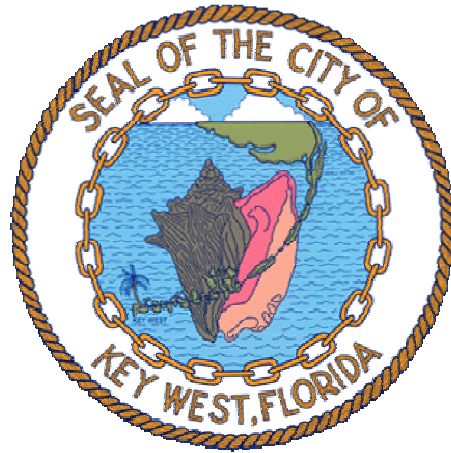


**City of Key West**

**Department of Transportation**



**Federal Transit Administration**

**Title VI / Civil Rights**

**Program Plan**

Revised June 2011

## **Chapter 1 - Introduction**

In accordance with Title VI / Civil Rights Act of 1964 (42 USC 2000d): 49 USC Section 533; 49 Part 21, DOT Order 1000.12; DOT Order 1050.1; DOT Order 5610.2; FTA Circular 4702.1A; Executive Order 12898; Executive Order 13166; and DOT LEP Policy Guidance; the City of Key West Department of Transportation is required and knowledgeable of all regulations which mandate public transit services including but not limited to Federal Transit Administration, US DOT and Florida DOT standards, as well as all relevant Title VI / Civil Rights processes and procedures. Key West City exercises every effort possible to assure that all compliance is met with regard to regulations and rules adopted by the Federal Transit Administration (FTA) as noted in Circular C, FTA 4072.1A and noted in Chapter 1 attached hereto and a part of the FTA guidelines.

## **Chapter 2 – Overview**

The City of Key West Department assures that by adopting this program plan, we will meet the following requirements:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision making;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.

Additional details are included herein via Appendices A & D.

## **Chapter 3 – Requirements for Applications**

This chapter describes procedures to all applicants of Federal Transit Administration funding shall comply with DOT Title VI regulations, as noted herein:

- REQUIREMENT TO PROVIDE TITLE VI ASSURANCES (ANNUALLY)
- REQUIREMENT FOR FIRST TIME APPLICANTS

## Chapter 4 – General Requirements and Guidelines

Chapter 4 is dedicated to descriptions of requirements that all Federal Transit Administration recipients and sub recipients shall follow to ensure that programs, policies and activities comply with DOT Title VI requirements and regulations; as well as assistance of incorporation of newly approved *DOT Order on Environmental Justice* offering guidance on integrating, into programs, polices, and activities, considerations expressed in DOT Order on Environmental Justice.

Chapter 4 is intended to identify and outline all steps to be taken, at a minimum, in detail with regard to the following:

- 1) ANNUAL TITLE VI CERTIFICATION AND ASSURANCE - City of Key West shall comply with Annual submissions of the required and approved Title VI "Annual Certification and Assurance" documentation by August 1, of each calendar year period.
- 2) TITLE VI COMPLAINT PROCEDURE - Inasmuch as customers of public transit are entitled to know their rights and understand the steps required to file a formal complaint of possible discrimination; the attached complaint form(s) in three (3) identified LEP languages are available and are a part of this program plan document. This notice is posted in all transit vehicles and on the City's website at [www.keywestcity.com](http://www.keywestcity.com).
- 3) RECORDKEEPING OF TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS - communication and correspondence (electronic and other) associated with Title VI investigations, complaints, lawsuits and grant funds will be maintained by the City of Key West Department of Transportation for the length of the project and funding as required by the grant program plan funding agreement; which will e determined on a case by case basis; or at a minimum of five (5) years; whichever is greater.
- 4) PROVIDE MEANINGFUL ACCESS TO LEP (LIMITED ENGLISH PROFICIENT) - City of Key West has adopted "assistance programs and plans" Citywide, which provide for contract arrangements of professional translation services via internet access with providers who are available 24 hours per day / 7 days per week. This is facilitated through our City of Key West Police Department Emergency Dispatch Division at (305) 809-1111. Additionally, Key West DoT has provided frontline employees with the DOJ/LEP "*I Speak...*" - Language Identification Guide, for use daily.
- 5) NOTIFICATION TO BENEFICIARIES OF PROTECTION UNDER TITLE VI - City of Key West maintains annual posted notices of Title VI / Civil Rights posters in all city buses as well as via our automated Real Time Passenger Information System at [www.kwtransit.com](http://www.kwtransit.com); as well as the city's main website at [www.keywestcity.com](http://www.keywestcity.com).
- 6) PROVISION TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST - The Notice to Beneficiaries as well as our Complaint Procedural Notice posters / flyers - both have inclusive language wherein "additional information is available at City of Key West Department of Transportation" contained there.

- 7) PREPARATION AND SUBMITTAL OF TITLE VI PROGRAM - Title VI / Civil Rights of 1964 requires that tri-ennial updates or rewrites to your agency program plan documents shall be submitted to your regional office of FTA - except if substantive changes occur at a more frequent interval - at which time the agency is required to revise and resubmit, annually, the agency Title VI Civil Rights Program Plan document to FTA.
- 8) CONDUCTING AN ANALYSIS OF CONSTRUCTION PROJECTS (NEPA) - The City of Key West incorporates "construction project analysis" in with our service and fare analysis with regard to environmental justice processes - to that end, the environmental tests are performed in accordance with Page IV-4, FTA C 4702.1A as noted therein.
- 9) GUIDANCE ON PROMOTING INCLUSIVE PUBLIC PARTICIPATION - City of Key West utilizes interior advertisement racks on transit vehicles to post all notices of public hearings or other related public transit information and public input / public comment type meetings. To that end, the City also posts these notices in accordance with ADA requirements, in at least one (1) local newspaper and advertises in multiple language via radio ad spots. Key West City is also a member of various civic, environmental and other community minded organizations which include but are not limited to GLEE (Green Living Environment and Education), Leadership Monroe County, Big Brothers / Big Sisters, MARC (Monroe Association of Remarkable Citizens), and so on. This provides public participation and public outreach to a diverse cross representation of both the Key West City communities but also the Lower Keys areas of the Florida Keys.

Procedures for City of Key West are attached hereto and made a part hereof by reference. Additionally, detailed information and guidance is available in appendices provided under Circular C, FTA 4072.1A, herein.

### **Chapter 5 – Program Specific Requirements and Guidelines for Recipients Serving Large Urbanized Areas**

This chapter is not applicable to the City of Key West, due to the population of less than 200,000, county-wide.

### **Chapter 6 – Program Specific Requirements and Guidelines for State Department of Transportation or Other Administering Agencies**

Not applicable to the City of Key West, Florida.

### **Chapter 7 - Program Specific Guidance (Metropolitan)**

Not applicable.

**Chapter 8 - Compliance Reviews** - This section defines compliance and review procedures.

## **Chapter 9 – Complaints**

In this chapter grantees are provided guidance on how to offer opportunities for complaints to be filed and how to handle complaints, should a complaint be received. This section covers all you need to know and more. Refer to Chapter 9 for information such as:

- Right to File a Complaint
- Complaint Acceptance
- Investigations
- Letters of Finding and Resolution
- Appeals Process

## **Chapter 10 – Effecting Compliance**

And last but not least, Chapter 10 addresses methods to utilize as best practices and procedures for effecting compliance of Title VI, per 49 CFR 21.11 and 49 CFR 21.13(a). FTA has provided outline and information on how to effect compliance should a recipient or sub recipient be found non-compliant at any time.

