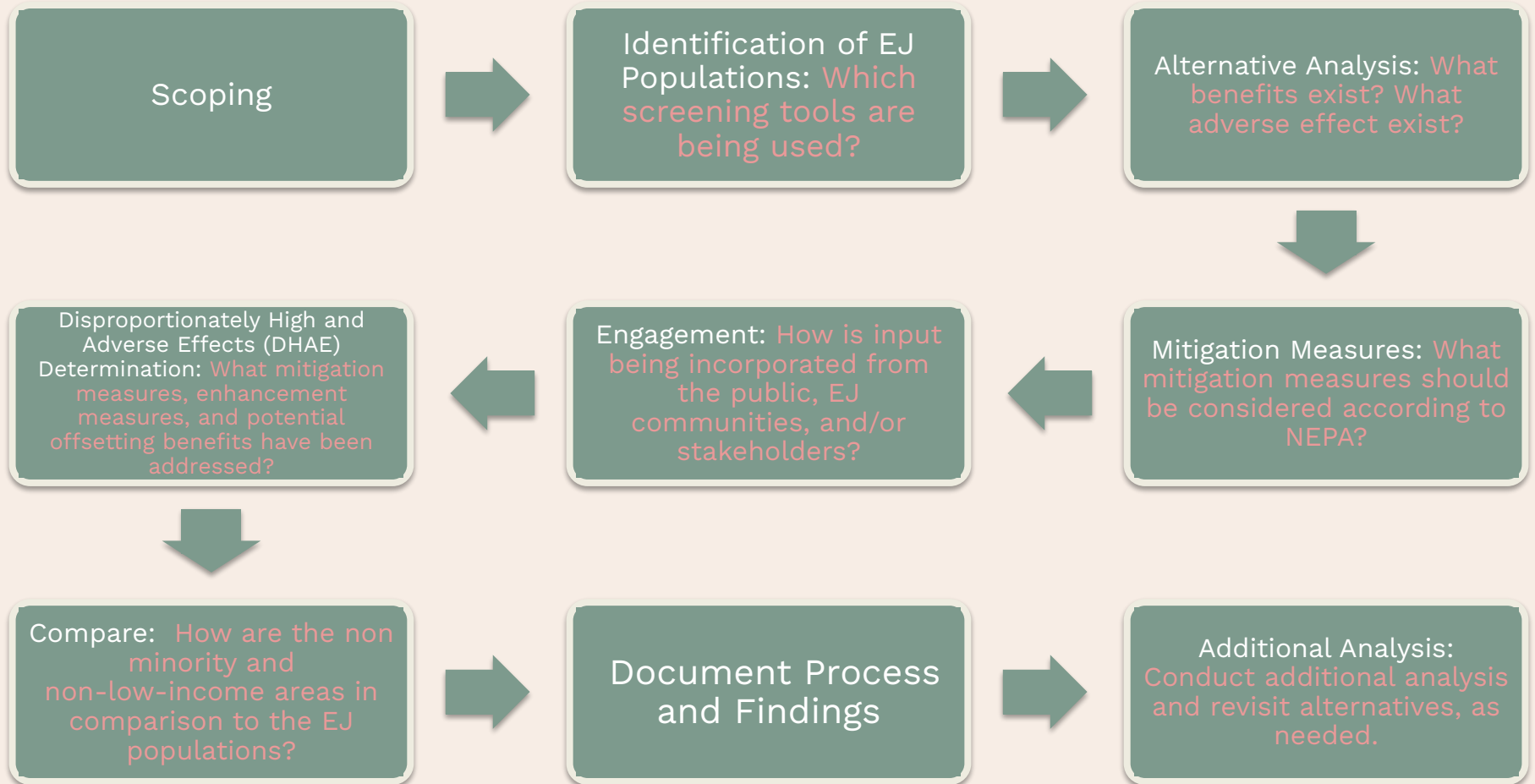
How does EJ apply to transportation?


