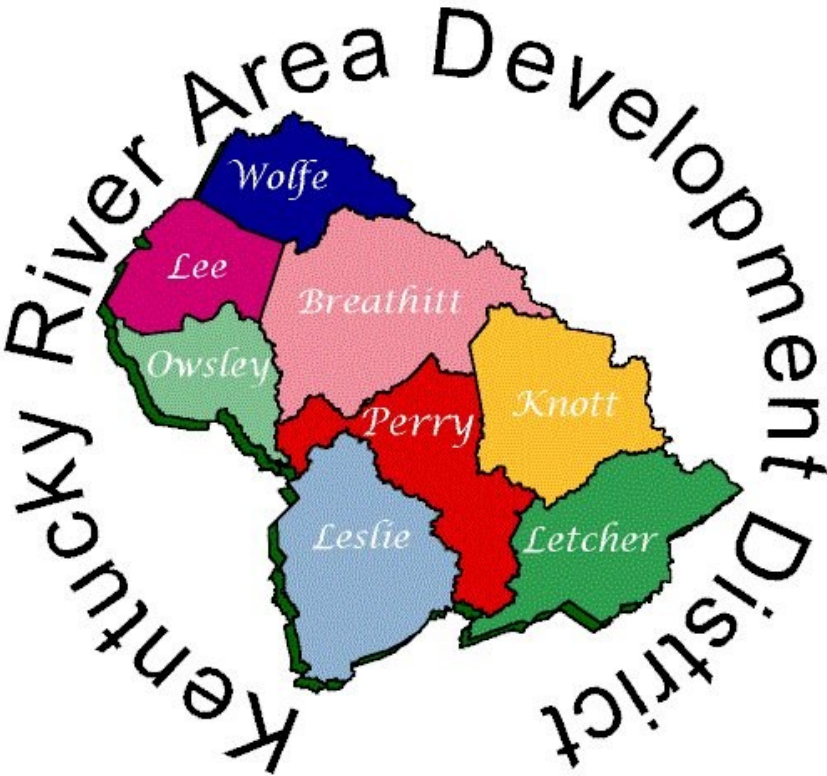


# Kentucky River Area Development District



## Title VI Plan

**January 1, 2021 to December 31, 2021**

## Title VI Plan Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person	Remarks
6/27/2018	Review & Update Title VI Plan for KRADD	Signature on Title VI Plan	
6/27/2018	Provide Title VI Training at KRADD Board of Directors Meeting to Board Members and Staff Members	KRADD Board of Directors	Training completed by Eunice Holland
7/25/2018	Adopt 2018 Title VI Plan for KRADD	KRADD Board of Directors	Approved at 7/25/2018 KRADD Board of Directors Meeting
12/2/2019	Review & Update Title VI Plan for KRADD	Signature on Title VI Plan	
12/2/2019	Provided Title VI Training at KRADD Staff Meeting	KRADD Staff	Training completed by Eunice Holland
12/2/2019	Provided Title VI Training at Jenkins City County Meeting	Jenkins City Council	Training completed by City Manager Bennie McCall
12/2/2019	Adopt 2019 KRADD Title VI Plan for City of Jenkins	Jenkins City Council	Approved at 12/2/2019 Jenkins City Council Meeting
12/11/2019	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members	KRADD Board of Directors	Training completed by KRADD Planner Jennifer McIntosh
12/11/2019	Adopt 2019 KRADD Title VI Plan	Signature on Title VI Plan	Approved at the 12/11/2019 KRADD Board of Directors Meeting
11/4/2020	Provided Title VI Training to Staff	KRADD Staff	Training completed by Eunice Holland
11/4/2020	Provided Title VI Training at KRADD Board of Directors Meeting for Board Members	KRADD Board of Directors	Training completed by Eunice Holland
10/15/20	Adopt 2019 KRADD Title VI Plan for the Troublesome Creek Authority	Troublesome Creek Authority	Approved at TEA Meeting
10/15/20	Provided Title VI Training at Troublesome Creek Authority Meeting	Troublesome Creek Authority	Training completed by KRADD Planner Jennifer McIntosh
12/6/21	Provide Title VI Training to Staff	KRADD Staff	Training completed by Title VI Coordinator
12/8/21	Provide Title VI Training at KRADD Board of Directors Meeting for Board Members and Adopt 2021 Title VI Plan	KRADD Board of Directors	Training completed by Title VI Coordinator

# Table of Contents

<b>1.0</b>	<b>KRADD Title VI Overview and Policy Statement</b>	<b>4</b>
1.1	KRADD Title VI Assurance	5
1.2	KRADD Title VI Policy Statement	7
<b>2.0</b>	<b>Introduction &amp; Description of Services</b>	<b>8</b>
2.1	Program Review Procedures	8
2.2	Programs or Activities Subject to Title VI	9
2.3	Special Emphasis Areas	11
2.4	Responsible Officials	12
2.5	KRADD Organizational Chart	13
2.6	First Time Applicant Requirements	15
2.7	Annual Certifications and Assurances	15
2.8	Title VI Plan Concurrence and Adoption	15
<b>3.0</b>	<b>Title VI Notice to the Public</b>	<b>16</b>
3.1	Notice to Public	16
3.2	Notice Posting Locations	16
<b>4.0</b>	<b>Title VI Procedures and Compliance</b>	<b>17</b>
4.1	Complaint Procedure	18
4.2	Record Retention and Reporting Policy	22
4.3	KRADD Title VI Training Plan	22
4.4	Contractors and Subcontractors	23
<b>5.0</b>	<b>Title VI Investigations, Complaints, and Lawsuits</b>	<b>25</b>
<b>6.0</b>	<b>Public Participation Plan</b>	<b>26</b>
<b>7.0</b>	<b>Language Assistance Plan</b>	<b>27</b>
<b>8.0</b>	<b>Data Collection/Reporting/Analysis</b>	<b>28</b>
8.1	Environmental Justice	29
8.2	Categorical Exclusion	30
<b>9.0</b>	<b>Transit Planning and Advisory Bodies</b>	<b>31</b>
<b>10.0</b>	<b>Title VI Equity Analysis</b>	<b>32</b>
<b>11.0</b>	<b>Review of STA Directives</b>	<b>33</b>
<b>12.0</b>	<b>Sub-Recipient Review</b>	<b>33</b>
<b>13.0</b>	<b>Appendices</b>	<b>34</b>

## 1.0 KRADD Title VI Overview and Policy Statement

Title VI of the Civil Rights Act of 1964 is a non-discrimination statute. Specifically, Title VI provides 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" (42 U.S.C. Section 2000d). Each federal department and agency, which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, federal personnel or any federal agreement contract, is authorized, and directed to make the provisions of Section 2000d of this title.

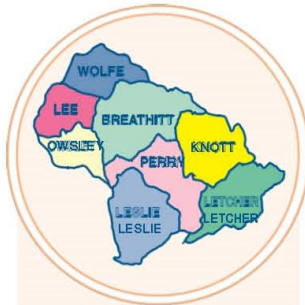
The Kentucky River Area Development District works to ensure nondiscriminatory transportation in support of our mission to provide a safe, secure and reliable highway system that ensures the efficient mobility of people and goods, thereby enhancing both the quality of life and the economic vitality of the Commonwealth.

The KRADD continues commitment to a workplace compliant with Title VI of the Civil Rights Act of 1964.

### **Non-Discrimination Authorities**

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.)
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- U.S. DOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)

1.1 KRADD Standard Title VI Assurance



# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

Standard Title VI Assurance

The Kentucky River Area Development District (KRADD) (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat.252, 42 U.S.C.2000d-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, (49 CFR, Part 21) Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, no person in the United States shall, on the grounds of Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration, and hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respects to its Federal-aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility as defined in sub-sections 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 material subject to the Regulations and made in connection with all programs administered by the Recipient 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, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert one of these nondiscrimination clauses in every contract subject to the Act and the Regulations.
4. That the Recipient shall also insert into every relevant contract a clause stating that the contractors will not discriminate against any employee or applicant for employment because of Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, these assurances shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of

**CHAIRMAN**

Mayor  
Laura Thomas

**VICE-CHAIRMAN**

Judge Executive  
Chuck Caudill, Jr.

**TREASURER**

Mayor  
Tom Burns

**SECRETARY**

Judge Executive  
Jeff Dobson

**BOARD OF DIRECTORS**

**County Judge Executives**

Jeff Noble - Breathitt Co.  
Jeff Dobson - Knott Co.  
Chuck Caudill - Lee Co.  
William R. Lewis - Leslie Co.  
Terry Adams - Letcher Co.  
Cale Turner - Owsley Co.  
Scott Alexander - Perry Co.  
Raymond Banks - Wolfe Co.

**Mayors**

Laura Thomas - Jackson  
Tracy Neice - Hindman  
Scott Cornett - Pippa Passes  
Scott Jackson - Beattyville  
Carol Joseph - Hyden  
Susan Polis - Fleming-Neon  
Tiffany Craft - Whitesburg  
Todd DePriest - Jenkins  
Nelson Bobrowski - Booneville  
Ernest Back - Vicco  
Donald "Happy" Mobilini - Hazard  
Tom Burns - Buckhorn  
Kathi May - Campton

**Citizen Members**

Roy Darrell Herald  
Gary Campbell  
Ray D. Moore  
Larry Parke  
Larry Perkins  
Zach Sandlin  
Tara Caldwell  
Doug Brandenburg  
Hiram Cornett  
Eugene Stewart  
Fred Hall  
Jack Burkich  
Dale Bishop  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**

Michelle Allen

E-Mail: michelle@kradd.org  
FAX NUMBER 606-436-2144  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)



# Kentucky River

AREA DEVELOPMENT DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

- CHAIRMAN**  
Mayor  
Laura Thomas
- VICE-CHAIRMAN**  
Judge Executive  
Chuck Caudill, Jr.
- TREASURER**  
Mayor  
Tom Burns
- SECRETARY**  
Fred Hall
- PARLIAMENTARIAN**  
Judge Executive  
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**BOARD OF DIRECTORS**

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Kathi May - Campton
- Citizen Members**  
Roy Darrell Herald  
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Larry Parke  
Larry Perkins  
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Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**  
Michelle Allen

E-Mail: michelle@kradd.org  
FAX NUMBER 606-436-2144  
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(Hearing Impaired)

real property, these assurances shall extend to rights to space on, over, or under such property.

7. That these assurances obligate the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property, or real property, or interest therein, or structures, or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

8. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the delegated authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

9. 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, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the programs administered by the Recipient and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Signed and approved this 29 day of October, 2021.

Michelle Allen, Executive Director  
Kentucky River Area Development District

1.2 KRADD Title VI Policy Statement



**Kentucky River** AREA DEVELOPMENT DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

**Kentucky River Area Development District  
Title VI Policy  
Employee Acknowledgement Form**

- CHAIRMAN**  
Mayor  
Laura Thomas
- VICE-CHAIRMAN**  
Judge Executive  
Chuck Caudill, Jr.
- TREASURER**  
Mayor  
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Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon
- Executive Director**  
Michelle Allen
- E-Mail: michelle@kradd.org  
FAX NUMBER 606-436-2144  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance (42 U.S.C. 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964, it is the policy of the Kentucky River Area Development District will not be excluded participation in, deny the benefits of, or subject to discrimination any individual on the grounds of Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income.

All Kentucky River Area Development District employees are expected to consider, respect, and observe this policy in their daily work responsibilities and interactions with other employees, clients, and the public. Kentucky River Area Development District employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage and take prompt and reasonable action to avoid or minimize discrimination incidences. If another employee, client, or citizen approaches with a question, concern, or complaint regarding discrimination, please refer them to Kentucky River Area Development District's Title VI Coordinator.

This policy shall be prominently posted in all personnel offices, EEO offices, and on the Kentucky River Area Development District's internal website.

Signed and approved this 29 day of October, 2021.