This document is provided as an outline of the wealth of information available in Circular C, FTA 4072.1A, as attached and made a part hereof, with regard to Title VI of the Civil Rights Act 1964, as amended. Please refer to this outline and further refined procedures utilized internally for implementation of all requirements.

### **Appendix A – Title VI Program Checklist for All Grantees**

A checklist of recipient requirements is attached.

### **Appendix B – Title VI Program Checklist for Recipients Serving Urbanized Areas with Populations of 200,000 People or Greater**

Not applicable to City of Key West, Florida.

### **Appendix C – Title VI Program Checklist for State Departments of Transportation or Other State Administrating Agencies**

This appendix is not applicable to Key West and is therefore not included.

### **Appendix D – Title VI, Environmental Justice, And Limited English Proficiency Technical Assistance Resources**

Resource listing of technical support services for all recipients and sub recipients required to integrate planning and operations requirements for Limited English Proficiency plan - into the Title VI program document.

This document is provided as an outline / overview only as it relates to revisions set forth in Title VI / Civil Rights, Circular C FTA 4072.1A, dated May 13, 2007, adopted herein by the City of Key West, Department of Transportation, and 627 Palm Avenue, P.O. Box 1078, Key West, Florida 33040.

Detailed, step by step procedures utilized by the City of Key West, Department of Transportation, in the day to day operations of the fixed route public transportation services, follow, in English, Spanish & French (Creole) as three (3) primary identified Limited English Proficient populations residing in Key West City limits.



**City of Key West  
Department of Transportation  
TITLE VI PROGRAM Complaint Form**

This form is provided to persons who feel they may have been discriminated against with regard to race, color, religion of national origin. If you feel you were discriminated against for any of these reasons you are entitled to file a complaint using this form and formally request an investigation (and action is deemed appropriate) with the **City of Key West KWDOT Civil Rights Officer, at PO Box 1078, 627 Palm Avenue, Key West, Florida 33040, (305) 809-3910**. Bold fields are required information fields.

<b>Name:</b> _____	<b>Telephone:</b> ( ____ ) _____
<b>Address:</b> _____	<b>City:</b> _____
<b>State:</b> _____	<b>Zip Code:</b> _____ <b>Email:</b> _____

<b>Describe the Incident / Complaint:</b> _____ _____ _____
<b>Claim alleges violation based on - Race:</b> ____ <b>Color:</b> ____ <b>Religion:</b> ____ <b>National Origin:</b> ____
<b>City Bus:</b> ____ <b>Route:</b> ____ <b>Location:</b> _____
<b>Driver's Name:</b> _____ (if not available, this will need to be verified)

This complaint has been referred to: _____ in the _____ (supervisor / designee) (division)
to facilitate a full investigation process with findings to be submitted to the director's attention for review, no later than 10 days from the date of receipt of this complaint.
<b>Received By:</b> _____ <b>Date:</b> _____
<b>Response Due Date:</b> _____ <b>By:</b> _____
Should the complainant further disagree with findings rendered; the complainant shall Be advised of his / her right to file an appeal, along with the appeal's process.
Status: Open:_____ Closed:_____ Appeal:_____ Other_____

I hereby attest that this investigation process and findings which result are satisfactory.
<b>By:</b> _____, Director / KWDOT <b>Date:</b> _____

Reference No.: _____ / _____ (yr/mo/day) (Employee ID)
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**ENGLISH**

## **Procedures for Investigation of Customer Complaint – KWDoT**

- 1) Complaint shall be completed with full information, as much detail as possible, in order to facilitate a fair and comprehensive investigation of the alleged complaint.
- 2) The complaint shall be referred to the appropriate supervisor in each division of KWDoT, and copied to the Director's office in designated file folder, where the copy of the complaint shall remain as pending, until such time as the supervisor renders his/her findings of the complaint.
- 3) Upon findings and after a full investigation of all facts available, the supervisor assigned the complaint shall submit the original complaint with response and investigation processes used to the director's office for review and action if necessary.
- 4) All supervisors are required to conduct a thorough and comprehensive investigation to determine whether there was any wrongful acts committed by a city employee at any time, which may require disciplinary action be taken by the supervisor. All disciplinary action shall adhere to the city's personnel policy and procedures for progressive disciplinary action.
- 5) All responses and findings on all complaints are due to the director no later than ten (10) days from the date of receipt; unless a specific extended time is required due to employee absences or other extenuating circumstances; which shall be documented to the file / complaint form.
- 6) Should the complainant not agree with the findings of the supervisor and wish to file an appeal with the director's office, the complainant shall be notified of his/her right to file said appeal and be allowed to do so immediately.
- 7) The appeal documents to be submitted shall include the original complaint, all investigative information used by the assigned supervisor (or his/her designee) and any additional information that the complainant deems appropriate and necessary for review by the director of the department.
- 8) The director will review all appeals filed to review the information submitted and provide a decision on the appeal based on review conducted of the investigation processes utilized and management oversight, no later than thirty (30) days from date of receipt of the appeal.
- 9) Customer complaints filed with KWDoT will be retained for a period of no less than three (3) years and in some cases up to five (5) years, depending on the nature of the complaint and related subject.
- 10) Complaints received alleged violation of ADA, Title VI of the Civil Rights, EEOC and DBE actions are required to report to the City of Key West Department of Transportation, P.O Box 1078, Key West, Florida 33040.





**La ville de Clé Forme de Plainte de  
PROGRAMME DE VI DE TITRE de  
Ministère des Transports d'ouest**

Cette forme est fournie aux personnes qui se sent qu'ils pourraient avoir été contre discriminés avec l'égard pour courir, la couleur, la religion d'origine nationale. Si vous vous sentez que vous avez été contre discriminé pour n'importe lequel de ces raisons que vous êtes autorisé à classer une plainte qui utilise cette forme et demande formellement une investigation (et l'action est estimée approprié) avec la Ville de Clé KWDOT d'ouest l'Officier de Droits Civil, à la Boîte de PO 1078, 627 Avenue de Paume, Clé vers l'ouest, Floride 33040, (305) 809-3910. Les champs hardis sont exigés des champs d'informations.

Nom : \_\_\_\_\_ Téléphone : (\_\_\_\_) \_\_\_\_\_

L'adresse : \_\_\_\_\_ Ville : \_\_\_\_\_

L'état : \_\_\_\_\_ Code Postal : \_\_\_\_\_ E-mail : \_\_\_\_\_

Décrire 'Incident/Complaint: \_\_\_\_\_  
\_\_\_\_\_

La réclamation allègue la violation fondée sur - la Course : \_\_\_\_ Couleur : \_\_\_\_ Religion : \_\_\_\_ Origine Nationale : \_\_\_\_

L'Autobus : \_\_\_\_\_ Route : \_\_\_\_\_ Emplacement : \_\_\_\_\_

Le Nom du conducteur : \_\_\_\_\_ (si pas disponible, ceci aura besoin d'être vérifié)

Cette plainte a été référée à \_\_\_\_\_ dans le \_\_\_\_\_ division de transports en commun, pour faciliter un processus plein d'investigation avec les conclusions être soumis à l'attention du directeur pour la revue, non plus tard que 10 jours de la date de reçu de cette plainte.