The three fundamental EJ principles identified by USDOT are to:

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



Environmental Justice Analysis Process





Scoping

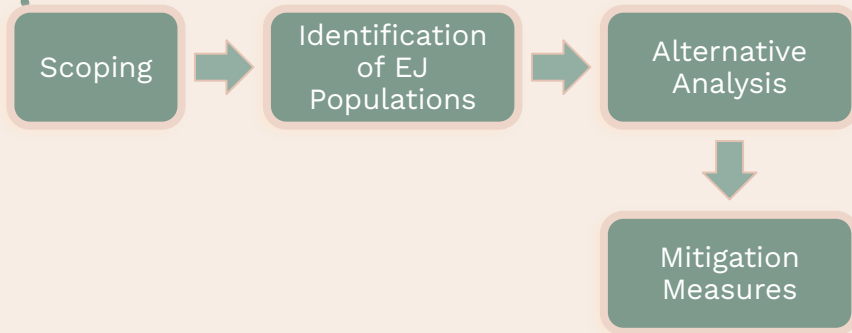


Identification
of EJ
Populations

Scoping and Identification of EJ Populations

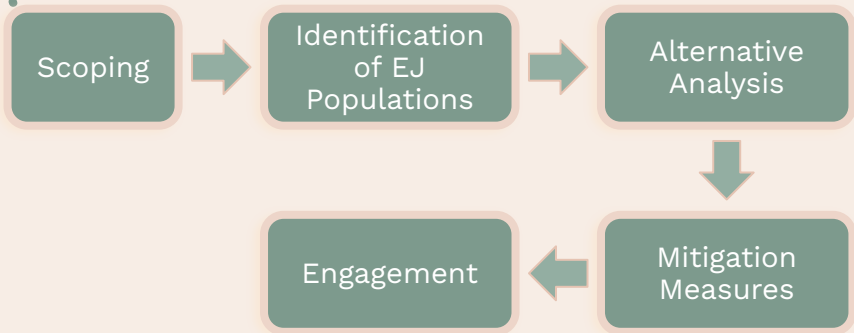
- Scoping Begins
- Identify EJ Populations
 - Minority
 - Low-Income
- Which screening tools are being used to collect demographic data?
- CRO is a resource for data demographic collection.





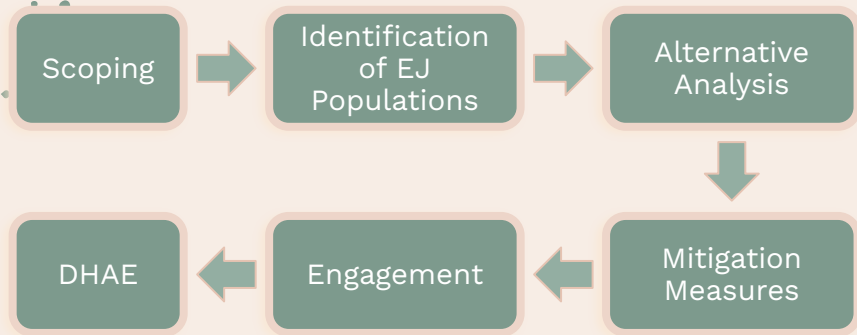
Alternative Analysis & Mitigation Measures

- What benefits will exist?
- What adverse effects will exist?
- If adverse effects exist, what mitigation measures should be considered according to NEPA?



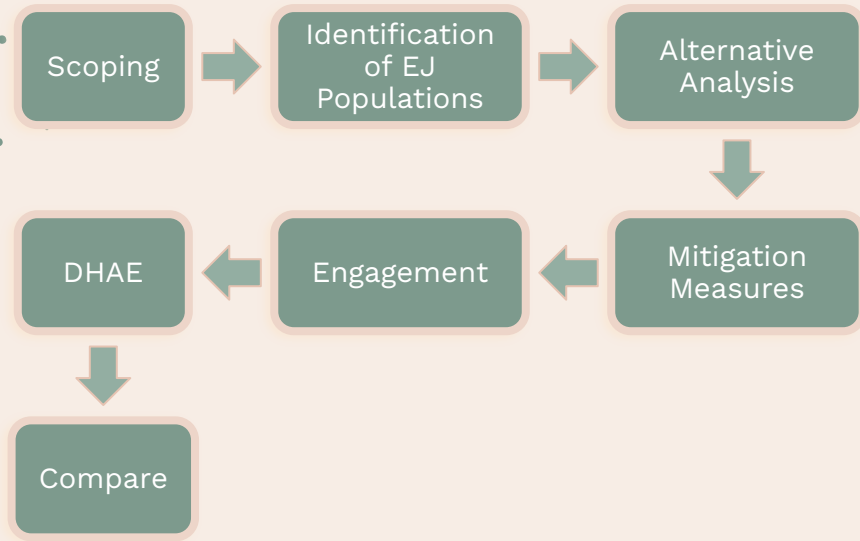
Engagement

- How is input being incorporated from:
 - The public
 - EJ communities
 - Stakeholders