  
Michelle Allen, Executive Director  
Kentucky River Area Development District

## 2.0 Introduction & Description of Services

KRADD submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

KRADD is a sub-recipient of FTA and Regional Transportation Funds and provides service in the Kentucky Counties of Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry and Wolfe, also known as the Kentucky River Area.

Title VI Coordinator  
 Eunice Holland  
 Title VI Coordinator  
 941 N. Main St.  
 Hazard, Kentucky 41701  
 Phone: 606-436-6158

KRADD must designate a coordinator for Title VI issues and complaints within the organization. The coordinator is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Coordinator include:

- ◆ Maintain knowledge of Title VI requirements.
- ◆ Attend training on Title VI and other nondiscrimination authorities when offered by KYTC or any other regulatory agency.
- ◆ Participating in the design, development, and dissemination of the Title VI information to the public via the Notification of Beneficiaries
- ◆ Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- ◆ Preparing required reports
- ◆ Annually updating the KRADD Title VI Program Plan
- ◆ Implement procedures for the prompt processing of Title VI complaints.

## 2.1 Program Review Procedures

KRADD is responsible for the following under Title VI:

- ◆ Collecting and analyzing data on minority and low income populations to determine the potential impact of proposed plans, programs and projects
- ◆ Ensuring all contract documents contain the appropriate Title VI provisions
- ◆ Consulting with the KYTC Title VI Officer, Coordinator or Liaison and the OCRSBD Executive Director when complaints are received or issues arise during a public hearing/meeting
- ◆ Ensuring that all people are treated equitably regardless of Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income
- ◆ Monitoring Title VI accomplishments, notifying the Title VI Officer, Coordinator or Liaison of problem areas and summarizing activities for inclusion in the Title VI Plan Update



- ◆ Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects and activities
- ◆ Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on Race, Color, National Origin, Sex, Age (Over 40), Religion, Sexual Orientation, Gender Identity, Veteran Status, Disability, Limited English Proficiency, or Low Income
- ◆ Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts
- ◆ Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference
- ◆ Providing reasonable accommodations, information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons

The KYTC Title VI Officer, Coordinator or Liaison will review all ADDs and MPOs triennially using FHWA’s Non-discrimination/Title VI Review Guidelines. The KYTC Title VI Officer, Coordinator or Liaison will collaborate with Program Area Title VI Liaisons to conduct periodic pre-grant and post-grant reviews of select sub-recipients of FHWA funds or other federal funds for other roadway projects (i.e. bridges) to ensure adherence to Title VI requirements. Sub-recipients are selected using a risk-based method; reviews use a combination of desk audits and onsite. Appropriate staff members will routinely confirm that guidelines provided to consultants, contractors, and sub-recipients include Title VI language, provisions and related requirements, where applicable.

## **2.2 Programs or Activities Subject to Title VI**

- A. U.S. Housing and Urban Development’s Community Development Block Grant (CDBG), U.S. Federal Highway Administration funding. U.S. Health and Human Services, Administration for Community Living programs. Funds are designated for the following program areas:
- Housing
  - Community Projects
  - Public Services
  - Public Facilities
  - Economic Development
  - Community Emergency Relief Fund
  - Transportation
  - Administration for Community Living

The U.S. Department of Housing and Urban Development (HUD) funded Community Development Block Grant (CDBG) program for DLG, Federal Highway Administration, Department of Labor, Health and Human Services, Administration for Community Living to provide assistance to communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities, providing workforce development to the Kentucky River region, and the provision of services for our Senior Citizens.

- B. Land and Water Conservation Fund (LWCF) provides federal grant funds to protect important natural areas, to acquire land for outdoor recreation and to development or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trail, nature areas, and passive parks. Potential Beneficiaries: Cities and counties, state and federal agencies are eligible to apply for funding. The maximum grant amount is \$75,000. The minimum amount is \$5,000. It is a 50% matching reimbursement program.
- C. The Recreational Trails Program provides grant funds to develop and renovate recreation trails for both motorized and non-motorized use. It does not fund equipment such as mowers and gators. Potential Beneficiaries: Eligible applicants are city and county governments, state and federal agencies, and non-profit organizations.
- D. The Appalachian Regional Commission is a federal-state economic development program. To assist in the economic development of Appalachia through a diversity of projects in the areas of public infrastructure (water, sewer, solid waste, housing, and telecommunications), human resource development (education/workforce development, affordable/accessible healthcare, and leadership development) and business/entrepreneurial development. Potential Beneficiaries: Local governments, special districts, and non-profit entities that include Kentucky's 51 most eastern and south-central Counties are eligible to apply for the grant dollars. Thirty-two 'distressed' counties also have access to a separate restricted allocation of funds.
- E. The National Forest Receipts program provides 'pass-through' funds to counties. The State Local Finance Officer receives notice of wire transfer from the US Department of Agriculture Forest Service for funds to be distributed annually to various counties. Potential Beneficiaries: Counties. The Flood Control Receipts program provides 'pass-through' funds to counties. The State Local Finance Officer receives a check annually from the US Army Corps of Engineers. The check is deposited with the Kentucky State Treasurer, authorization for payment to Counties is processed and checks are then prepared to send this money to the Counties in accordance with the statement from the federal government which was enclosed with the check. Potential Beneficiaries: Counties.

The Kentucky Infrastructure Authority administers two federal grant programs from the Environmental Protection Agency:

1. Capitalization Grants for Clean Water State Revolving Funds provides assistance for (1) construction of publicly owned wastewater treatment works; and (2) nonpoint source management activities. Funds are loaned to local government entities.
2. Capitalization Grants for Drinking Water State Revolving Funds provides assistance for infrastructure improvement projects that are needed to achieve or maintain compliance with Safe Drinking Water Act requirements, protect public health, and assist systems with economic need. Funds are loaned to local government entities.

## 2.3 Special Emphasis Areas

The Kentucky Transportation Cabinet has continued to provide and monitor Title VI training for all of KRADD Employees and Board of Directors. The Kentucky River ADD conformed to the assessment provided by KYTC in 2015 and has continued to conduct annual Title VI training in 2016, 2017, 2018, 2019 and 2020.

One-hundred percent of the Kentucky River Area Development employees and Board of Directors completed the required annual Title VI training during 2020. The next annual Title VI training will be conducted in 2021.

Kentucky River Area Development District employees are still required to undergo Title VI training during new employee orientation. The Title VI Coordinator provided a video teleconference training at the KRADD Board of Directors Meeting in October 2020. The training was directed toward KRADD employees and Board of Directors.

### **Title VI Special Emphasis Areas**

- Planning
- Professional Services

These two special emphasis areas were chosen as those are the services provided by KRADD employees. Trends and patterns of discrimination will be monitored through socioeconomic analysis, as well as environmental justice analysis in each area while working on projects in the KRADD service area.

## 2.4 Responsible Officials

### **Executive Director, Kentucky River Area Development District**

The Executive Director is responsible for the ADD's adherence and compliance with Title VI via program implementation and policy development.

The Kentucky River Area Development District is responsible for the following:

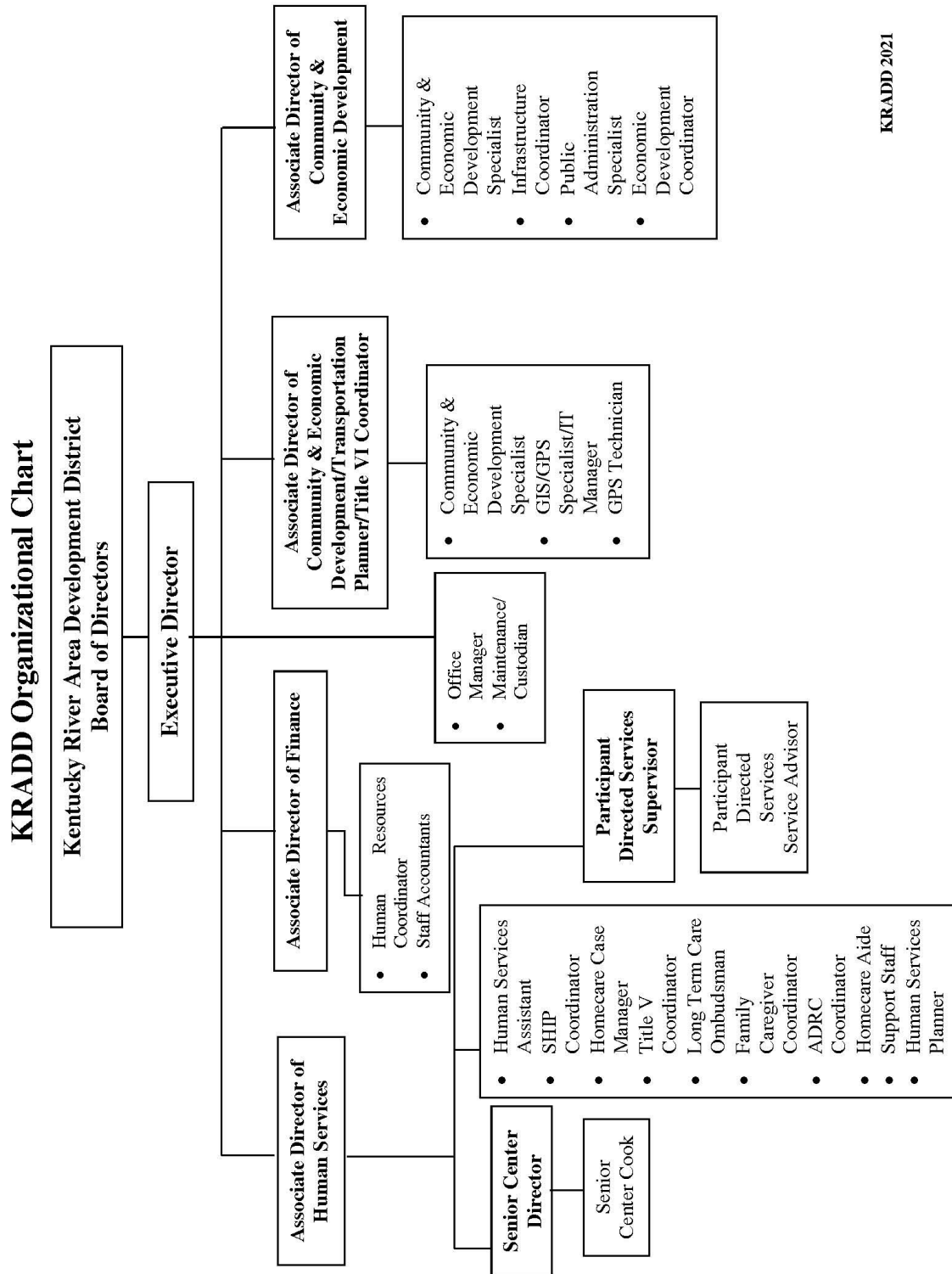
- Monitoring Equal Employment Opportunity programs, including enforcement of Titles VI and VII of Civil Rights Act
- Investigating all complaints of discrimination based on race, color, national origin, sex, religion, disability, age, sexual orientation, veteran status, income level or Limited English Proficiency (LEP)

### **Title VI Coordinator or Liaison**

The Title VI Coordinator/Liaison is responsible for the oversight and coordination of KRADD's compliance with Title VI and all related statutes, regulations and directives. The Title VI Coordinator has direct access to the KRADD Director. General responsibilities of the Title VI Coordinator include but are not limited to the following:

- Establishing procedures for processing Title VI program reviews
- Coordinating training Title VI training for KRADD Board of Directors and staff
- Preparing required reports
- Providing guidance and advice on the Title VI Program to KRADD staff using a multi-year approach
- Participating in the design, development, and dissemination of Title VI information to the public via the Notification to Beneficiaries
- Annually updating KYTC's Title VI Program Plan

2.5 KRADD Organizational Chart



KRADD 2021

## **KRADD Title VI Reporting Structure**



## 2.6 First Time Applicant Requirements

*FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.*

KRADD is not a first time applicant for KYTC funding. The following is a summary of KRADD's current and pending federal and state transportation funding.