Reçu Par : \_\_\_\_\_ Date : \_\_\_\_\_

L'Echéance de réponse : \_\_\_\_\_ Par : \_\_\_\_\_

Devoir le plaignant plus est en désaccord avec les conclusions rendues ; le plaignant sera conseillé du sien/sa droite pour classer un appel, avec le processus de l'appel.

Statut : Ouvrir : \_\_\_\_\_ A Fermé : \_\_\_\_\_ Appel : \_\_\_\_\_ Autre \_\_\_\_\_

J'atteste par la présente que ce processus d'investigation et les conclusions que résultat est satisfaisant.

Par : \_\_\_\_\_, Chef De Service/la de KWDOT Date: \_\_\_\_\_

Adresser No : \_\_\_\_\_ / \_\_\_\_\_  
(yr/mo/day) (ID d'Employé)

**FRENCH**

## Les procédures pour Investigation de Plainte Clientèle – KWDoT

- 1) la Plainte sera complétée avec les informations pleines, autant de détail comme possible, pour faciliter une foire et une investigation complète de la plainte présumée.
- 2) La plainte sera référée au directeur approprié dans chaque division de KWDoT, et copié au bureau de Directeur dans le dossier de dossier désigné, où la copie de la plainte restera comme en attente, jusqu'à ce que le directeur rend ses conclusions de la plainte.
- 3) Sur les conclusions et après une investigation pleine de tous les faits disponibles, le directeur a assigné la plainte soumettra la plainte originale avec les processus de réponse et investigation qui sont utilisés au bureau du directeur pour la revue et l'action si nécessaire.
- 4) Tous les directeurs sont exigés diriger une investigation minutieuse et complète pour déterminer s'il y avait des actes arbitraires engagés par un employé de ville à tout moment, qui peut exiger que l'action disciplinaire est prise par le directeur. Toute l'action disciplinaire adhèrera à la politique de personnel de la ville et aux procédures pour l'action disciplinaire progressive.
- 5) Toutes les réponses et les conclusions sur toutes les plaintes sont en raison du directeur non plus tard que dix (10) les jours de la date de reçu ; à moins qu'un temps prolongé spécifique est exigé en raison des absences d'employé ou l'autres atténuer circonstances ; qui sera documenté au dossier/la forme de plainte.
- 6) Devoir le plaignant n'est pas d'accord avec les conclusions du directeur, et le souhait pour classer un appel avec le bureau du directeur, le plaignant sera notifié de sa droite pour classer a dit que l'appel et est permis de faire si tout de suite.
- 7) Les documents d'appel être soumis incluront la plainte originale, toutes les informations d'investigation utilisées par le directeur assigné (ou son designee) et n'importe quelles informations supplémentaires que le plaignant estime approprié et nécessaire pour la revue par le directeur du département.
- 8) Le directeur réexaminera tous les appels ont classé pour réexaminer les informations soumises et fournissent une décision sur l'appel fondé sur la revue dirigée des processus d'investigation a utilisé et l'inadvertance de direction, non plus tard que trente (30) les jours de la date de reçu de l'appel.
- 9) les plaintes Clientèles classées avec KWDoT seront retenues pour une période de non moins que trois (3) les ans et dans certains cas jusqu'à cinq (5) les ans, dépendre de la nature de la plainte et du sujet lié.
- 10) les Plaintes ont reçu ont allégué la violation d'ADA, VI de Titre des Droits Civils, les actions d'EEOC et DBE sont exigées pour le rapport au la Ville de Clé KWDoT d'ouest l'Officer de Droits Civil, à la Boîte de PO 1078, 627 Avenue de Paume, Clé vers l'ouest, Floride 33040.



**La ciudad de Oeste de Llave  
El Departamento de Transporte  
TITULE a VI PROGRAMA Reclamo Forma**

Esta forma es proporcionada a personas que se sienten puede haber sido discriminado en contra con respecto para competir, el color, la religión de origen nacional. Si usted se siente que fue discriminado en contra para cualquiera de estas razones que tiene derecho para archivar un reclamo que utiliza esta forma y solicita formalmente una investigación (y la acción es creída apropiado) con la Ciudad de Llave KWDoT Occidental Oficial Civil de Derechos, en Apartado postal 1078, 627 Avenida de Palma, la Llave al oeste, Florida 33040, (305) 809-3910. Los campos bravos son requeridos campos de información.

**El nombre:** \_\_\_\_\_ **El Teléfono:** (\_\_\_\_) \_\_\_\_\_

La dirección: \_\_\_\_\_ La ciudad: \_\_\_\_\_

El estado : \_\_\_\_\_ Código postal: \_\_\_\_\_ Correo electrónico: \_\_\_\_\_

**Describe el Incidente/Reclamo:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**El reclamo alega infracción basada en - la Carrera :** \_\_\_\_ **Color:** \_\_\_\_ **Religión:** \_\_\_\_  
**Origen nacional:** \_\_\_\_

**Autobús urbano :** \_\_\_\_ **Ruta:** \_\_\_\_ **Ubicación:** \_\_\_\_\_

**El Nombre de conductor:** \_\_\_\_\_ (si no disponible, esto deberá ser verificado)

Este reclamo ha sido referido a: \_\_\_\_\_ en el \_\_\_\_\_  
(el supervisor/designee) (división)

Para facilitar un proceso lleno de investigación con conclusiones para ser sometido a la atención del director para la revisión, no luego que 10 días de la fecha de recibo de este reclamo.

**Recibido Por:** \_\_\_\_\_ **Fecha :** \_\_\_\_\_

**Fecha de vencimiento de respuesta:** \_\_\_\_\_ **Por:** \_\_\_\_\_

Deba al reclamante disiente de aún más conclusiones rendidas; el reclamante será aconsejado de su derecho de archivar una atracción, junto con el proceso de la atracción.

Estatus: Abra: \_\_\_\_\_ Cerrado: \_\_\_\_\_ Atracción: \_\_\_\_\_ Otro: \_\_\_\_\_

Yo por la presente atestiguo que este proceso de investigación y conclusiones que resultado son satisfactorios.

Por: \_\_\_\_\_, El director/KWDoT Fecha : \_\_\_\_\_

Mencione no.: \_\_\_\_\_ / \_\_\_\_\_  
(el año/mo/día) (Empleado identificación)

## Los procedimientos para la Investigación de Reclamo de Cliente – KWDoT

- 1) Reclamo será completado con información llena, tanto detalle como posible, para facilitar una feria e investigación completa del reclamo pretendido.
- 2) El reclamo será referido al supervisor apropiado en cada división de KWDoT, y copiado a la oficina del Director en la carpeta designada de archivo, donde la copia del reclamo se quedará como pendiente, hasta que tal tiempo como el supervisor rinda sus conclusiones del reclamo.
- 3) Sobre conclusiones y después de una investigación llena de todos los hechos disponibles, el supervisor asignó el reclamo se someterá el reclamo original con procesos de respuesta e investigación que es utilizado a la oficina del director para la revisión y la acción si necesario.
- 4) Todos los supervisores son requeridos a realizar una investigación completa y completa para determinar si había algún acto injusto comprometido por un empleado de la ciudad en tiempo, que puede requerir acción disciplinaria es tomada por el supervisor. Toda la acción disciplinaria adherirá a la política en materia de personal de la ciudad y procedimientos para la acción disciplinaria progresiva.
- 5) Todas las respuestas y las conclusiones en todos los reclamos están debido al director no posterior que diez (10) días de la fecha de recibo; a menos que un tiempo prolongado específico sea requerido debido a ausencias de empleado ni otras circunstancias atenuantes; que será documentado al archivo/forma de reclamo.
- 6) Debe al reclamante no concuerda con las conclusiones del supervisor, y el deseo en archivar una atracción con la oficina del director, el reclamante será notificado de su derecho de archivar dijo que atracción y es permitido hacer así inmediatamente.
- 7) Los documentos de atracción para ser sometidos incluirán el reclamo original, toda la información investigativa utilizada por el supervisor asignado (o su designee) e información adicional que el reclamante cree apropiado y necesario para la revisión por el director del departamento.
- 8) El director revisará todas las atracciones archivaron para revisar la información sometido y proporciona una decisión en la atracción basada en la revisión realizada de los procesos de investigación utilizó y descuido de gestión, no luego que treinta (30) días de la fecha de recibo de la atracción.
- 9) reclamos de Cliente archivados con KWDoT serán retenidos por un período de no menos de tres (3) años y a veces hasta cinco (5) años, dependiendo de la naturaleza del reclamo y sujeto relacionado.
- 10) Reclamos recibieron alegaron infracción de ADA, el Título VI de los Derechos Civiles, EEOC y acciones de DBE son requeridos para el informe al la Ciudad de Llave KWDoT Occidental Oficial Civil de Derechos, en Apartado postal 1078, 627 Avenida de Palma, la Llave al oeste, Florida 33040,