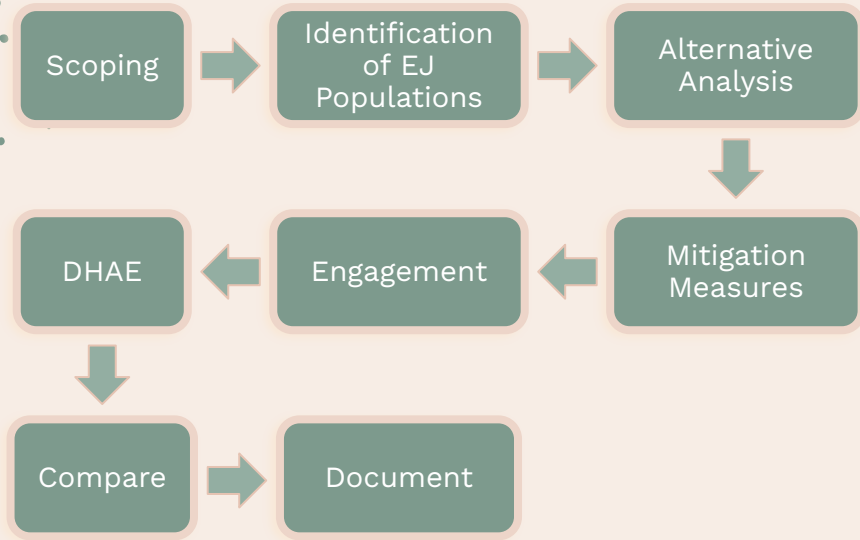
Disproportionately High and Adverse Effects (DHAЕ)

- Address the following:
 - Mitigation Measures
 - Enhancement Measures
 - Potential Offsetting Benefits



Compare

- Comparison between EJ populations and non-minority & non-low-income areas
- Factors to take into account:
 - Design
 - Comparative Impacts
 - Relevant number of similar existing system elements in non-minority and non-low-income areas

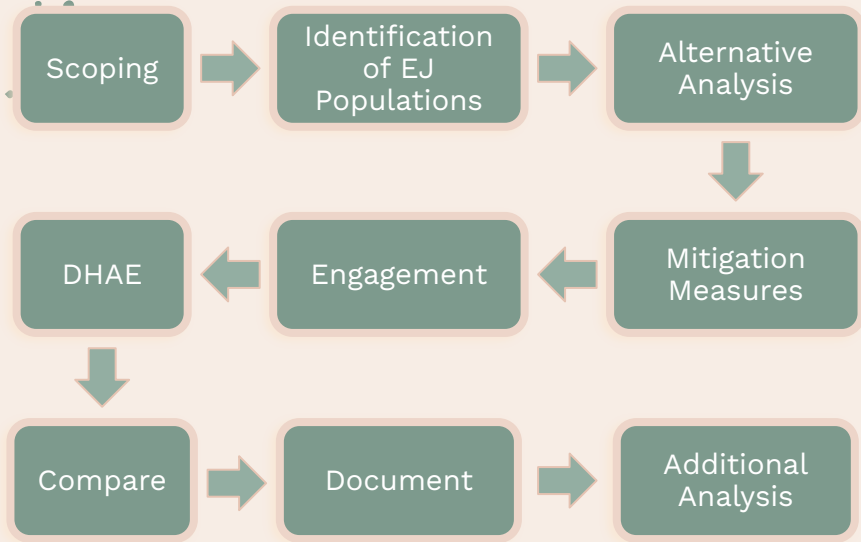


Document

- Document process and findings
- Always keep in mind:



- Identify
- Address
- Document

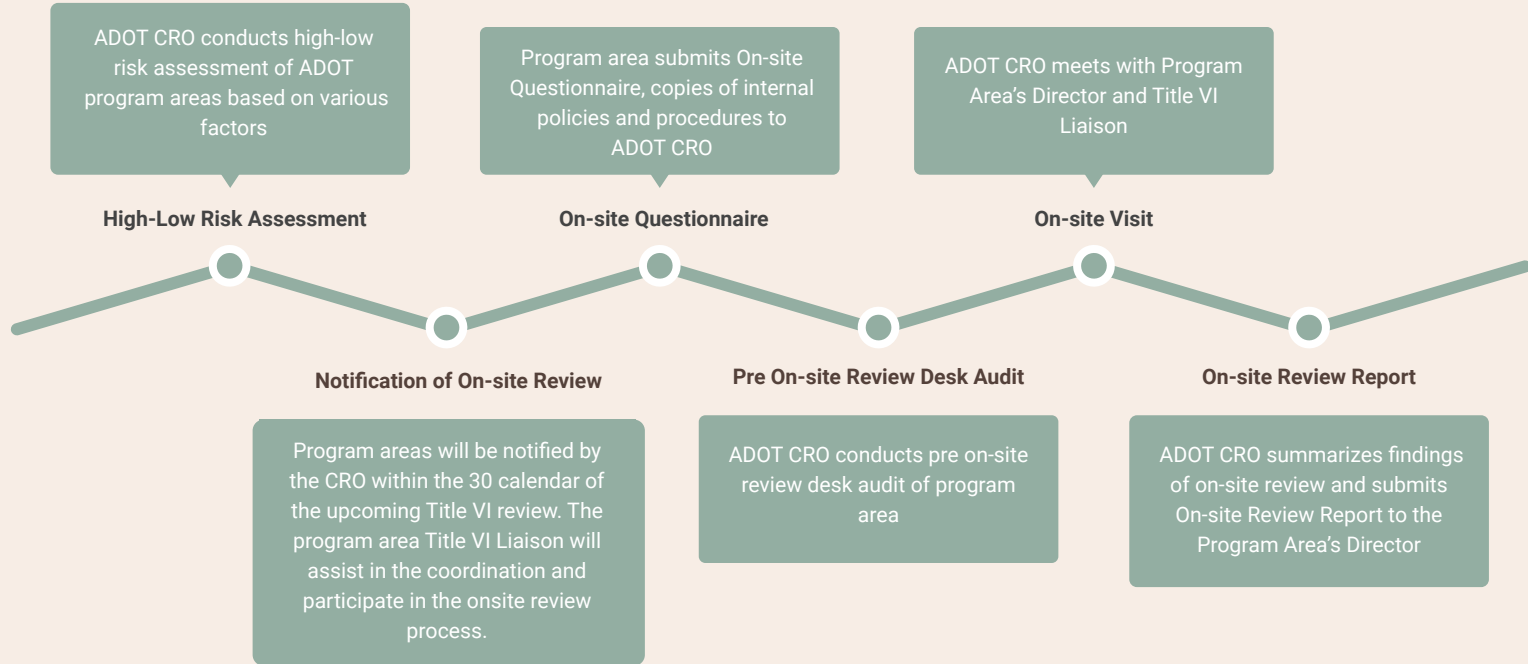


Additional Analysis

- Be prepared to reconduct and revisit as needed
- Be mindful of changes within the community
- Conduct additional analysis as needed

How does ADOT CRO ensure EJ compliance?

ADOT CRO ensures EJ compliance through the already established on-site compliance review process.



High/Low Risk Assessment

Using a high/low risk assessment, CRO staff will conduct comprehensive compliance review annually to:

1. Ensure compliance with Title VI/EJ
2. Provide technical assistance and training in the program areas implementation of Title VI/EJ
3. Correct deficiencies, when found to exist

High/Low Risk Assessment for internal program reviews:

- Deficiencies on quarterly reports
- Deficiencies on Civil Rights Meeting Summaries
- Quarterly meeting attendance by the Title VI liaison
- Date of last program area training
- Complaints received

On-site Questionnaire

Contents of On-site Questionnaire submitted to ADOT CRO:

- Demographic data collection and analysis methods
- Sampling of contracts to ensure inclusion of required nondiscrimination provisions
- Sampling of public involvement material including meeting notices, project flyers, and other public documents demonstrating Limited English Proficiency (LEP) compliance
- Environmental Justice (EJ) efforts towards project development
- Limited English Proficiency (LEP) efforts
- Directive/Policy updates
- Training efforts
- Title VI complaints, if any were received by the program area

On-site Visit

During the on-site visit, ADOT CRO will examine the program area utilizing the following elements:

- Title VI/EJ reporting
- Demographic data collection and analysis methods
- Environmental Justice (EJ) efforts
- Limited English Proficiency (LEP) efforts
- Training efforts
- Complaint procedures
- Public Notification practices
- Contract language with inclusion of required nondiscrimination provisions
- Liaison changes

This examination will be conducted through review of the program area's policies and procedures, document review, and contract review.