### Current and Pending FTA Funding

Regional Transportation Planning, FY 2020 \$80,567 State + \$8,952 Local

Regional Transportation Planning, FY 2021 \$83,254 State + \$9,250 Local

## 2.7 Annual Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

KRADD will remain in compliance with this requirement by annual submission of certifications and assurances as required by all applicable State and Federal Agencies.

## 2.8 Title VI Plan Concurrence and Adoption

This Title VI Plan received KYTC concurrence on December 8, 2021. The Plan was approved and adopted by KRADD's Board of Directors during a meeting held on December 8, 2021. A copy of this adoption is in Appendix I.

### 3.0 Title VI Notice to the Public

*FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.*

### 3.1 Notice to the Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- ◆ A statement that the agency operates programs without regard to race, color and national origin
- ◆ A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- ◆ A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

### 3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of KRADD's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of KRADD's office including the reception desk and on the KRADD's website at [www.kradd.org](http://www.kradd.org).



## 4.0 Title VI Procedures and Compliance

*FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.*

Throughout the year, the Title VI Coordinator periodically meets with the Executive Director and Associate Directors of KRADD to review the policies and procedures relative to Title VI. This includes, but is not limited to, a review of files and statistics of complaints received for investigation and services offered to recipients and beneficiaries of KRADD's services.

Self-surveys are periodically completed to examine all facets of the programs offered by KRADD. The Office for Civil Rights and Small Business Development (OCSBD) will also conduct onsite reviews and assessments on a triennial basis. Instances of which the onsite and/or survey reveals that KRADD or one or more of its programs is not in compliance with Title VI an investigation will be conducted by the Title VI Coordinator. Records of the self-survey and efforts put forth to bring the agency into compliance will be maintained. These will include correspondence, resolution and corrective action.

In the event of noncompliance with this plan, or applicable regulations and laws are determined via a complaint investigation or through the self-survey process, KRADD will make every effort to attain full compliance.

The Title VI Coordinator shall notify the appropriate program head in the event a complaint investigation, compliance review or self-survey indicates noncompliance. The notification shall state the condition of non-compliance, recommended approach to correct the situation, and the period for the response and corrective action. The Title VI Coordinator may conduct an interview to consult with the program head regarding the correct approach to remedy noncompliance.

## 4.1 Complaint Procedure

Any person who believes that he/she or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, national origin, sex, age, religion, sexual orientation, gender identity, Veteran status, disability, limited English proficiency, or low income may file a written complaint. The complaint may be filed by the affected individual or a representative.

### **Timeframe for Filing Complaints and Contact Information:**

Complaints should be filed within 180-calendar days from the date of the alleged discriminatory act. Complaints should be submitted in writing and signed and may be filed via mail, fax, in person, or email (which includes a copy of the signed/dated complaint as an attachment); for any person requiring a reasonable accommodation to the contact address listed below:

Executive Director  
 Kentucky River Area Development District  
 941 N. Main Street  
 Hazard, KY 41701  
 Phone: 606-436-3158  
 Fax: 606-436-2144

Allegations of discrimination received by fax or e-mail will be acknowledged and processed.

Allegations received by phone will be reduced to writing and provided to the complainant for confirmation or revision before processing.

### **Submitting Complaints and Receipt of Complaints**

Complaints should be submitted in the following format with the listed information:

- ◆ A signed (by the complainant or the complainant's representative) written explanation of what has happened
- ◆ The complainant's contact information
- ◆ Identification of the respondent, e.g. agency/organization alleged to have discriminated
- ◆ Sufficient information regarding the facts that led the complainant to believe that discrimination has occurred
- ◆ Date (s) of the alleged discriminatory act (s)
- ◆ Signature of the complainant or the complainant's representative

After receipt of the complaint, the Title VI Coordinator shall acknowledge the receipt in writing to the complainant. The acknowledgement shall include notification that an investigation will be conducted within 10 business days. A copy of the complaint and the acknowledgment will then be forwarded to the Kentucky

Transportation Cabinet (KYTC) ADA/Title VI Program Coordinator. Once the complaint is received, KRADD will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

The Title VI Coordinator shall conduct a full investigation, when warranted, and furnish a preliminary written report, including recommendations for resolution to KRADD Executive Director for a final determination. Personnel trained in compliance investigations will conduct investigations.

KRADD Executive Director shall notify the complainant of the final decision within 10 business days of completion of the investigation and a copy of the decision will be forwarded to the KYTC ADA/Title VI Program Coordinator.

KRADD Executive Director shall further notify the complainant of his or her right to appeal the decision to the KYTC ADA/Title VI Program Coordinator if the decision is not acceptable. Appeals should be made in writing and forwarded to the address below:

Attn: ADA/Title VI Program Coordinator  
Office for Civil Rights and Small Business Development (OCRSBD)  
200 Mero Street, Sixth Floor West  
Frankfort, KY 40622  
Phone: 800-928-3079 or 502-564-3601  
Fax: 502-564-1491

The entire procedure as outlined shall be completed within 60 days.

Records pertaining to complaints, inquiries and investigations will be maintained by the Kentucky River Area Development District.

#### **B. Agencies Authorized to Receive Complaints**

Complaints may be submitted to Kentucky River Area Development District (KRADD), Federal Highway Administration (FHWA), Kentucky Transportation Cabinet (KYTC), the United States Department of Transportation (U.S. DOT), and the U.S. Department of Justice (U.S. DOJ).

#### **C. Processing Complaints**

Complaints filed with the KRADD in which KRADD is named as the Respondent, shall be forwarded to KYTC to the attention of: ADA/Title VI Program Coordinator for processing within three (3) days of receipt.

In special cases warranting intervention to ensure justice, the FHWA may assume jurisdiction and either complete or obtain services to review or investigate a matter. Materials already obtained by State investigators may be relied upon or supplemented or the matter may be reinvestigated.

In accordance with the regulations at 23 CFR 200.9(b)(3), a copy of the complaint, together with a copy of KRADD report of the investigation, shall be forwarded to the KYTC ADA/Title VI Program Coordinator within 60 days of the date the complaint was received by KRADD. An extension of an additional 60 days may be

granted by the KYTC for justifiable reasons. KYTC will forward the complaint, through the FHWA Division Office, for review and issuance.

**D. Acceptance and/or Dismissal of Complaints**

When any element of KRADD receives an inquiry, comment, or complaint, which alleges or implies discrimination as addressed by Title VI of the Civil Rights Act of 1964, a copy is forwarded immediately to the KYTC ADA/Title VI Program Coordinator. The original document will be forwarded to KYTC ADA/Title VI Program Coordinator, which is responsible for logging in the document and maintaining the required statistical data.

The KRADD Executive Director and KYTC ADA/Title VI Program Coordinator, or his designee in the Civil Rights office will discuss the matter to determine if it constitutes a Title VI complaint. If it is determined that the issues do not meet a Title VI complaint, the KRADD Executive Director will submit the appropriate response to KYTC ADA/Title VI Program Coordinator.

If it is determined that the issues constitute a Title VI complaint, the KRADD Executive Director or the Title VI Coordinator will determine responsibility and the need for additional information. KRADD may request additional information and/or clarification. KRADD shall maintain a log of complaints filed with and investigated by KRADD.

The KRADD Executive Director will respond in writing, acknowledging receipt of complaint within 10 days from date of receipt. After reviewing the complaint,

The OCRSBD Executive Director may recommend dismissal of a complaint for any of the following reasons:

1. The complaint filed in an untimely manner
2. The complaint does not allege a basis covered by the statutes for which KYTC is responsible
3. The complaint does not allege any harm with regard to covered programs or statutes
4. The complainant requests the withdrawal of the complaint
5. The complainant fails to respond to repeated requests for additional information needed to process the complaint
6. The complainant cannot be located after reasonable attempts
7. The complainant fails to accept a reasonable resolution. Reasonableness to be determined by the Headquarters Civil Rights (HCR) Office via the FHWA Division Office
8. The complainant has filed a legal action in Federal District Court with the same basis and issue(s) involved in the complaint
9. The same complaint's allegations have been filed with another federal, state, or local agency

Acceptance of a complaint will be determined by the following:

1. Timely filing of the complaint
2. If the allegations involve a covered basis such as race, color, sex, age, national origin, disability, or retaliation
3. If the allegations involve a program or activity of a federal aid recipient, sub - recipient, or contractor

All complaints received by KRADD will be logged for tracking purposes.

**E. Withdrawal of a Complaint**

The complainant may withdraw his or her complaint at any time after filing and prior to the issuance of a determination or resolution by the KRADD. The complainant must submit a signed written withdrawal to the following:

Michelle Allen, Executive Director  
 Kentucky River Area Development District  
 941 N. Main Street  
 Hazard, KY 41701  
 Phone: 606-436-3158  
 Fax: 606-436-2144

**F. Appeal Process**

If a complaint cannot be resolved by the KRADD to the satisfaction of the complainant, the complainant may appeal, in writing, to the following:

Attn: ADA/Title VI Program Coordinator  
 Office for Civil Rights and Small Business Development (OCRSBD)  
 200 Mero Street, Sixth Floor West  
 Frankfort, KY 40622  
 Phone: 800-928-3079 or 502-564-3601  
 Fax: 502-564-1491

Discrimination complaints may be filed with the KYTC before, during, or after the complaint has been filed with the KRADD.

This procedure does not deprive the complainant his or her right to file a complaint with:

- The U.S. Department of Transportation: [www.dot.gov](http://www.dot.gov)
- The U.S. Department of Justice: [www.usdoj.gov](http://www.usdoj.gov)
- Federal Highway Administration: [www.fhwa.dot.gov](http://www.fhwa.dot.gov)

**G. Final Agency Reports**

The Headquarters Civil Rights (HCR) Office via the FHWA Division Office will issue all Final Agency Decisions (FADs) and dismissals. KYTC will forward, through the FHWA Division Office, the investigative report, investigative file, and a recommended decision to the Chief, Investigations, and Adjudications.

The Department of Justice's Civil Rights Division takes the position that a Title VI finding of violation or no violation is a federal decision that cannot be delegated. Although a state recipient can conduct a Title VI investigation of its sub-recipients or contractors and make a recommendation to the federal decision making authority, KYTC must submit its proposed dispositions to FHWA for a Final Agency Decision. The HCR may request that further investigation be undertaken if the record of evidence is incomplete.

## 4.2 Record Retention and Reporting Policy

KRADD's Title VI Plan will be submitted to all applicable State and Federal Agencies as needed. Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

## 4.3 KRADD Title VI Training Plan

KRADD will provide written notice to all current employees and Board of Directors concerning the KRADD's commitment to assuring compliance with Title VI. For new employees, there will be a Title VI module conducted during New Employee Orientation. The KRADD Title VI Coordinator will attend and subsequently disseminate the benefit of the training to KRADD staff.

As a part of the Sub-recipient Monitoring Program the KYTC Title VI Officer, Coordinator, or Liaison will conduct reviews and KRADD will be provided with explanatory materials and technical assistance as necessary to ensure their knowledge of, and compliance with Title VI requirements.

To aid in these efforts the OCRSBD developed the Title VI/Nondiscrimination Reference Guide for Sub-recipients. The guide serves as a point of reference and provides guidance for sub-recipients to better comprehend and comply with Title VI and the related nondiscrimination laws and regulations which are applicable to federal financial assistance that is awarded through KYTC.

Moving forward KRADD plans to continue its training efforts by implementing and providing in person training to employees, sub-recipients, and stakeholders.

Training was held on November 4, 2020 to staff members through email correspondence and November 4, 2020 during the Board of Directors meeting for members of the Board. Training for 2021 is scheduled for December 6, 2021 for staff members through email correspondence and December 8, 2021 during the Board of Directors meeting for members of the Board. Training will be conducted annually as needed.