**APPENDIX A**  
**TITLE VI / CIVIL RIGHTS PROGRAM PLAN**

**CHECKLIST FOR ALL GRANTEES**

All recipients should submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub recipients shall submit the information below to their direct recipient.

## APPENDIX A

### TITLE VI PROGRAM CHECKLIST FOR ALL GRANTEES

All recipients should submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub recipients shall submit the information below to their direct recipient.

Provision	Circular Reference	Citation in DOT Title VI Regulations or reference to the DOT Order on Environmental Justice	Reporting Requirement
Title VI Complaint Procedures	Chapter IV, part 2	49 CFR 21.9(b)	A copy of their procedures for filing a Title VI complaint
Record of Title VI investigations, complaints, or lawsuits	Chapter IV part 3	48 CFR 21.9(b)	A list of any Title VI investigations, complaints, or lawsuits filed with the agency since the time of the last submittal
Access to Services by Persons with LEP	Chapter IV, part 4	49 CFR 21.5(b) and the DOT LEP Guidelines	Either a copy of the agency's plan for providing access to meaningful activities and programs for persons with limited English proficiency which was based on the DOT LEP guidance or a copy of the agency's alternative framework for providing access to activities and programs.
Notifying beneficiaries of their rights under Title VI	Chapter IV part 5	49 CFR 21.9(d)	A notice that it complies with Title VI and procedures the public may follow to file a discrimination complaint.
Inclusive public participation	Chapter IV part 9	DOT Order 5610	A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority persons had meaningful access to these activities.

**APPENDIX D**

**TITLE VI / CIVIL RIGHTS, LIMITED ENGLISH PROFICIENCY AND  
ENVIRONMENTAL JUSTICE**

**TECHNICAL ASSISTANCE RESOURCES**

## APPENDIX D

### TITLE VI, ENVIRONMENTAL JUSTICE, AND LIMITED ENGLISH PROFICIENCY

#### TECHNICAL ASSISTANCE RESOURCES

The following resources should help recipients and sub recipients integrate the guidance and procedures of this circular into their planning and operations. Recipients seeking additional resources that may have been published subsequent to the date of this circular may inquire with FTA's regional Office or the Federal Transit Administration (FTA) Office of Civil Rights. Technical assistance resources will be published at the FTA Office of Civil Rights website, [http://www.fta.dot.gov/civilrights/civil\\_rights\\_5088.html](http://www.fta.dot.gov/civilrights/civil_rights_5088.html); - on an ongoing basis.

1. Relevant Websites are listed herein to assist recipients and sub recipients on the following topics:
  - a. FTA's Environmental Justice Website is dedicated to overview of transportation and environmental justice and includes links to legislation and guidance, case studies, effective practices, and answers to commonly asked questions - [http://www.fta.dot.gov/planning/environment/planning\\_environment\\_2238.html](http://www.fta.dot.gov/planning/environment/planning_environment_2238.html).
  - b. FTA's Title VI Website provides an overview of FTA's Title VI activities, including links to recent compliance reviews of recipients, related Web sites, policy guidance and procedures, and instructions on how to file a Title VI complaint, and can be found at [http://www.fta.dot.gov/civilrights/civil\\_rights\\_5088.html](http://www.fta.dot.gov/civilrights/civil_rights_5088.html).
  - c. Federal Interagency Working Group on Limited English Proficiency Website is at [www.lep.gov](http://www.lep.gov). At this website you will find promotional and cooperative understanding of the importance of language access to Federal programs and Federally-assisted programs. The site acts as a clearinghouse, providing and linking to information, tools, and technical assistance regarding limited English proficiency and language services for Federal agencies, recipients of Federal funds, users of Federal programs and Federally-assisted programs, and other stakeholders.
  - d. U.S. Department of Justice Civil Rights Division. <http://www.usdoj.gov/crt/crt-home.html>. The Civil Rights Division of the Department of Justice, established in 1957, is the program institution within the Federal government responsible for enforcing Federal statutes prohibiting discrimination on the basis of race, sex, disability, religion, and national origin.
  - e. Transportation Research Board's Environmental Justice Committee Web site. <http://ej.utc.uic.edu>. This Web site lists research on environmental justice and transportation as well as minutes from the committee and links to related organizations.



**Appendix D**  
**Page 2**

- f. Community Impact Assessment Web site. <http://www.ciatrans.net>. The Community Impact Assessment (CIA) Web site seeks to inform transportation officials and the general public about the potential impacts of proposed transportation actions on communities and their subpopulations.
  - g. United We Ride or the [www.unitedweride.gov](http://www.unitedweride.gov); Website is an interagency Federal national initiative that supports States and their localities in developing coordinated human service delivery systems originating from the Office of Program Management or the Federal Transit Administration. In addition to State coordination grants, United We Ride provides State and local agencies a transportation-coordination and planning self-assessment tool, help along the way, technical assistance, and other resources to help their communities succeed.
2. Technical Assistance Products for recipients and sub recipients are encouraged to review information on the following technical assistance products. Interested parties can access these products through the relevant Web site or by contacting FTA's Office of Civil Rights.
- a. Carrying Out Transportation Inspection and Safety Responsibilities In A Non-Discriminatory Manner" or <http://airconsumer.ost.dot.gov/rules/20011012.htm>. This statement is a reminder to Department of Transportation (DOT) employees and those carrying out transportation inspection and Effecting Compliance responsibilities with DOT financial support of longstanding DOT policy prohibiting unlawful discrimination against individuals because of their race, color, religion, ethnicity, or national origin.
  - b. National Highway Cooperative Research Program, "Effective Methods of Environmental Justice Assessment" or the Website at [http://www.trb.org/news/blurb\\_detail.asp?id=4143](http://www.trb.org/news/blurb_detail.asp?id=4143). This guidebook is designed to enhance understanding and to facilitate consideration and incorporation of environmental justice into all elements of the transportation planning process, from long-range transportation systems planning through priority programming, project development, and policy decisions. It offers practitioners an analytical framework to facilitate comprehensive assessments of a proposed transportation project's impacts on affected populations and communities.
  - c. Transportation and Environmental Justice: or "Case Studies" can be found at <http://www.fhwa.dot.gov/environment/ejustice/case/index.htm>. These case studies feature dramatic stories and highlight commonplace techniques that have been used to promote environmental justice in transportation. The cases show that, when properly implemented, environmental justice principles can improve all levels of transportation decision making.