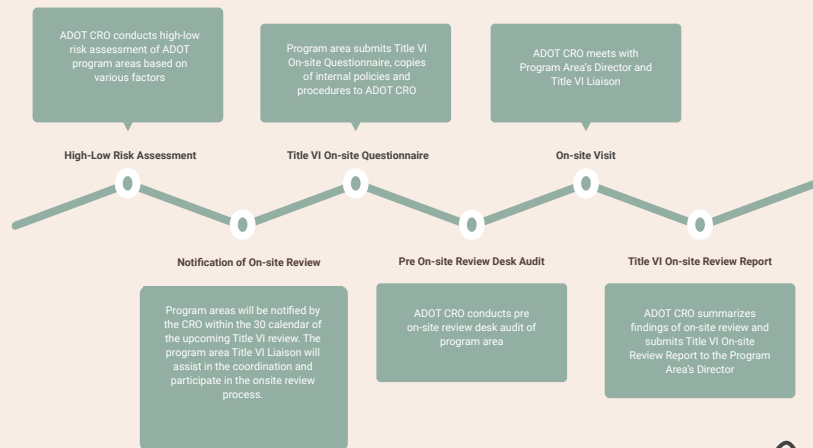
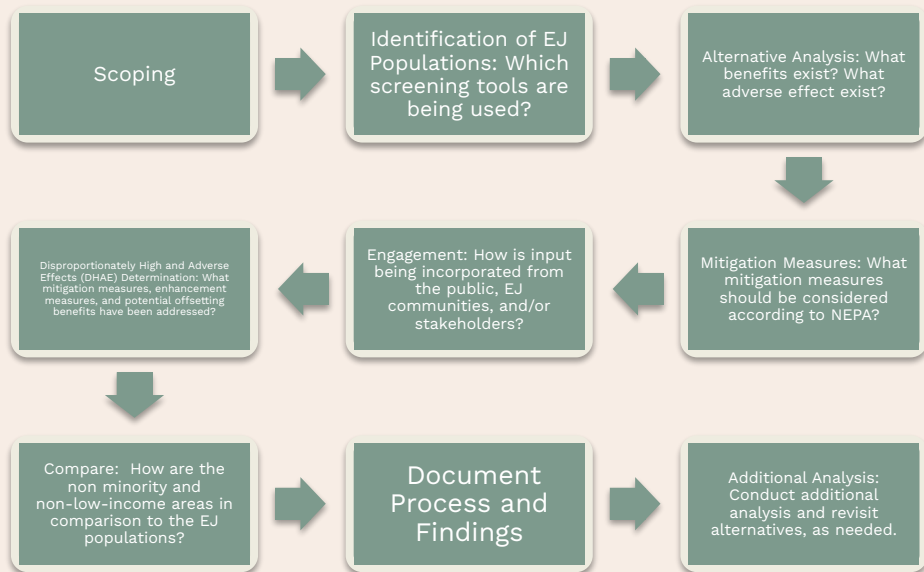
On-site Review Report

Within 30 days of the on-site visit, a report of findings will be provided to the Program Area Manager, the Title VI Liaison for the program area, and the ADOT Civil Rights Administrator.

- If any deficiencies are found, within 30 days of receiving the report, the program area should work with ADOT CRO to develop a Corrective Action Plan (CAP).



The CRO will convene a final closeout meeting with the program area prior to the final letter of compliance or noncompliance being issued. This is an effort to ensure the findings, recommendations, questions, and any other pertinent information is clarified and accurate.

EJ Analysis Process and Title VI Compliance Review Process





Updates

- **MDT1097W CBT Credit Opportunity**
 - Program areas can request training from the CRO for their program and receive credit for the annually required Title VI Nondiscrimination Training – MDT1097W.
 - Credit will be applied to participants' Learning & Development transcript following training.
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Shout-outs

- Various staff from the **Multimodal Planning Division (MPD), Communications and Environmental Planning (EP)** joined the Environmental Justice (EJ) Training from the Federal Highway Administration (FHWA) on December 6 and 7, 2022.
- **Transportation Systems Management & Operations (TSMO):** ADOT CRO would like to give special thanks to Jannette Quiroz and Jennifer Van Ven Roy for their efforts with the TSMO On-site Review process. They were instrumental in organizing the program-wide Title VI Training for the group.
- **Communications:** During the public meeting on January 31, 2023 for the Grand 35 Study, Daina Mann and her team went the extra mile to ensure there were materials and resources available in Vietnamese, a language that was found in specific pockets of the community.



Questions?

Any questions please do not hesitate to reach out to Jesse Zaragoza or the Civil Rights Office.

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Thank you!