## 4.4 Contractors and Subcontractors

KRADD is responsible for ensuring that contractors are in compliance with Title VI requirements. Contractors may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. KRADD contractors and subcontractors may not discriminate in their employment practices in connection with federally assisted projects. Contractors and subcontractors are not required to prepare or submit a Title VI Plan.

### Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “Contractor”) must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, “USDOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor’s obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Kentucky Transportation Cabinet, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the Kentucky Transportation Cabinet, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, KRADD shall impose contract sanctions as appropriate, including, but not limited to:
  - A. Withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - B. Cancellation, termination or suspension of the contract, in whole or in part.
  
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the KRADD, Kentucky Transportation Cabinet, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.



**5.0 Title VI Investigations, Complaints, and Lawsuits**

*FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.*

In accordance with 49 CFR 21.9(b), KRADD must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by KRADD in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to Kentucky Transportation Cabinet.

KRADD has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years of calendar years 2019, 2020, or 2021. A summary of these incidents is recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				
<b>Lawsuits</b>				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				
<b>Complaints</b>				
1. None Filed	None Filed	None Filed	None Filed	None Filed
2.				

## 6.0 Public Participation Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.*

The Public Participation Plan (PPP) for KRADD was developed to ensure that all members of the public, including minorities, disabled, low income and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for KRADD. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about KRADD services and to provide a means for considering public comment. The PPP is included as Appendix D to this Title VI Plan.

### Current Outreach Efforts

KRADD is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of KRADD's recent, current, and planned outreached activities.

- ◆ Conduct local or regional public/information meetings as requested
- ◆ Utilizing the KRADD newsletter to reach, educate and inform the public on various programs
- ◆ Conducting meetings with local officials and interested community leaders
- ◆ Using e-mail lists to provide information materials to interested persons and agencies
- ◆ Using advisory committees/groups to include a more diverse group of individuals and representation of the region.
- ◆ Utilizing the KRADD Website and Facebook to post projects/information/comments and providing a link for public feed back
- ◆ Address civic groups, chamber of commerce, tourism, and government meetings
- ◆ Attending fiscal court and city council meetings
- ◆ Utilizing local newspapers to help reach more sectors of the public
- ◆ Conduct public meetings at county courthouse, city hall, or local community centers
- ◆ Utilize existing services/programs at the KRADD to distribute information (i.e. Child Care, Housing, Aging) this could provide more opportunities to reach low-income, minority, and elderly populations
- ◆ Utilize local county and city access radio stations
- ◆ Use surveys in newsletters, mail-outs, e-mails, etc. to gain public input

## 7.0 Language Assistance Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).*

KRADD conducts regional planning within the Kentucky River Area of Eastern Kentucky. The Language Assistance Plan (LAP) has been prepared to address KRADD's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the KRADD service area there are 99,611 residents with 0.43 percent that speak a language other than English or who describe themselves as not able to communicate in English very well (Source: US Census 2019 American Community Survey 5 Year Data 2015-2019 Table B16004 Total Population Speak English Less Than Very Well). KRADD is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The KRADD has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop LAP. The LAP is included in this Title VI Plan as Appendix E.

## 8.0 Data Collection/Reporting/Analysis

Statistical data on race, color, national origin, sex, age, disability, and LEP of participants in and beneficiaries of the KRADDs programs, (i.e., affected populations, and participants) will be gathered, analyzed, and maintained by the District to determine the transportation investment benefits and burdens to the population, including minority and low-income populations. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration.

Analysis of the data collected by the program emphasis areas may include:

- The race, color, national origin, sex, age, disability, income and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment
- Persons to include in the decision making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Strategies to address impacts
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- The present or proposed membership, by race, color, national origin, sex, disability and age, in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information

## 8.1 Environmental Justice

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions, in minority and low-income communities, to promote non-discrimination in federal programs substantially affecting human health and the environment and to provide minority and low-income communities access to public information on and an opportunity for public participation in matters relating to human health or the environment.

The KRADD will utilize the US Census Bureau data, the American Community survey data, and the following checklist to identify targeted populations:

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions
- Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially

## 8.2 Categorical Exclusion

Per 40 C.F.R 1508.4 categorical exclusion means a category of actions, which do not individually or cumulatively have a significant effect on the human environment and for which, therefore neither an environmental assessment nor an environmental impact statement, is required.

Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and based on experience with similar actions do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area, do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns and do not otherwise, either individually or cumulatively have any significant environmental impacts (23 C.F.R. 771.117(a)).

Any action normally classified as a CE, but could involve unusual circumstances, will require the Administration, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include (23 CFR 771.117(b)):

- Significant environmental impacts

- Substantial controversy on environmental grounds

- Significant impact on properties protected by Section 4(f) of the DOT Act or section 106 of the National Historic Preservation Act

- Inconsistencies with any federal, state, or local law, requirement or administrative determination relating to the environmental aspects of the action

A specific list of CEs that normally do not require any NEPA documentation or FHWA approval is set forth in 23 CFR 771.117(c). Other projects, pursuant to 23 CFR 771.117(d), may also qualify as CEs if appropriately analyzed, documented and approved by FHWA at the Division level.

### 9.0 Transit Planning and Advisory Bodies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.*

The KRADD Board consists of 40 members appointed by the appropriate elected official. KRADD will make efforts to encourage minority participation on the committee. These efforts are made by distributing information about the participation on the committee at public meetings and throughout the transit system.

**Table 2: Population by Race in KRADD Service Area and Transportation Committee in 2021**

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Service Area Population	97.57%	0.79%	1.08%	0.40%	0.16%	0.0%
Transportation	99%	0.0%	1%	0.0%	0.0%	0.0%

## 10.0 Title VI Equity Analysis

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.*

Title 49 CFR, Appendix C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, KRADD will ensure the following:

1. KRADD will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. KRADD will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, KRADD will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If KRADD determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, KRADD may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. KRADD must demonstrate and document how both tests are met. KRADD will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The KRADD has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, KRADD does not have any Title VI Equity Analysis reports to submit with this Plan. Your Community Transit will utilize the demographic maps included in Appendix F for future Title VI analysis.



**11.0 Review of STA Directives**

State Procedures, Manuals, and Directives Applicable to the Federal Highway Administration (FHWA) programs

The KYTC’s Title VI Implementation Plan is designed to comply with the statues and requirements under the law and as directed by FHWA to accomplish the goals of the Title VI Act of 1964. The table below is a list of internal and external manuals that include procedures and directives used by the Kentucky Transportation Cabinet that pertain to the KRADD Regional Transportation Planning and Section 5304 Transit Planning programs.

<b>DIVISION/OFFICE</b>	<b>PROCEDURES, MANUAL, DIRECTIVE</b>
Environmental Analysis	Information, Procedures, and Guidance Manual
Highway Design	Access Management Manual (Revised 3/2017)
Highway Design	Guidelines for Pedestrian & Bicycle Accommodations (Revised 3/2017)
OCRSBD	DBE Program Policy Statement (Revised 6/2016) KYTC Title VI/Nondiscrimination Guidebook for Sub-recipients (Revised 6/2017)
Office of Local Programs	Transportation Enhancement, Transportation Alternatives Program, Transportation Community and System Preservation
Office of Transportation Delivery	Oversight and implementation of various statewide public transit grants. Transportation grants offer general public transit services and assist in the mobility for the elderly, low income, and persons with disabilities
Professional Services	Professional Services Guidance Manual (Revised 3/2017)

**Training Resources**

Fundamentals of Title VI/Environmental Justice: Presents a framework for using a variety of approaches and tools for accomplishing environmental justice goals in federal aid programs and other transportation projects. National Highway Institute (NHI) <http://www.nhi.fhwa.dot.gov/default.aspx>

Preventing Discrimination in the Federal-Aid Program: Participants learn how to apply Title VI, as well as how to integrate law and regulation implementation in each federal aid highway project from an interdisciplinary approach. FHWA Resource Center <http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/index.cfm>

**Federal-aid Essentials**

Offers a central online library of informational videos and resources, designed specifically for local public agencies. <http://www.fhwa.dot.gov/federal-aidessentials/index.cfm>

**12.0 Sub-Recipient Review**

KRADD currently does not currently have sub-recipients.

## 13.0 Appendices

APPENDIX A	General Reporting Requirements	35
APPENDIX B	Title VI Notice to Public	37
APPENDIX C	Title VI Complaint Form	40
APPENDIX D	Public Participation Plan	45
APPENDIX E	Language Assistance Plan	48
APPENDIX F	KRADD Service Area and Demographic Maps	53
APPENDIX G	KRADD Service Area Language Data	58
APPENDIX H	Glossary	62
APPENDIX I	Employee LEP Frequency Survey	67
APPENDIX J	Title VI Plan Adoption and Approval	71

**APPENDIX A**  
**General Reporting Requirements**

Every three years, on a date determined by Federal Transit Administration (FTA), each recipient is required to submit the following information to the FTA as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

### **General Requirements**

*All recipients must submit:*

- ◆ Title VI Notice to the Public, including a list of locations where the notice is posted
- ◆ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ◆ Title VI Complaint Form
- ◆ List of transit-related Title VI investigations, complaints, and lawsuits
- ◆ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ◆ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ◆ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ◆ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ◆ A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- ◆ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ◆ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

**APPENDIX B**  
**Title VI Notice to Public**



# Kentucky River

AREA DEVELOPMENT DISTRICT

941 N. MAIN ST. • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

**CHAIRMAN**

Mayor  
Laura Thomas

**VICE-CHAIRMAN**

Judge Executive  
Chuck Caudill,

Jr.

**TREASURER**

Mayor  
Tom Bums

**SECRETARY**

Fred Hall

**PARLIAMENTARIAN**

Judge Executive  
Jeff Dobson

**BOARD OF DIRECTORS**

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Jeff Noble - Breathitt Co.  
Jeff Dobson - Knott Co.  
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Raymond Banks - Wolfe Co.

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Susan Polis - Fleming-Neon  
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Tom Bums - Buckhorn  
Kathi May - Campton

**Citizen Members**

Roy Darrell Herald  
Gary Campbell  
Ray D. Moore  
Larry Parke  
Larry Perkins  
Zach Sandlin  
Tara Caldwell  
Doug Brandenburg  
Hiram Cornett  
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Dale Bishop  
Derrick Bowling  
Lonnie Brewer  
Gregory Whitson  
Meriwether Wash-Hall  
Pam Pilgrim  
Craig Lindon

**Executive Director**

Michelle Allen

E-Mail: michelle@kradd.org  
FAX NUMBER 606-436-2144  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

## Notifying the Public of Rights under Title VI

### Kentucky River Area Development District (KRADD)

- ◆ KRADD operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with KRADD.
- ◆ For more information on KRADD's civil rights program, and the procedures to file a complaint, contact the KRADD at:

Address: 941 N. Main St., Hazard, KY 41701

Phone: 606-436-3158

TDD 1-800-247-2510

Email: [eunice.holland@kradd.org](mailto:eunice.holland@kradd.org)

For more information, visit [www.kradd.org](http://www.kradd.org).

- ◆ If information is needed in another language, contact 606-436-3158. Una versión traducida de este documento puede estar disponible a petición.



# Kentucky River

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DEVELOPMENT  
DISTRICT

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TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

## Notificación al público de derechos bajo el título VI

### Distrito de desarrollo del área del río Kentucky (KRADD)

◆ KRADD opera sus programas y servicios sin tener en cuenta la raza, el color y el origen nacional de acuerdo con el título VI de la ley de derechos civiles. Cualquier persona que crea que ella o él ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el título VI puede presentar una queja ante KRADD.

◆ Para más información sobre el programa de derechos civiles de KRADD y los procedimientos para presentar una queja, comuníquese con el KRADD a:

Dirección: 941 N. Main St., Hazard, KY 41701

teléfono: 606-436-3158

TDD 1-800-247-2510

email: [eunice.holland@kradd.org](mailto:eunice.holland@kradd.org)

para más información, visite [www.kradd.org](http://www.kradd.org).