**Appendix D**  
**Page 3**

- d. "Transportation and Environmental Justice: Effective Practices" or the Website <http://www.fhwa.dot.gov/environment/ejustice/effect/index.htm>. This publication describes effective practices taken by transportation agencies, community-based organizations, and other grassroots and advocacy organizations to advance the fundamental principles of environmental justice. These practices highlight the essential importance of public involvement as well as describe various data sources, analytical methods, monitoring tools, partnerships, funding programs, and strategies that have been employed to better identify the needs and address the concerns of low-income and minority populations.
  
- e. "How to Engage Low-Literacy and Limited English Proficient Populations in Transportation Decision making." At Website <http://www.fhwa.dot.gov/hep/lowlim/>. This report documents "best practices" in identifying and engaging low-literacy and limited-English-proficiency populations in transportation decision making. These "best practices" were collected during telephone interviews with individuals in 30 States.
  
- f. "Disaster Response and Recovery Resource for Transit Agencies <http://transit-safety.volpe.dot.gov/Publications/order/singledoc.asp?docid=437>. This resource provides local transit agencies and transportation providers with useful information and best practices in emergency preparedness and disaster response and recovery, including information on how to respond to the needs of low-income persons, limited English proficient persons, persons with disabilities, and older adults.

# Limited English Proficiency



## Program Plan Document

**(Providing Language Access to Persons with  
Limited English Proficiency and Low Literacy)**

**(Appendix to Title VI / Civil Right Act, 1964 as amended)**

**City of Key West  
Department of Transportation  
Limited English Proficiency (LEP) Standards**

**Section I - Introduction to the Limited English Proficiency Standards**

In accordance with USDOT and Federal Transit Administration (FTA) regulations, specifically referenced as Circular C, FTA 40721A, dated May 13, 2007 - and as documented herein. The Federal Transit Administration (FTA) and the US Department of Transportation; along with the State of Florida Department of Transportation district offices require a Limited English Proficiency Plan for those individuals to be afforded the same or equal opportunity to all services rendered of all public transportation agencies. Thus a plan for evaluation, development and implementation of Limited English Proficiency in the fixed route public transit service area is required.

Title VI of the Civil Rights Act 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 receive Federal financial assistance.

Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency" reprinted at 65 FR 50121 (August 16, 2000) directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services.

To that end, FTA / Region IV provides best practices and standards which include the "Four (4) Factor Framework" as guidance to assist agencies with assessment, development and implementation of a Limited English Proficiency (LEP) program plans. This plan is then required to be adopted and included as the **City of Key West Department of Transportation (KWDoT) Title VI of the Civil Rights Plan, as amended July 19, 2011.**

**Section II - Application of the Four Factor Framework**

This section in Circular C, FTA 4072.1A, refers to assistance of whom, how and other facts rendered on the legal basis for language assistance programs and requirements. Please refer to the circular and attachments for additional detailed information.

## Limited English Proficiency (LEP) Standards Page 2

This section is intended to provide necessary framework via FTA / LEP guidance for applying the four (4) factors of data to your LEP program plan - for compliance and update annually, as follows below:

**Factor 1 - Assessing The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population:** Factor 1 addresses the number and proportion of LEP persons served or encountered in the eligible service population - This section is intended to identify specific tasks that provide a clear and concise process to be administered in evaluating recipients and sub recipient requirements within the transit system. We create a customer base using various data and information available via civic State and Federal agencies, so as to properly evaluate the need for limited language proficiency assistance programs by language and area and type of assistance required within our immediate communities and service network.

Agencies are recommended to examine prior experiences with LEP Individuals which also provides for agency insight and adoption of best practice methodologies on how to measure the ratio of customers or population in your service area who may have limited English proficiency by communicating on a regular basis with your agencies dispatchers, bus drivers and supervisors, as well as maintenance employees who are the frontline employees that come into contact with these individuals of limited English proficiency in performance of their daily job duties. Those positions that are included in this process at KWDoT are:

- Transit vehicle operators
- Transit mechanics / helpers
- Dispatch
- Supervisors

Additional mechanisms which are factored into our data collection include but are not limited to:

- Call records to the agency
- Attendance and participation of civic organization events, public hearings, city commission meetings and other community outreach events.
- Website information postings via [www.keywestcity.com](http://www.keywestcity.com).
- Real Time public transit information system (GPS, AVL, IVR and posted web based notices on [www.kwtransit.com](http://www.kwtransit.com) - where text, voice and mapping options are available 24 hours per day / 7 days per week, via (305) 600-1455.

## Limited English Proficiency (LEP) Standards

### Page 3

By utilizing data via State and Federal (2010 US Census) information - it is recommended that recipients and sub recipients become familiar with information available - along with data from the American Community Service (ACS) branch; and incorporate this data into the evaluation process. This will serve to assist agencies with identifying geographic boundaries of the area that each agency serves, in order to evaluate the need for language assisted programs.

**ACTION:** City of Key West Department of Transportation (KWDoT) incorporates quarterly staff meetings with drivers and dispatch personnel to identify specific areas of service that might require language assisted programs be developed. To date we have collected this shared data and are now aware that LEP programs need to be offered to two (2) distinct populations in the City of Key West - they are 1) Spanish speaking and 2) French or Creole speaking customers.

To accomplish this goal, we meet regularly with leaders of these two (2) communities, civic and service organizations that promote interagency referral and information processes, and also post all notices and other printed media in those two (2) specific languages when required.