◆ Si necesita información en otro idioma, comuníquese con 606-436-3158.

**APPENDIX C**  
**Title VI Complaint Form**





# Kentucky River

AREA  
DEVELOPMENT  
DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

## Title VI Complaint Form

**CHAIRMAN**

Mayor  
Tracy Neice

**VICE-CHAIRMAN**

Gregory Whitson

**TREASURER**

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Shirley Halcomb

**Executive Director**

Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

<b>Section I:</b>			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Require- ments?	Large Print		Audio Tape
	TDD		Other
<b>Section II:</b>			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
<b>Section III:</b>			
I believe the discrimination I experienced was based on (check all that apply):			
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age (Over 40) <input type="checkbox"/> Religion <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Gender Identity			
<input type="checkbox"/> Veteran Status <input type="checkbox"/> Disability <input type="checkbox"/> Limited English Proficiency <input type="checkbox"/> Low Income <input type="checkbox"/> Other _____			
Date of Alleged Discrimination (Month, Day, Year):			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.			
<b>Section IV</b>			
Have you previously filed a Title VI complaint with this agency?		Yes	No



# Kentucky River

AREA DEVELOPMENT DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

## Title VI Complaint Form Page 2

**CHAIRMAN**  
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Tracy Neice

**VICE-CHAIRMAN**  
Gregory Whitson

**TREASURER**  
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Laura Thomas

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Pam Pilgrim  
Shirley Halcomb

**Executive Director**  
Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

<b>Section V</b>
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
<b>Section VI</b>
Name of agency complaint is against:
Contact person:
Title:
Telephone number:
<b>Section VII</b>
Do you have an attorney regarding this matter? If yes, please provide attorney's contact information.
Name of Law Firm
Name of Representing Attorney
Mailing Address
City, State, Zip
Phone

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

We cannot accept an unsigned complaint. Please sign and date the complaint form below.

\_\_\_\_\_  
Complainant's Signature Date

Please submit this form in person at the address below, or mail/fax this form to:

Michelle Allen, Executive Director  
Kentucky River Area Development District  
941 N. Main St.  
Hazard, Kentucky 41701  
Fax: 606-436-2144

**FOR OFFICE USE ONLY**

Date Complaint Received: \_\_\_\_\_ Case # \_\_\_\_\_  
 Processed By: \_\_\_\_\_ Date Referred: \_\_\_\_\_  
 Referred To:  KYTC  Other \_\_\_\_\_



# Kentucky River

AREA DEVELOPMENT DISTRICT

941 NORTH MAIN STREET • HAZARD, KENTUCKY 41701 • PHONE 606-436-3158

## Plan del Título Seis

### CHAIRMAN

Mayor  
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### VICE-CHAIRMAN

Gregory Whitson

### TREASURER

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Laura Thomas

### SECRETARY

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Fred Hall

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Jack Burkich  
Dale Bishop  
Derrick Bower  
Lonnie Brewer  
Gregory Whitson  
Marjethel Wash-Hall  
Pam Pilgrim  
Shirley Halcomb

#### Executive Director

Michelle Allen

E-Mail  
FAX NUMBER 606-436-3154  
TDD NUMBER 1-800-247-2510  
(Hearing Impaired)

<b>Sección uno</b>			
Nombre:			
Habla a:			
Teléfono (Casa):		Teléfono (Trabajo):	
Dirección de correo electrónico:			
¿Se requiere formato accesible?	Letra grande		Cinta de audio
	TDD		Otra
<b>Sección Dos:</b>			
¿Está presentando esta queja en su propio nombre?		Si*	No
*Si respondió "sí" a esta pregunta, vaya a la Sección tres.			
De lo contrario, proporcione el nombre y la relación de la persona por la cual se está quejando:			
Explique por qué ha presentado una solicitud para un tercero:			
Confirme que ha obtenido el permiso de la parte perjudicada si está presentando una solicitud en nombre de un tercero.		Si	No
<b>Sección Tres:</b>			
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):			
<input type="checkbox"/> Carrera <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional <input type="checkbox"/> Sexo <input type="checkbox"/> Edad (más de cuarenta) <input type="checkbox"/> Religión <input type="checkbox"/> Orientación sexual <input type="checkbox"/> Identidad de género <input type="checkbox"/> estatus de veteran <input type="checkbox"/> Discapacidad <input type="checkbox"/> Dominio limitado del inglés <input type="checkbox"/> De bajos ingresos <input type="checkbox"/> Otra			
Fecha de presunta discriminación (mes, día, año):			
Explique lo más claramente posible qué sucedió y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de cualquier testigo. Si necesita más espacio, utilice el reverso de este formulario.			
<b>Sección Cuatro</b>			
¿Ha presentado previamente una queja de Título seis ante esta agencia?		Si	No



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# Kentucky River

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**Plan del Título Seis  
Página 2**

<b>Sección 5</b>
¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal? [ ] Sí [ ] No En caso afirmativo, marque todo lo que corresponda: [ ] Agencia Federal [ ] Corte federal [ ] Agencia del estado [ ] Tribunal estatal [ ] Agencia local
<b>Proporcione información sobre una persona de contacto en la agencia / tribunal donde se presentó la queja.</b>
Nombre:
Título:
Agencia:
Habla a:
Teléfono:
<b>Sección seis</b>
El nombre de la queja de la agencia es contra:
Persona de contacto:
Título:
Número de teléfono:
<b>Sección siete</b>
¿Tiene un abogado con respecto a este asunto? En caso afirmativo, proporcione la información de contacto del abogado.
Nombre de la firma de abogados:
Nombre del Abogado Representante:
Dirección de envío:
Código postal:
Teléfono:

**Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.  
No podemos aceptar una queja sin firmar. Firme y feche el formulario de queja a continuación.**

\_\_\_\_\_ **Firma del demandante** \_\_\_\_\_ **Fecha**

Envíe este formulario en persona a la dirección que figura a continuación o envíe este formulario por correo o fax a:

Michelle Allen, Executive Director  
Kentucky River Area Development District  
941 N. Main St.  
Hazard, Kentucky 41701  
Fax: 606-436-2144

**SÓLO PARA USO DE OFICINA**

**Fecha de recepción de la queja:** \_\_\_\_\_ **Caso #** \_\_\_\_\_  
**Procesado por:** \_\_\_\_\_ **Fecha de referencia:** \_\_\_\_\_  
**Referido a:** [ ] KYTC [ ] Otra \_\_\_\_\_

**APPENDIX D**  
**Public Participation Plan**

**Introduction**

The Kentucky River Area Development District (KRADD) will provide public involvement opportunities to allow all persons to be involved in the planning process and provide an avenue for the public voice to be heard by the key decision makers. This action will provide opportunity for all persons and interest groups to participate in the identification, evaluation, and recommendation of needs within the region. The KRADD will make every effort to include the disadvantaged and under-served populations (i.e. elderly, minority, low-income and disabled populations as well as all other effected populations in the region) on committees and/or in public meetings held for the purpose of soliciting input for plans, issues and/or projects.

The KRADD public participation plan will use a broad-brush approach because there is no overwhelming population center for the traditionally underserved, and the size of these populations is relatively small. Third party group members will be identified across the service area to aid in the outreach efforts of the traditionally underserved. The widespread use of newspapers, radio, and television can be used to potentially reach the underserved. Traveling exhibits may also be utilized during local events and strategically placed locations throughout the region to reach the underserved populations.

**List of Resources**

In order to expand participation opportunities, the Kentucky River ADD has initiated a list of resources for general and targeted outreach methods for the region. All of the items listed may not be used at the same time or may not be used at all, but could be used in the future by the ADD to include those persons who have been traditionally underserved by the existing transportation system and for the general participation procedures. The ADD maintains a detailed listing of contact information and may be obtained by contacting the ADD transportation planner.

**1. Third Party Groups**

The Kentucky River ADD will seek to increase public outreach to the underserved populations by contacting third party groups and asking for their assistance in creating public awareness concerning transportation related issues. The agencies, groups or people that wish to provide assistance can be utilized to distribute materials pertaining to the statewide planning process. The members may be able to utilize their brochures, newsletters, word of mouth, etc concerning public meetings, announcements of public review and comment periods for statewide planning documents by sharing and distributing the information with the populations they service. These groups may include, but not be limited to the following:

- ◆ Senior Citizen Centers
- ◆ Public Libraries
- ◆ Public Health Departments
- ◆ Public Transit Authorities
- ◆ NAACP
- ◆ Housing Authorities
- ◆ U.S Post Offices
- ◆ County/City Clerk’s Office
- ◆ United Way
- ◆ Churches
- ◆ Migrant Education Programs
- ◆ Adult Education Programs
- ◆ Chambers of Commerce
- ◆ Community Based Services
- ◆ Human Relations Commissions
- ◆ State Government Agencies
- ◆ Disabled American Veterans
- ◆ University of Kentucky Extension Service
- ◆ Historical Societies
- ◆ Local Tourism Groups

**2. Public Meetings**

The Kentucky River ADD will hold local or regional public information/input meetings as requested by the KYTC or by the RTC to provide additional opportunities for public comments related to transportation issues and the transportation planning process. The meetings will be held in-person or virtually, depending on requirements.

**3. KRADD Website & Facebook Page**

The Kentucky River ADD Website is located at [www.kradd.org](http://www.kradd.org) and has a link dedicated to the transportation planning process. The website provides an explanation of the planning process and its purpose, several documents and maps for review and information on upcoming meetings. This information is vital for the public participation process as it allows citizens the opportunity to understand the statewide planning process and take advantage of upcoming meetings. Further commitments to providing information will continue in an effort to make documents and forms electronically accessible formats for easy viewing. Virtual Meetings are broadcasted live on the KRADD Facebook page.

**4. Newspapers**

Information can be sent to the local newspapers in the region. While none are identified as targeting specific traditionally underserved audiences, all have the potential to have traditionally underserved subscribers. Information can be distributed to the newspapers relating to media releases with announcements of meeting dates and locations, announcements of documents available for public review and comment, and information about the statewide planning process.

**5. Radio**

Information can be sent to radio stations that serve the region. None are identified as targeting specific traditionally underserved audiences, but all have the potential to have traditionally served underserved listeners. Public meeting invitations can be sent to the stations along with media releases with announcements of meeting dates and locations and information about the statewide planning process or statewide documents available for public review and comment.

**6. Television**

Information can be sent to television stations that serve the region. This could include regular network broadcast stations as well as local cable access channels that may be available throughout the region. These channels can also be utilized in creating public awareness.

- ◆ Public Libraries
- ◆ U.S. Post Offices
- ◆ County Court Houses
- ◆ City Halls
- ◆ Local Community Centers
- ◆ Meeting Halls
- ◆ Churches
- ◆ Chambers of Commerce
- ◆ KYTC Highway District Office
- ◆ Area Development District
- ◆ Schools
- ◆ Public Housing Authorities
- ◆ Senior Citizens Centers/Housing
- ◆ Malls & Shopping Centers
- ◆ Special Event Locations
- ◆ Historical Societies
- ◆ Local Museums
- ◆ Other Identified Locations through Planning Process

**APPENDIX E**  
**Language Assistance Plan**



## I. Limited English Proficiency

KRADD provides planning services in the Kentucky River Region of Eastern Kentucky. The Language Assistance Plan (LAP) has been prepared to address KRADD’s responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In the KRADD service area, 0.43 percent speak a language other than English or who describe themselves as not able to communicate in English very well (Source: US Census). KRADD is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. KRADD has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled “Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) “ (hereinafter “Handbook”), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

The KRADD has an on-going commitment to ensure effective communication by developing and implementing policies and procedures for identifying and assessing the language needs of its LEP applicants/clients; and provide for a range of language assistance options, which include, but are not limited to the following:

- Conduct needs assessment
- Kentucky Relay Service – TDD/Voice Users
- “I Speak” cards
- Written language service
- Qualified Bilingual staff
- Access to qualified interpreters
- Community-based organizations/volunteers
- Develop written assessment
- Monitor and evaluation access to language assistance

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

## II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use KRADD services and identify needs for language assistance. This analysis is based on the “Four Factor Analysis” presented in the Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a KRADD program, activity, or service.
2. The frequency with which LEP persons come in contact with KRADD programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by KRADD to the LEP population.
4. The resources available to the KRADD and overall cost to provide LEP assistance.

**Who is a Limited English Proficient Person?**

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

- a. Factor 1: The number and proportion of LEP persons in the service area who may be served or are likely to encounter a KRADD program, activity, or service.

The Kentucky River Area Development District is composed of eight counties: Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry and Wolfe. The KRADD is comprised of 2.43% of the state’s population and according to census data is made up of 97.57% white, 1.08% Black, 0.40% Asian, 0.16% American Indian-Alaskan Native, and 0.79% Hispanic. The KRADD region is noted to have 0.43% of the population 5 years of age and older that speak English less than "very well". The data has shown that the percentages of LEP in the area are low but are expected to increase over the next several years.

The table below shows the populations and data in each of KRADD’s counties:

**KRADD Area Population Statistics in 2015-2019**

KRADD 8 County Region	Total Population	Elderly Ages 65+	No Vehicle Available (Workers 16 Years +)	Disable Aged 5 Years +	Speak a Language Other Than English at Home	Caucasian	African American	American Indian Alaskan Native	Asian	Hispanic	Persons Below Poverty Level
Breathitt	12,977	2.02%	2.11%	39.35%	0.18%	97.18%	0.60%	0.11%	0.45%	0.85%	34.42%
Knott	15,260	2.54%	2.30%	39.24%	0.44%	97.37%	0.89%	0.00%	0.07%	0.35%	31.23%
Lee	6,881	1.13%	0.95%	39.42%	0.08%	96.61%	0.68%	1.29%	0.17%	0.22%	34.60%
Leslie	10,283	1.69%	2.23%	45.13%	0.13%	98.01%	0.40%	0.00%	0.64%	0.52%	38.00%
Letcher	22,295	3.90%	1.06%	36.98%	0.34%	97.91%	0.31%	0.18%	0.20%	0.66%	33.65%
Owsley	4,442	0.80%	2.37%	33.63%	0.00%	93.96%	2.70%	0.20%	0.75%	0.40%	30.32%
Perry	26,624	4.10%	2.68%	35.84%	0.64%	95.70%	1.38%	0.14%	0.71%	0.93%	26.11%
Wolfe	7,207	1.30%	1.38%	39.11%	0.00%	98.30%	0.33%	0.33%	0.00%	0.28%	29.20%
KRADD	105,969	15.88%	1.97%	35.72%	0.34%	96.98%	0.83%	0.21%	0.39%	0.63%	30.84%

Source: Census 2019 American Community Survey 5 Year Data (2015-2019)

- b. Factor 2: The frequency with which LEP persons come in contact with KRADD programs, activities, or services.

It is expected that the number of foreign-born residents in Kentucky will continue to rise as well as an increase in the number of Spanish Speaking residents. KRADD will continue to monitor changes in demographics as they become available through Census and Studies. KRADD will also work closely with other agencies in the area for updated and available information.

KRADD will monitor the frequency with which LEP individuals come in contact with the program and services. KRADD will report all encounters with LEP persons through the Public Transit Reports and public participation documentation on an as needed basis. Reporting accuracy will improve with on-going training and tracking measures implemented. As of January 1, 2019, KRADD has had no requests from LEP individuals regarding Language Assistance. However, the KRADD will continue to monitor and track encounters with LEP persons.

- c. Factor 3: The nature and importance of programs, activities, or services provided by KRADD to the LEP population

The purpose of the Area Development District (ADD) is to improve the quality of life in the Kentucky River by promoting economic development to provide basic facilities essential to the stimulation of business, manufacturing, services, tourism and commercial activities; and through efforts promoting human resource development to improve health, welfare and education systems within the eight county area; and provide a forum for elected officials and citizens to reach a consensus and establish local-state-federal partnerships to seek a coordinated solution to problems. In addition, the KRADD (planning and service area) is designated as the Area Agency on Aging and is responsible for regional planning, coordination and advocacy on behalf of older persons.

KRADD is taking steps in order to increase outreach efforts to LEP language groups. For example, KRADD notes on our website and all advertisements and meeting notices that translation services and/or auxiliary aids are available upon request at no cost.

- d. Factor 4: The resources available to the recipient and costs

Oral language services include bilingual Customer Service Representatives. Customer Service Representatives are available upon request to answer questions. In addition to these oral language services, several written language service is available.

Other language barriers may be resolved by using websites such as [www.freetranslation.com](http://www.freetranslation.com), [www.translate.google.com](http://www.translate.google.com), and [www.babelfish.yahoo.com](http://www.babelfish.yahoo.com) for assistance in translation.

These additional language assistance tools will be utilized to assist LEP individuals at no additional cost. The notice of “language assistance at no cost” will be added to our advertisements and website.

### **III. Staff Training**

Part of KRADD's LEP plan is deciding what level of staff training is needed. It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP plan. Properly training staff is a key element in the effective implementation of the LEP plan. Staff is trained to recognize when an LEP person is in need of language assistance and respond by providing information in a format that the LEP person can understand.

### **IV. Evaluation of the LEP Plan**

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate.

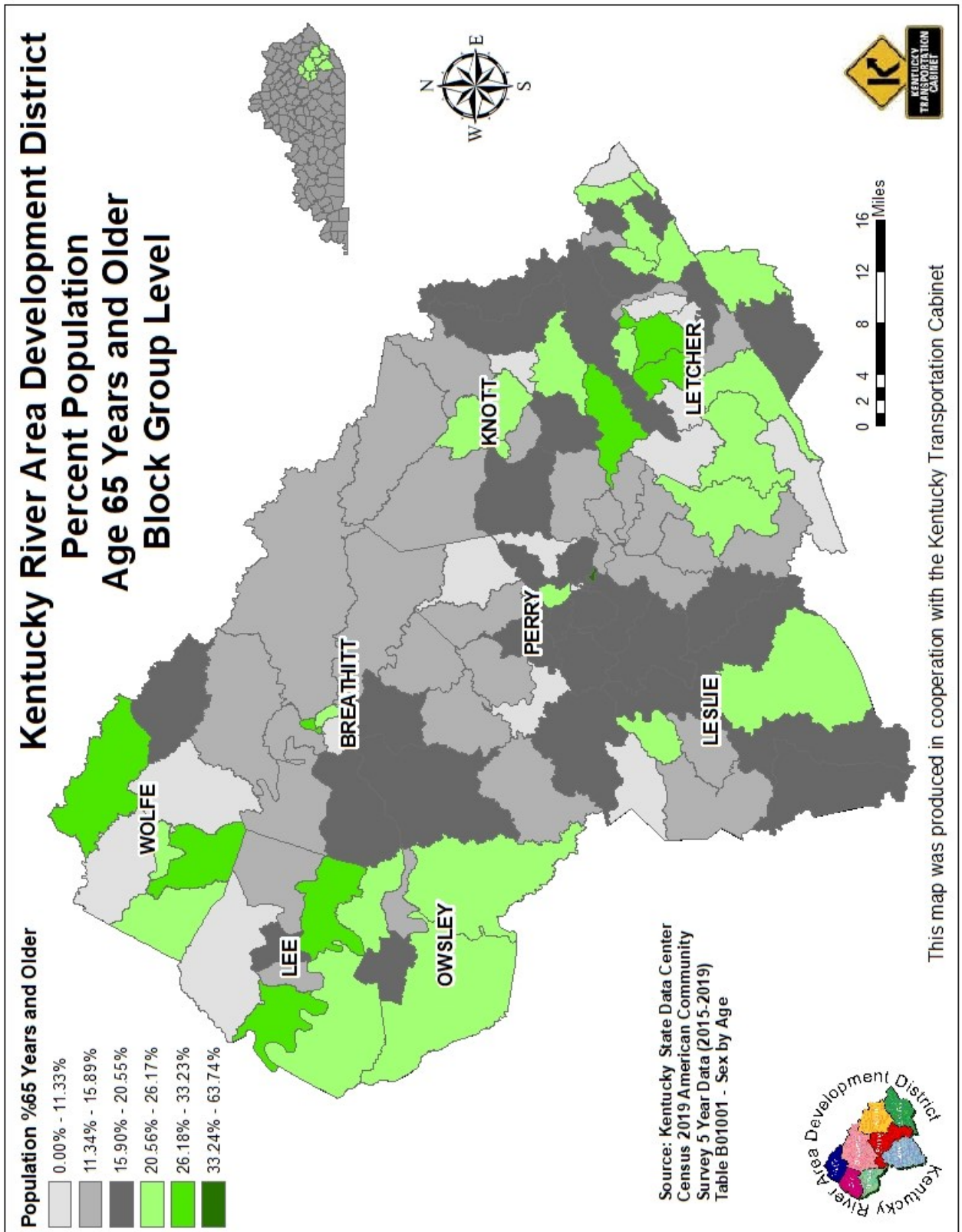
### **V. Safe Harbor Provision**

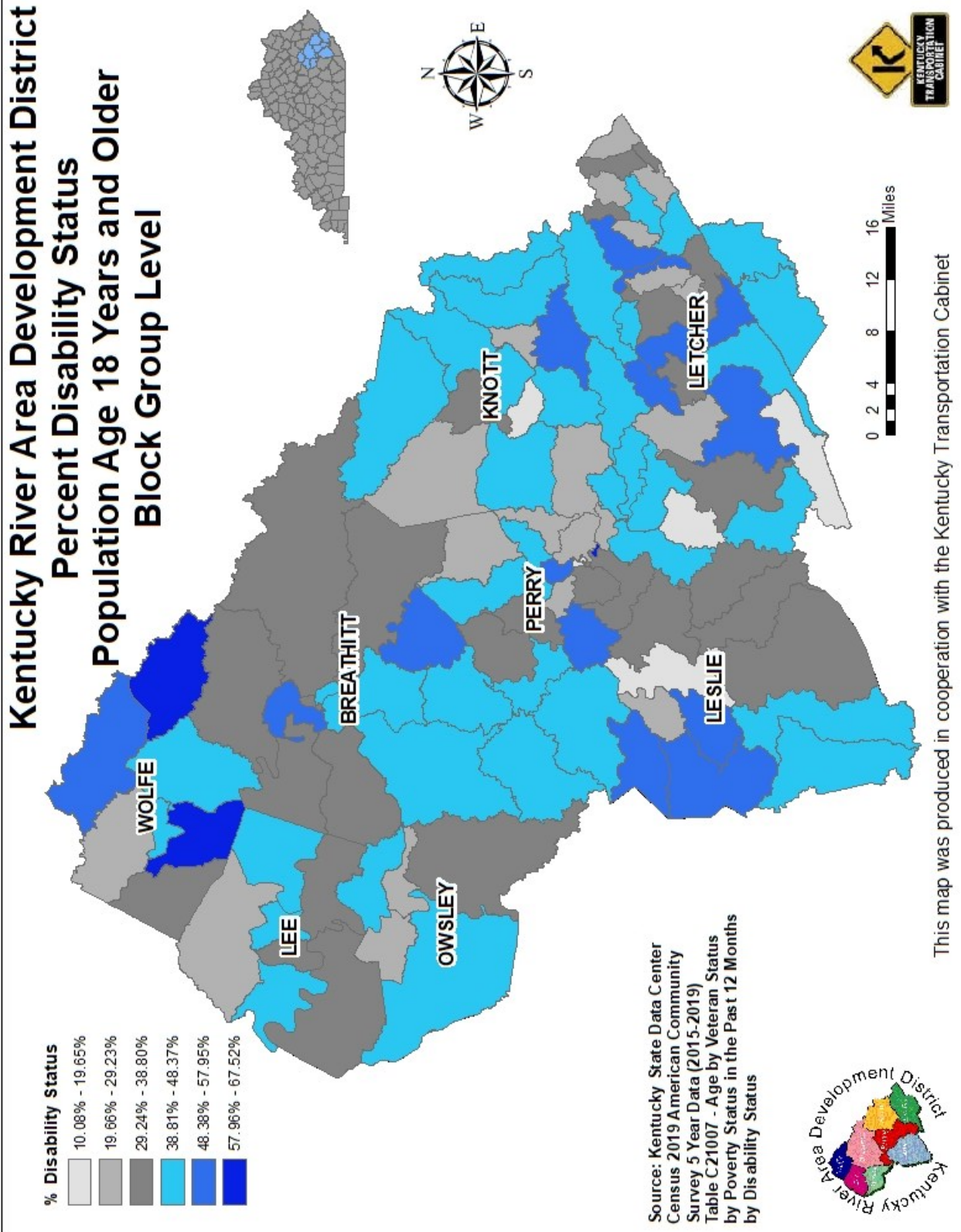
DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes 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, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

KRADD service area does not have LEP populations, which qualify for the Safe Harbor Provision. As shown in Appendix H, KRADD does not have LEP groups, which speak English less than "very well" that exceed either 5.0% or 1,000 people. However, KRADD will provide good faith efforts to meet the needs of the LEP population if and when necessary.