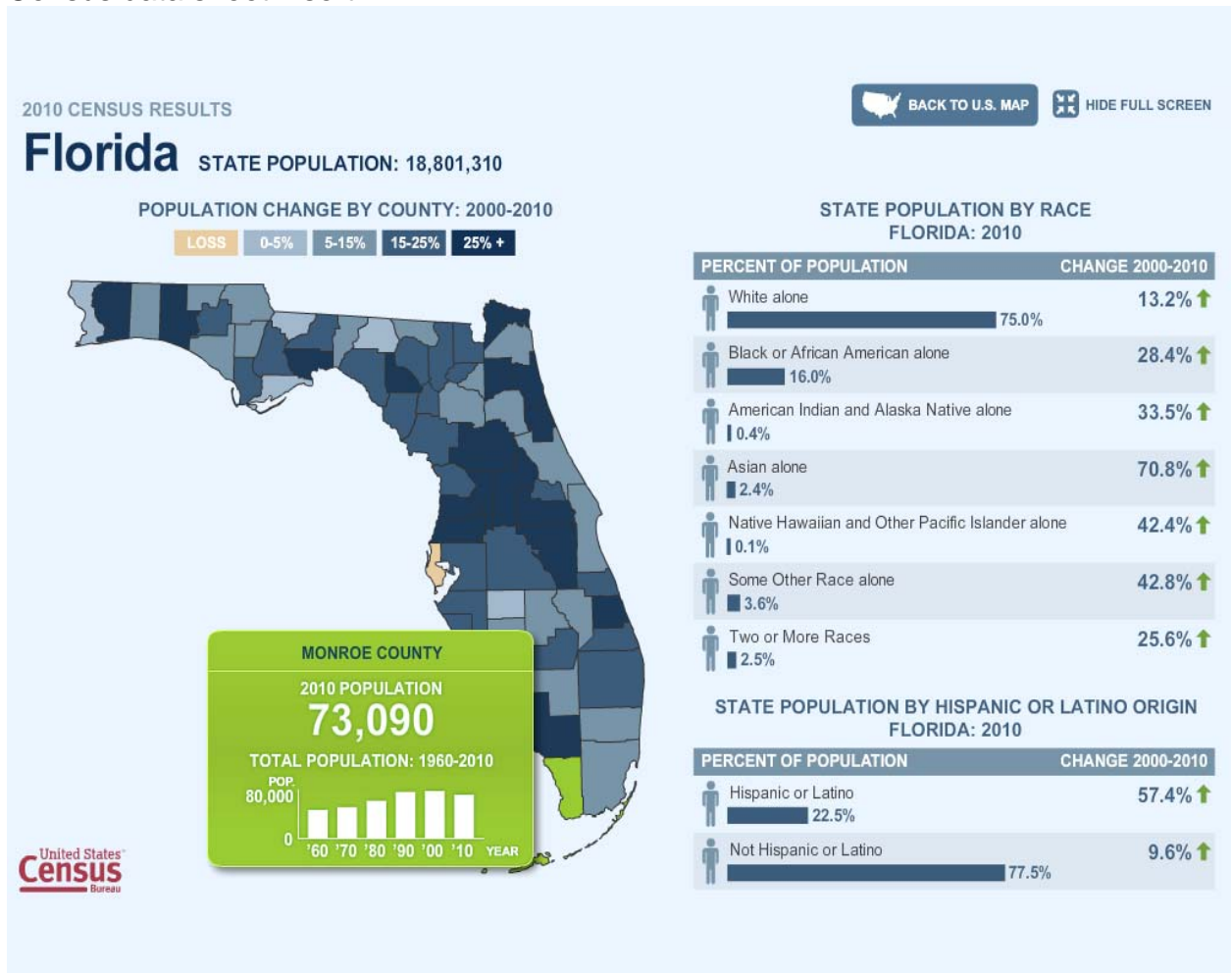
Additionally, part of our new driver orientation and training process includes distribution of pocket reference booklets to be used by our operators in an active bus route service - to assist with any issue which may arise regarding a language barrier situation but also to further the process of identification of the LEP persons' primary language so that we can offer and provide necessary translation services as may be required. The City of Key West Police Department (KWPD) has contract providers on call 24/7 for this service - and most recently KWDoT has contracted with an internet provider who is available to us all hours of active transit operations.

It is required to analyze the data collected; and, then identify concentrations of LEP persons within the service area. This has been successfully accomplished most recently with information gathered via our quarterly bus driver and supervisory staff meetings but also as a direct result of recent 2010 US Census data.

By using State and Local resources which we also incorporate into our data gathering processes; together with agencies requiring a community outreach or reach out program for identified LEP organizations or persons. All of which is included in our quarterly exchange of information internally and externally as well as our efforts to be involved and participate at as many community programs as possible but a minimum of four (4) per calendar year.

**Limited English Proficiency (LEP) Standards**  
**Page 4**

**ACTION:** KWDOT reviews US Census data and ascertains that there is a increased populations in South Florida of French (Black American / Creole) descent; as well as an ongoing increase of the Spanish populations. See Census data sheet insert.



Also, KWDOT has provisions in place that provide for printed bus schedule and other public transit service information (posted notices, etc) to be posted and/or available upon request to those patrons/customers of LEP in French and Spanish - in all our active bus service areas.

**Factor 2: Identify The Frequency With Which LEP Individuals Come Into Contact With Your Programs, Activity and Services** - Requires that we identify programs and services rendered, along with the information gathered

## Limited English Proficiency (LEP) Standards

### Page 5

from the community, civic and governmental organizations - for assessment of the language assisted program highlights and areas of service in concentrated populations.

**ACTION:** KWDoT participates in community organizational events and public meetings such as Chamber of Commerce events, South Florida Work Force events, Green Living & Educational Expo events, Rotary, Leadership Monroe County, Big Brother / Big Sister events, Goombay activities - just to name a few. These events are held at a minimum of once per quarter in all areas of Key West and the Lower Keys, Florida. We also actively discuss and strategize internally as to various potential environmental factors which may affect our community demographics throughout the Florida Keys allowing us to be proactive which in essence provides added opportunities to LEP persons. Refer to demographic US Census chart provided above.

Additionally, KWDoT is fortunate to have a good representation internally of employees who are of the Hispanic and Creole (French) ethnicity. These employees are also great ambassadors for KWDoT with regard to their immediate residential communities as well as the religious affiliated organizations.

**Factor 3: The Nature and Importance of LEP Persons Of Your Program, Activities and Services** - This requires agencies identify the most critical services provided together with information collected from the communication organizations and LEP persons and implement assisted language program plans that target identified areas of critical concern.

**ACTION:** KWDoT has identified opportunities by using organizations such as the Affordable Housing Task Force (Key West and Monroe County), the Key West Housing Authority and many private sector developers / engineer's via the permitting process of review in the planning departments of all municipal agents in Monroe County, Key West, Florida, which allows us input at the beginning of the process rather than being an after thought at the end of a construction planning and development opportunity. This includes agencies who serve LEP persons regularly in the housing, social services and other public services which are essential areas that relate to the health, safety and welfare of LEP persons.

**Factor 4: Assessing The Resources Available To The Recipient and Costs**  
– Agencies are required to weigh the demand for language assistance against the agency's current and projected financial and personnel resources, helping the agency to determine if the language services rendered provide a cost effective service and whether future plans and investments are needed to assist



## Limited English Proficiency (LEP) Standards

### Page 6

a greater number of LEP persons in the service area, but within the agencies resources.

Developing an implementation plan for language assistance is covered at length in the five (5) tasks forthcoming - in the "developing an implementation plan on language assistance."

This is all established by the needs assessment process and hosting of various public hearings with language assisted services advertised for said meetings in identified LEP translated formats. This is done by City of Key West DoT to accommodate both the Creole / French populations as well as Hispanics at this time - which has been identified via our needs and assessment process from 2008 to current period.

**Action:** All processes have been identified earlier in this Plan document which the agencies should constantly monitor and evaluate their LEP plans for revision accordingly - all based on feedback from both customers and employees, community representatives, staff and internal monitoring / auditing processes, as well as obvious changes to demographic structures or environmental issues or concerns.

This section provides guidance on how to develop checklists that would be appropriate for use with activities such as focus group meetings, community organization groups who serve LEP persons, etc. There are many resources available upon request.

**Action:** Refer to Factor 1 above. Also note that Appendices A and D are attached.

### **Section III - Developing an Implementation Plan on Language Assistance**

**Task 1** - Identifying LEP persons, communities or neighborhoods, within your service areas is critical to the success of any LEP program. This section is intended to identify specific tasks that provide a clear and concise process to be administered in evaluating recipients and sub recipient requirements within the transit system. We create a customer base using various data and information available via civic State and Federal agencies, so as to properly evaluate the need for limited language proficiency assistance programs by language and area and type of assistance required within our immediate communities and service network.