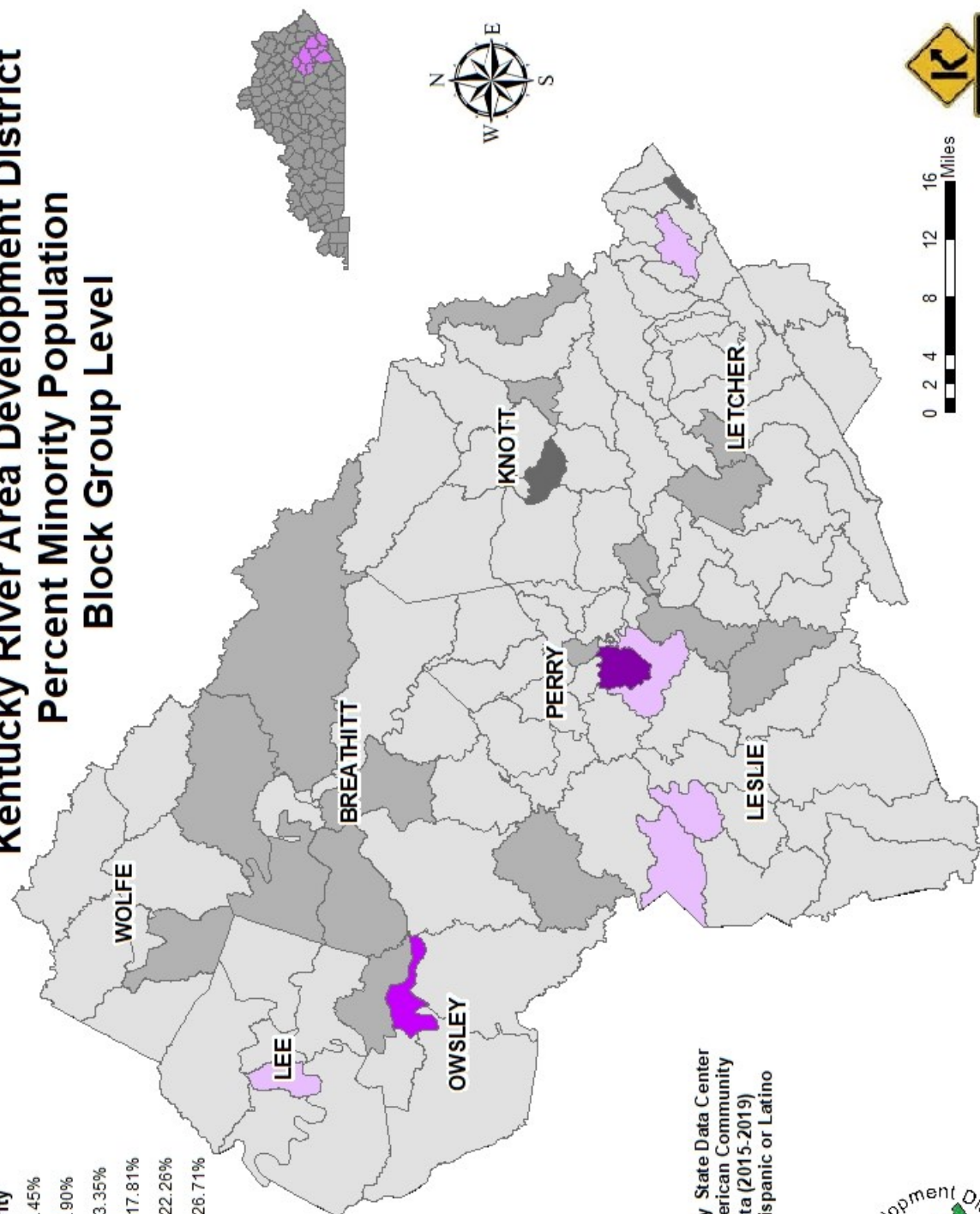
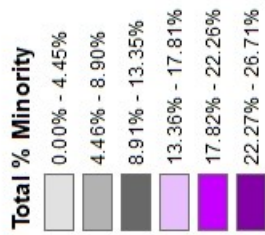
The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. KRADD may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

**APPENDIX F**  
**KRADD Service Area Demographic Maps**





# Kentucky River Area Development District Percent Minority Population Block Group Level



Source: Kentucky State Data Center  
Census 2019 American Community  
Survey 5 Year Data (2015-2019)  
Table B03002 - Hispanic or Latino  
Origin by Race

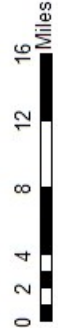
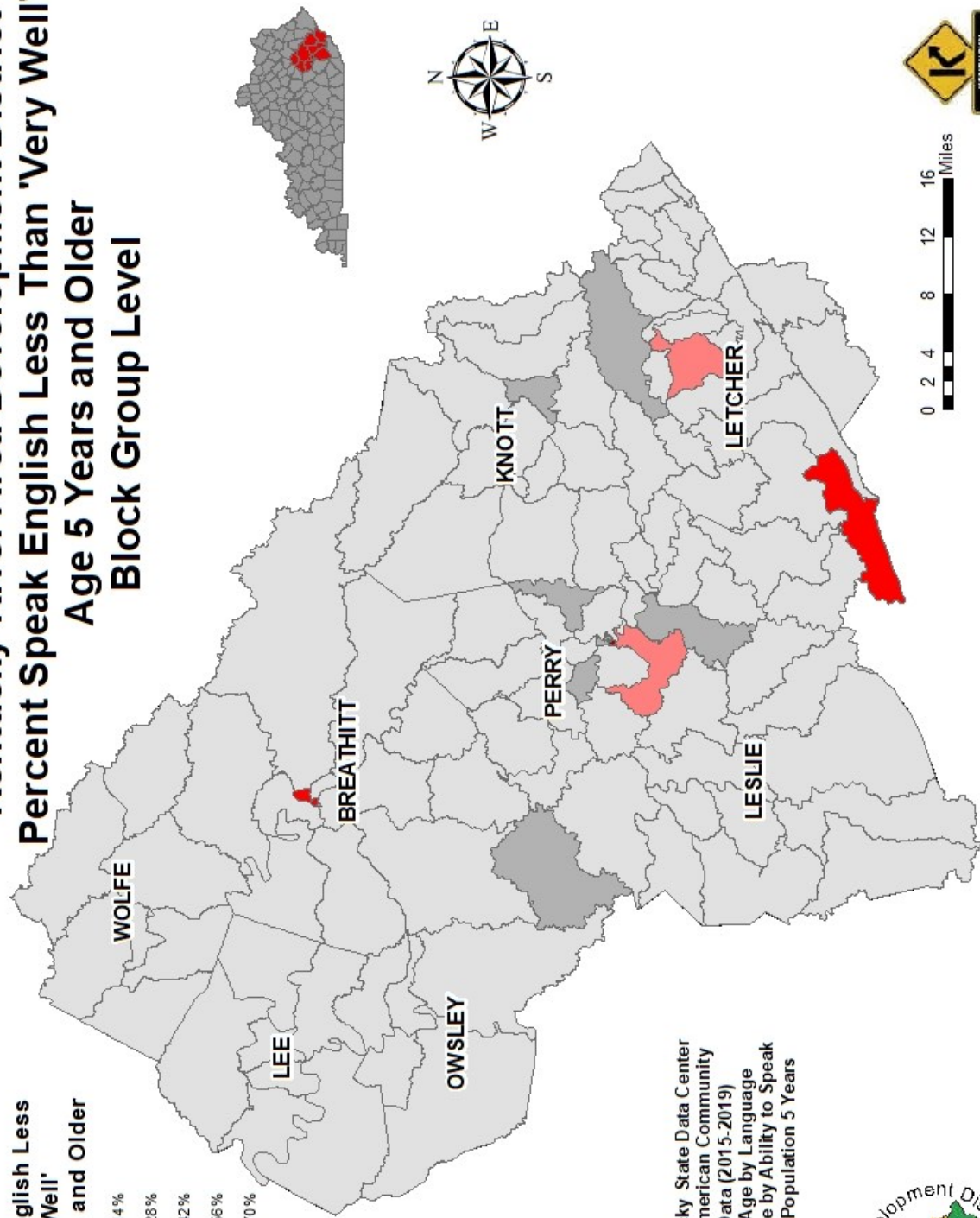
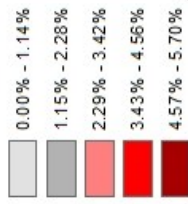


This map was produced in cooperation with the Kentucky Transportation Cabinet



# Kentucky River Area Development District Percent Speak English Less Than 'Very Well' Age 5 Years and Older Block Group Level

% Speak English Less Than 'Very Well' Age 5 Years and Older



Source: Kentucky State Data Center  
Census 2019 American Community  
Survey 5 Year Data (2015-2019)  
Table B16004 - Age by Language  
Spoken at Home by Ability to Speak  
English for the Population 5 Years  
and Over



This map was produced in cooperation with the Kentucky Transportation Cabinet

**APPENDIX G**  
**KRADD Service Area Language Data**

KRADD Area Language Spoken at Home 2015

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Total:	12,828	15,084	6,788	10,320	22,289	4,357	26,267	6,805	104,738
Speak only English	12,672	14,873	6,726	10,289	21,896	4,339	25,945	6,791	103,531
Spanish or Spanish Creole:	99	120	48	20	215	12	132	14	660
Speak English "very well"	78	71	20	13	146	12	62	14	416
Speak English less than "very well"	21	49	28	7	69	0	70	0	244
French (incl. Patois, Cajun):	8	6	0	0	17	4	54	0	89
Speak English "very well"	8	6	0	0	17	4	54	0	89
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
French Creole:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Italian:	6	5	0	0	0	0	0	0	11
Speak English "very well"	0	5	0	0	0	0	0	0	5
Speak English less than "very well"	6	0	0	0	0	0	0	0	6
Portuguese or Portuguese Creole:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
German:	14	52	0	3	34	2	3	0	108
Speak English "very well"	14	52	0	3	6	2	3	0	80
Speak English less than "very well"	0	0	0	0	28	0	0	0	28
Yiddish:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other West Germanic languages:	0	19	0	0	0	0	0	0	19
Speak English "very well"	0	10	0	0	0	0	0	0	10
Speak English less than "very well"	0	9	0	0	0	0	0	0	9
Scandinavian languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Greek:	0	0	10	0	0	0	0	0	10
Speak English "very well"	0	0	10	0	0	0	0	0	10
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Russian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Polish:	2	1	0	0	0	0	0	0	3
Speak English "very well"	2	0	0	0	0	0	0	0	2
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Serbo-Croatian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other Slavic languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Armenian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Persian:	0	0	0	0	0	0	0	0	0