Agencies are recommended to examine prior experiences with LEP Individuals which also provides for agency insight and adoption of best practice

## Limited English Proficiency (LEP) Standards

### Page 7

methodologies on how to measure the ratio of customers or population in your service area who may have limited English proficiency by communicating on a regular basis with your agencies dispatchers, bus drivers and supervisors, as well as maintenance employees who are the frontline employees that come into contact with these individuals of limited English proficiency in performance of their daily job duties. Those positions that are included in this process at KWDoT are:

- Transit vehicle operators
- Transit mechanics / helpers
- Dispatch
- Supervisors

Additional mechanisms which are factored into our data collection include but are not limited to:

- Call records to the agency
- Attendance and participation of civic organization events, public hearings, city commission meetings and other community outreach events.
- Website information postings via [www. keywestcity.com](http://www.keywestcity.com).
- Real Time public transit information system (GPS, AVL, IVR and posted web based notices on [www.kwtransit.com](http://www.kwtransit.com) - where text, voice and mapping options are available 24 hours per day / 7 days per week, via (305) 600-1455.

By utilizing data via State and Federal (2010 US Census) information - it is recommended that recipients and sub recipients become familiar with information available - along with data from the American Community Service (ACS) branch; and incorporate this data into the evaluation process. This will serve to assist agencies with identifying geographic boundaries of the area that each agency serves, in order to evaluate the need for language assisted programs.

City of Key West Department of Transportation (KWDoT) incorporates quarterly staff meetings with drivers and dispatch personnel to identify specific areas of service that might require language assisted programs be developed. To date we have collected this shared data and are now aware that LEP programs need to be offered to two (2) distinct populations in the City of Key West - they are 1) Spanish speaking and 2) French or Creole speaking customers.

To accomplish this goal, we meet regularly with leaders of these two (2) communities, civic and service organizations that promote interagency referral and information processes, and also post all notices and other printed media in those two (2) specific languages when required.

## Limited English Proficiency (LEP) Standards

### Page 8

Additionally, part of our new driver orientation and training process includes distribution of pocket reference booklets to be used by our operators in an active bus route service - to assist with any issue which may arise regarding a language barrier situation but also to further the process of identification of the LEP persons' primary language so that we can offer and provide necessary translation services as may be required. The City of Key West Police Department (KWPD) has contract providers on call 24/7 for this service - and most recently KWDoT has contracted with an internet provider who is available to us all hours of active transit operations.

It is required to analyze the data collected; and, then identify concentrations of LEP persons within the service area. This has been successfully accomplished most recently with information gathered via our quarterly bus driver and supervisory staff meetings but also as a direct result of recent 2010 US Census data.

By using State and Local resources which we also incorporate into our data gathering processes; together with agencies requiring a community outreach or reach out program for identified LEP organizations or persons. All of which is included in our quarterly exchange of information internally and externally as well as our efforts to be involved and participate at as many community programs as possible but a minimum of four (4) per calendar year.

KWDoT reviews US Census data and ascertains that there is a increased populations in South Florida of French (Black American / Creole) descent; as well as an ongoing increase of the Spanish populations. The 2010 Florida Census data sheet provided in Factor 1 above.

**Task 2** - Providing the LEP assistance identified and required to customers of the transit agency is also critical to the successes of any program - this requires that we identify programs and services rendered, along with the information gathered from the community, civic and governmental organizations - for assessment of the language assisted program highlights and areas of service in concentrated populations.

As stated earlier, KWDoT participates in community organizational events and public meetings such as Chamber of Commerce events, South Florida Work Force events, Green Living & Educational Expo events, Rotary, Leadership Monroe County, Big Brother / Big Sister events, Goombay activities - just to name a few. These events are held at a minimum of once per quarter in all areas of Key West and the Lower Keys, Florida. We also actively discuss and

## Limited English Proficiency (LEP) Standards

### Page 9

strategize internally as to various potential environmental factors which may affect our community demographics throughout the Florida Keys allowing us to be proactive which in essence provides added opportunities to LEP persons. Refer to demographic US Census chart provided above.

Additionally, KWDoT is fortunate to have a good representation internally of employees who are of the Hispanic and Creole (French) ethnicity. These employees are also great Ambassadors for KWDoT with regard to their immediate residential communities as well as the religious affiliated organizations.

**Task 3** - New Hire Procedures and Interaction - this requires the agency identify the most critical services provided together with information collected from various community and / or civic organizations as well as designated LEP representatives, and implement assisted language program plans that target the areas identified areas of critical concern.

KWDoT has identified opportunities by using organizations such as the Affordable Housing Task Force (Key West and Monroe County), the Key West Housing Authority and many private sector developers / engineer's via the permitting process of review in the planning departments of all municipal agents in Monroe County, Key West, Florida, which allows us input at the beginning of the process rather than being an after thought at the end of a construction planning and development opportunity. This includes agencies who serve LEP persons regularly in the housing, social services and other public services which are essential areas that relate to the health, safety and welfare of LEP persons.

**Task 4** - Providing notice to LEP persons - requires agencies work toward establishing a needs assessment process and hosting of various public hearings with language assisted services advertised for said meetings in identified LEP translated formats.

This is done by City of Key West DoT to accommodate both the Creole / French populations as well as Hispanics at this time - which has been identified via our needs and assessment process from 2008 to current period.

All processes have been identified earlier in this Plan document which the agencies should constantly monitor and evaluate their LEP plans for revision accordingly - all based on feedback from both customers and employees, community representatives, staff and internal monitoring / auditing processes, as well as obvious changes to demographic structures or environmental issues or concerns.

## Limited English Proficiency (LEP) Standards

### Page 10

This section provides guidance on how to develop checklists that would be appropriate for use with activities such as focus group meetings, community organization groups who serve LEP persons, etc. There are many resources available upon request.

**Task 5** - Monitoring and update of plans is a minimum requirement of FTA every third (3rd) year - however, ideally, agencies providing public transit collect and gather data on a more regular basis as is noted above. KWDoT gathers data in an ongoing fashion with methods such as

- Phone call information
- Requests for LEP Translation services (daily or as received) automated system generated reports or request via our real time information system
- Employee feedback
- Participation at community events, public speaking engagements and dissemination of notices, posters, etc., in identified LEP languages for the service area served.

**City of Key West  
Department of Transportation**

**Service & Fare Analysis**



## Analysis of Proposed Service and Fare Changes

The following checklist will be used by City of Key West Department of Transportation for route changes, route revisions, fare changes or other related service area changes with regard to public transportation services for Key West and the Lower Keys area currently served by the City of Key West, Department of Transportation.

- 1) What service and/or fare changes does City of Key West Department of Transportation (KWDoT) propose?
- 2) Please describe the nature of the change, the bases or rationale for the change, the modes of service impacted, and the communities affected by the change.

Service changes can include, but are not limited to, route extensions, route deletions, route additions, changes in hours or days of operation, changes due to contracting out transit services, and changes in headways.

Fare changes can include, but are not limited to, across-the-board fare increases or decreases on all modes of transit provided by an agency, or fare changes provided on some of the agency's transit modes or made by some of the agency's fare payment media or fare payment types.

- 3) What are the impacts of the service changes on minority and/or low income communities?

Route changes. For proposed major service changes that would reduce or expand frequency of service or add or eliminate routes, the recipient should produce maps of the routes that would be eliminated, reduced, added, or expanded, overlaid on a demographic map of the service area, that highlights those Census tracts or traffic analysis zones where the total minority and low-income population is greater than the service area average.

Span of service. For proposed changes that would reduce or expand hours and days of service, the recipient should analyze any available information generated from rider ship surveys that indicates whether minority and low-income riders are more likely to use the service during the hours and/or days that would be eliminated or expanded.

Fare changes. For proposed changes that would increase or decrease fares on certain transit modes or by fare payment type or payment media, the recipient should analyze any available information generated from rider ship surveys indicating whether minority and low-income riders are more likely to use the mode of service, payment type, or payment media that would be subject to the fare change.