## KRADD TITLE VI PLAN

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Gujarati:	0	0	0	0	0	0	35	0	35
Speak English "very well"	0	0	0	0	0	0	17	0	17
Speak English less than "very well"	0	0	0	0	0	0	18	0	18
Hindi:	12	0	0	0	15	0	0	0	27
Speak English "very well"	12	0	0	0	15	0	0	0	27
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Urdu:	0	0	0	0	4	0	98	0	102
Speak English "very well"	0	0	0	0	4	0	64	0	68
Speak English less than "very well"	0	0	0	0	0	0	34	0	34
Other Indic languages:	0	0	0	0	5	0	0	0	5
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	5	0	0	0	5
Other Indo-European languages:	0	0	0	5	0	0	0	0	5
Speak English "very well"	0	0	0	5	0	0	0	0	5
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Chinese:	0	0	0	1	43	0	0	0	44
Speak English "very well"	0	0	0	1	0	0	0	0	1
Speak English less than "very well"	0	0	0	0	43	0	0	0	43
Japanese:	4	0	0	0	0	0	0	0	4
Speak English "very well"	4	0	0	0	0	0	0	0	4
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Korean:	0	6	0	0	7	0	0	0	13
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	6	0	0	7	0	0	0	13
Mon-Khmer, Cambodian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hmong:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Thai:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Laotian:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Vietnamese:	0	0	4	0	40	0	0	0	44
Speak English "very well"	0	0	0	0	40	0	0	0	40
Speak English less than "very well"	0	0	4	0	0	0	0	0	4
Other Asian languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Tagalog:	6	1	0	2	0	0	0	0	9
Speak English "very well"	6	0	0	2	0	0	0	0	8
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Other Pacific Island languages:	0	0	0	0	13	0	0	0	13

## KRADD TITLE VI PLAN

	Breathitt	Knott	Lee	Leslie	Letcher	Owsley	Perry	Wolfe	KRADD
Speak English "very well"	0	0	0	0	13	0	0	0	13
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Navajo:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other Native North American languages:	5	0	0	0	0	0	0	0	5
Speak English "very well"	5	0	0	0	0	0	0	0	5
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hungarian:	0	1	0	0	0	0	0	0	1
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	1	0	0	0	0	0	0	1
Arabic:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Hebrew:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
African languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0
Other and unspecified languages:	0	0	0	0	0	0	0	0	0
Speak English "very well"	0	0	0	0	0	0	0	0	0
Speak English less than "very well"	0	0	0	0	0	0	0	0	0

**Source: US Census Bureau, 2015 American Community Survey Estimates**  
**Table B16001 - Language Spoken at Home by Ability to Speak English for Population 5 Years and Over**

**APPENDIX H**  
**Glossary**

## GLOSSARY/DEFINITIONS

**Affirmative Action:** a good-faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscriminatory practices.

**African American (Black):** A person having origins in any of the black racial groups of Africa.

**American Indian or Alaska Native:** a person having origins in any of the original peoples of North and South America (including Central America) who maintains cultural identification through tribal affiliation or community attachment.

**Applicant:** an eligible public entity or organization that submits an application for financial assistance under a program administered on behalf of the State.

**Area Development Districts (ADD):** focus on developing and sustaining the fundamental building blocks for state, regions, and local communities in today's rapidly changing global marketplace. Including but not limited to traditional emphasis on strategic planning and project funding for clean and safe drinking water systems, health care facilities, affordable housing, small business development and transportation improvements.

**Asian:** a person 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.

**Assurance:** a written "policy statement" or "contractual agreement" signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

**Beneficiary:** any person or group of people (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program (i.e., relocated persons, impacted citizens, communities, etc.).

**Complaint:** a verbal or written allegation of discrimination that indicates that a federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color or national origin.

**Compliance:** a satisfactory condition wherein an applicant, recipient, or sub recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

**Contract:** a mutually binding legal relationship or any modification thereof obligating the seller to furnish supplies or services, including construction, and obligating the buyer to pay for them. Throughout this document, a lease is considered a contract.

**Contractor:** any person, corporation, partnership, organization, or incorporated association that participates, through a contract or subcontract, in any program or activity covered by this plan including lessees.

**Discrimination:** involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

**Division:** one of the administrative subdivisions of an office of the Kentucky Transportation Cabinet. The term district should be considered equivalent to division as an administrative subdivision of an office of the KYTC.

**Executive Directors:** In accordance with KRS 12.040, the departmental heads of the Kentucky River Area Development District are responsible to the KRADD Board of Directors for the direction of their respective divisions and have authority to appoint Title VI Designee(s) within their divisions.

**Federal Assistance:**

- Grants and loans of federal funds
- The grant or donation of federal property and interests in property
- The detail of federal personnel
- The sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without
- Consideration or with nominal consideration, or with consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient
- Any federal agreement, arrangement, or other contract that has, as one of its purposes, the provision of assistance

**Federal Highway Administration or FHWA:** agency within the U.S. Department of Transportation that supports State and local governments in the design, construction and maintenance of the Nation’s highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program).

**Grantee:** any public or private agency, institution or organization to whom federal financial assistance is intended for any program.

**Hispanic or Latino:** A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.

**Interpretation:** The process of listening to something in one language and orally interpreting it in another. The mix of LEP services under the Oral Languages Services is as follows:

- Hiring bilingual staff
- Hiring staff interpreters
- Using telephone interpreter lines
- Using community volunteers
- Use of family members, friends, and other customers/passengers as
- interpreters

**Kentucky Transportation Cabinet or KYTC:** the agency of Kentucky charged by its laws with the responsibility for all modes of transportation.



**Limited English Proficiency or LEP:** Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient.

**Metropolitan Planning Organization or MPO:** policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all Urbanized Areas (UZA) of populations over 50,000, as determined by the US Census. MPOs are designated by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law. When submitting the transportation improvement program (described below), to the State for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

**Minority:** A person or groups of persons differing from others in some characteristics who may be subjected to differential treatment based on race, color or national origin. Includes African Americans, Hispanics or Latinos, American Indian or Alaska Native, Asians and Native Hawaiian or Other Pacific Islander.

**Native Hawaiian or Other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**Non-compliance:** the condition wherein a recipient has failed to meet prescribed requirements and has shown a lack of good-faith effort in implementing all of the Title VI requirements.

**Non-minority or non-minority group people:** Caucasians

**Persons:** Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

**Primary recipient:** KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipient's contracts for carrying out a program.

**Program:** includes any highway, project, or activity that provides services, financial aid or other benefits to individuals, including education or training, work opportunities, health, welfare, rehabilitation, housing or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient (i.e. Planning, Environment, Design, Right-of-Way, Construction, Safety, & Research).

**Program area officials:** the officials who are responsible for carrying out technical program responsibilities.

**Public participation:** KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipient's contracts for carrying out a program.

**Recipient:** Kentucky or any political subdivision or instrumentality thereof or any public or private agency, institution, or organization or other entity; or any individual in Kentucky to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term “recipient” does not include any ultimate beneficiary under any such program. Examples of recipients include MPOs, Council of Governments (COG), towns, cities, counties, school districts or any sub recipient.

**Secretary:** The chief administrative officer of the Kentucky Transportation Cabinet or KYTC.

**Statewide Transportation Improvement Program or STIP:** statewide transportation improvement program (STIP) for all areas of the State covering a period of at least four years. The STIP is a staged, multi-year, statewide intermodal program of transportation projects, consistent with the statewide transportation plan and planning processes as well as metropolitan plans, transportation improvement programs (TIP), and planning processes. The STIP must be developed in cooperation with the metropolitan planning organizations (MPO), public transit providers, and any Regional Transportation Planning Organizations (RTPO) in the State and must be compatible with the TIPs for the metropolitan areas in the State.

**Statewide Transportation Plan or STP:** a long-range transportation plan that provides for the development and implementation of the multimodal transportation system (including transit, highway, bicycle, pedestrian and accessible transportation) for the State. This plan must identify how the transportation system will meet the State’s economic, transportation, development and sustainability goals for at least a 20-year planning horizon.

**Sub-grantee:** Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

**Title VI Officer, Coordinator or Liaison:** refers to the responsible KRADD official in matters relating to Title VI. The Title VI Officer, Coordinator or Liaison reports to and assists the Executive Director of OCRSBD in carrying out the Title VI responsibilities of the Kentucky River ADD.

**Title VI Program:** the system of requirements developed to implement Title VI of the Civil Rights Act of 1964. When appropriate, the phrase “Title VI Program” also refers to the civil rights provisions of other federal non-discrimination authorities to the extent that they prohibit discrimination on the grounds of race, color, national origin, sex, age and disability, including income level and Limited English Proficiency in programs or activities receiving federal financial assistance.

**Translation:** Translation is the replacement of a written text from one language into an equivalent written text in another language.

**Transportation Improvement Programs or TIP:** plan developed by Metropolitan Planning Organization cooperation with the State and public transit providers detailing a list of upcoming transportation projects, covering a period of at least four years. It should include capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects and safety projects included in the State’s Strategic Highway Safety Plan. The TIP should include all regionally significant projects receiving FHWA or FTA funds, or for which FHWA or FTA approval is required.

**White:** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**APPENDIX I**  
**Employee LEP Frequency Survey**

Employee LEP Frequency Survey

The Kentucky Transportation Cabinet (KYTC), as a recipient of federal financial assistance from the Federal Highway Administration (FHWA) is required to provide the appropriate measures to ensure that Limited English Proficiency (LEP) persons have meaningful language access to the programs, services and information provided by KYTC and KYTC's sub-recipients. In order to determine if written or oral communication must be translated and what languages they must be translated to a four-factor analysis is used. The four-factor analysis considers the following:

The number or proportion of LEP persons served or encountered in the eligible service population

The frequency with which LEP individuals come in contact with the program, activity, or service

The nature and Importance of the program, activity, or service provided by the program

The resources available to the recipient and costs

The Office for Civil Rights & Small Business Development (OCRSBD) is requesting your assistance with completing the four-factor analysis, if you would please take a moment, complete the attached questions, and return them:

Tiffany Squire -Title VI Coordinator & EEO Liaison

Office for Civil Rights and Small Business Development

200 Mero Street, Frankfort, KY 40622

(502) 782-5566

Tiffany.Squire@ky.gov

If you could please return completed survey to the OCRSBD by the close of business on (insert date).

If you have any questions please do not hesitate to contact us.

Sincerely,

Tiffany Squire -Title VI Coordinator & EEO Liaison

Office for Civil Rights and Small Business Development

200 Mero Street, Frankfort, KY 40622

(502) 782-5566

1. What is your job title?

What are your job duties/responsibilities?

2. Please indicate with an “x” in the table below the frequency of which you communication with members of the public that LEP person(s). The languages below are the commonly spoken languages in Kentucky. If you have interactions with individuals who speak other languages please indicate what language (if you can identify the language) “Other” box, if you are unable to identify the language spoken please indicate by using the “all other languages” box.

3.

**Frequency of Contact with LEP**

Language	Most Days	At Least Once a Week	At Least Once a Month	At Least Once a Year	Never
Spanish					
German					
Chinese					
French					
Arabic					
Other _____					
Other _____					
All Other Languages					

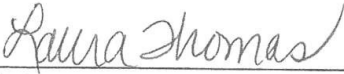
4. What is your method of communication when you are communicating with LEP person(s)?

5. Please provide suggestions on ways in which KYTC can improve communication efforts with LEP persons as it relates to your job duties/responsibilities. (Optional)

**APPENDIX J**  
**Title VI Plan Adoption and Approval**

**Kentucky River Area Development District Title VI Plan Adoption and Approval**

This Title VI Plan was approved and adopted by the Kentucky River Area Development District's Board of Directors during a meeting held on December 8, 2021.



Chairman



Executive Director