## Page 2 / Service & Fare Analysis

- 4) What are the transit alternatives available for riders who would be impacted by proposed service changes?

Service changes. For proposed service changes, the recipient should analyze what, if any, modes of transit or transit routes are available for people affected by the service expansions or reductions. This analysis should compare the travel time and cost of the current route with the travel time and cost to the rider of the alternatives.

Fare changes. For proposed fare changes, the recipient should analyze what, if any, alternative transit modes, fare payment types, or fare payment media are available for people affected by the fare change. This analysis should compare the fares paid under the change with fares that would be paid through available alternatives.

- 5) What, if any measures would *KWDoT* take to avoid, minimize, or mitigate any adverse effects of the service and/or fare change on minority populations and/or low-income populations? What, if any enhancements or offsetting benefits would *KWDoT* implement in conjunction with the service and/or fare change?
- 6) Would the proposed service and/or fare change have a disproportionately high and adverse effect on minority populations and/or low-income populations?  
A disproportionately high and adverse effect is one that (1) is predominately borne by a minority population and/or a low-income population, or (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

In making determinations regarding disproportionately high and adverse effects on minority and low-income populations, mitigation and enhancements measures that will be taken and all offsetting benefits to the affected minority and low-income populations may be taken into account.

Recipients can implement a service reduction or fare increase that would have disproportionately high and adverse effects provided that the recipient demonstrates that the action meets a substantial need that is in the public interest and that other alternatives would have more severe adverse effects than the preferred alternative.



### **Page 3 / Service & Fare Analysis**

- 7) What steps does KWDoT plan to take to seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach and involvement activities?

In general, an agency should have a public participation process that offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. Agencies have wide latitude to determine how, when, and how often specific public involvement measures should take place, and what specific measures are most appropriate. Agencies should make these determinations based on the composition of the population affected by the recipient's action, the type of public involvement process planned by the recipient, and the resources available to the agency. Efforts to involve minority and low-income people in public involvement activities can include both comprehensive measures, such as placing public notices at all stations and in all vehicles, and measures targeted to overcome linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and low-income populations from effectively participating in a recipient's decision-making.

- 8) Does KWDoT believe that it is necessary to disseminate information on the service changes/fare increases that is accessible to Limited English Proficient persons? If so, what steps to provide information in languages other than English does KWDoT propose?

Note: Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). What steps a recipient decides to take should depend on the number and proportion of LEP persons served by the recipient, the frequency with which LEP individuals come into contact with the program, activity, or service, the nature and importance of the program, activity or service, and the resources available to the recipient and costs of providing language assistance.

Further, please note that all regulations outlined in Circular FTA C 4072.1A, will be adhered to with regard to assessment of environmental justice as noted in the May 13, 2007, revision of same.

# Environmental Justice

(National Environmental Protection Act /  
Construction Projects)



(Each Federal agency, its recipients and sub recipients, shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate as possible, disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low income populations. Executive Order 12898)

## Analysis on Construction Projects

Conducting an Analysis on Construction Projects in accordance with DOT Order on Environmental Justice, recipients and sub recipients should integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) processes.

To that end, the following issues will be addressed where appropriate - for construction projects:

- a) a description of the low income and minority population within the study area affected by the project, and a discussion of the method used to identify this population: (example: census data, community meetings, business leaders, etc)
- b) a discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low income population:
- c) a discussion of all positive effects that would affect the identified minority and low income population such as an improvement in transit services, mobility or accessibility:
- d) a description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project:
- e) a discussion of the remaining effects, if any, and why further mitigation is not proposed for the project:
- f) for projects that traverse predominately minority and low income and predominately non-minority and non-low income areas, a comparison of mitigation and environmental enhancement actions that affect predominately low income and minority areas with mitigation implemented in predominately non-minority or non-low income areas.

Recipients and sub recipients that determine there is no basis for such a comparison should describe why that is so, if applicable.

**NOTE: The City of Key West Department of Transportation has processed and been granted two (2) separate NEPA Categorical exclusion permits from the Federal Transit Administration - in July 2006 and most recently June 9, 2011, which expires June 9, 2014 - and is for the purpose of construction of a new Transit Facility at 5701 College Road, Key West, Florida.**

**A copy of the Categorical Exclusion Letter from FTA dated June 9, 2011, is attached. Additional details on the Cat X (DCE) process will be provided upon request.**



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION IV  
Alabama, Florida, Georgia,  
Kentucky, Mississippi,  
North Carolina, Puerto  
Rico, South Carolina,  
Tennessee, Virgin Islands

230 Peachtree St., N.W.,  
Suite 800  
Atlanta, GA 30303  
404-865-5600  
404-865-5605 (fax)

Ms. Myra Wittenberg, Manager  
City of Key West  
P.O. Box 1078  
Key West, FL 33040

RE: Documented Categorical Exclusion -- City of Key West Transit Facility

Dear Ms. Wittenberg:


The Federal Transit Administration (FTA) has received and reviewed the Categorical Exclusion (CE) request and documentation submitted by the City of Key West on May 16, 2011 (and previously) as well as subsequent requested documentation for the construction of a Transit Maintenance and Administration Facility located at 5701 College Road, Stock Island, Key West, Florida. Key West was required to update the DCE pursuant to the expiration of FTA's original concurrence provided in July 2006 and as a result of additional environmental concerns. With this updated concurrence, the City of Key West is eligible to obligate additional FTA funds for construction of the subject facility as described in the DCE.

Based on our review of the material submitted, the project qualifies as a CE pursuant to 23 C.F.R Section 771.117(d)(8). This CE finding covers the construction of a transit administration and fleet maintenance facility at the above location in Key West, Florida. Please note the City of Key West should adhere to the mitigation and monitoring measures that are included in the CE and additionally, FTA may consider future coordination during final design regarding installation of safety signage in the bus bay area.

Please be aware that at any time, if there are changes to the Project, you must notify FTA in writing. FTA will determine whether or not any additional environmental review will be required. This CE approval, dated June 9, 2011, expires in three (3) years on June 9, 2014, in accordance with submitted documentation.

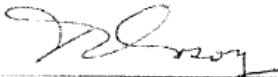
Please attach this signed CE concurrence letter from FTA, the CE document, and supporting documentation to the TEAM grant when it is developed for the above facility. During the TEAM grant development process, the environmental commitments and mitigation and monitoring measures associated with this project should also be entered in TEAM. If we can be of further assistance, please contact E. Parris Orr of my staff at 404-865-5617.

Sincerely,

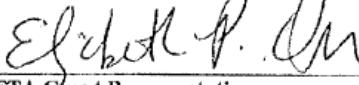
 Yvette G. Taylor, Ph.D.  
Regional Administrator

- No public or private access to the project site will be needed during the construction period. The projected increase in traffic during construction is expected to be minor, and traffic levels will return to current levels after the work is completed. Traffic will be directed in the vicinity of the site by workers or City personnel as needed. Closer to construction start up, the City will coordinate details of the construction with the Gerald Adams Elementary School and will strive to accommodate any requests the school may have regarding traffic, noise, or safety issues. Monroe County School Board officials have expressed their desire to work closely with the City to minimize the potential for any disruptions to school activities during the construction period.

The action described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.117 - (d) (8).

  
\_\_\_\_\_  
Applicant's Environmental Reviewer

4/28/11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
FTA Grant Representative

6/9/2011  
\_\_\_\_\_  
Date