



**Title VI Program**  
**July 2025-2028**  
**Arkansas Department of Transportation**

**In Cooperation with U.S. DOT**  
**Federal Transit Administration**

**NOTICE OF NONDISCRIMINATION**

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, ARDOT does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the FMCSA Title VI Program), or disability in the admission, access to and treatment in ARDOT's programs and activities, as well as ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ARDOT's nondiscrimination policies may be directed to Civil Rights Officer Joanna P. McFadden (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: [joanna.mcfadden@ardot.gov](mailto:joanna.mcfadden@ardot.gov)

Free language assistance may be available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

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## **INTRODUCTION**

The Arkansas Department of Transportation (ARDOT) is the agency responsible for administering Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) programs in the State. ARDOT programs are administered in a nondiscriminatory manner.

Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, or national origin.

The objectives of the ARDOT's Title VI Program are as follows:

1. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner.
2. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin.

ARDOT makes "Assurances" (refer to Attachment One) that it complies with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted Programs of the Department of Transportation. ARDOT's Title VI Program is responsive to Federal Transit Administration (FTA) Circular FTA C 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients", dated October 1, 2012.

## **ARKANSAS HIGHWAY COMMISSION**

Amendment 42 to the Constitution of Arkansas created the current State Highway Commission. The five members are vested with powers and duties for administering the Arkansas Department of Transportation (ARDOT) and fully and effectively carrying out relative regulations and laws. Appointed by the Governor, with the advice and consent of the Arkansas Senate, members serve ten-year terms.



<b>Name</b>	<b>Board Position</b>	<b>City</b>	<b>Ethnic Group</b>	<b>Gender</b>
Philip Taldo	Chairman	Springdale	White	Male
Keith Gibson	Vice Chairman	Fort Smith	White	Male
David Haak	Commissioner	Texarkana	White	Male
Marie Holder	Commissioner	Little Rock	White	Female
Jerry Halsey, Jr.	Commissioner	Jonesboro	White	Male

## **ASSIGNMENT OF RESPONSIBILITIES**

### Civil Rights Officer

- The Civil Rights Officer reports directly to the Assistant Chief of Administration.
- Joanna P. McFadden, Civil Rights Division Head, is designated as the Civil Rights Officer for ARDOT.
- The Civil Rights Officer, by order of the Director, has overall responsibility for planning, developing, managing, implementing, coordinating, and monitoring all program areas of the ARDOT's civil rights functions.
- The Civil Rights Officer is designated as the Title VI Coordinator for ARDOT.
- The Civil Rights Division is adequately staffed to effectively implement ARDOT's Civil Rights Program.
- The Civil Rights Officer is assisted in carrying out the requirements of Title VI Program by the Title VI Multi-Disciplinary Team (Team).

### Title VI Multi-Disciplinary Team

- Employing a proactive methodology, the Team's responsibilities include reviewing, evaluating, and implementing ARDOT's Title VI program. Team members utilize a "Multi-Disciplinary Approach to Non-Discrimination" to ensure Title VI issues are addressed in the normal course of business.

The Team consists of the following members:

- Jeffrey Holmes, AHP Chief, Arkansas Highway Police
- Kevin White, Division Head, Right of Way
- David Baker, Division Head, Roadway Design
- Rochelle Blue, Assistant State Construction Engineer, Construction
- Matthew Strawn, Section Head-Public Involvement, Environmental
- David Hall, Division Head, Surveys
- Bryan Freeling, Division Head, State Aid
- Joanna P. McFadden, Civil Rights Officer and Title VI Coordinator, Civil Rights
- Patricia Slater, Public Transportation FTA Grants Officer, Local Programs
- Dave Parker, Division Head, Communications
- Bethany Stovall, Transportation Planner, Planning and Research
- David Siskowski, Division Head, Local Programs
- Daniel Siskowski, Division Head, Program Management

The Communication Division maintains ARDOT's website and manages information releases to the media. The Team relies on the Communication Division Head, who utilizes public media and ARDOT's website, to share Title VI information and engage the public in development of the Title VI Program. The Communication Division Head presides at all public listening sessions, meetings, and hearings.

### **PROGRAM ADMINISTRATION**

FTA regulations governing Sections 5310 and 5311 require that State Management Plans, which are on file in the FTA Region VI Office and in the Transit Award Management System (TrAMS), include: (Source C 4702.1B, V.2)

- A demographic profile of the State that includes identification of the locations of minority populations in the aggregate.
- Demographic maps that overlay the percent minority and non-minority populations as identified by Census or American Community Survey data at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the State as a designated recipient.
- An analysis of impacts that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.
- A description of the statewide transportation planning process that identifies the transportation needs of minority populations.
- A description of the procedures the State uses to pass through FTA financial assistance to subrecipients in a non-discriminatory manner.
- A description of the procedures the State uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations.

Attachment Two lists all counties that submitted applications to ARDOT for funding under the Sections 5305, 5310, 5311, and 5339 programs for the period of January 2021 through January 2023. This list indicates the county or counties the applicant serves. All qualified applicants received some level of funding during this period. The table also shows that these applicants provide transit service in all seventy-five Arkansas counties.

U.S. Census Bureau, 2023 American Community Survey (ACS) 5-Year Estimates show that Arkansas has a non-minority population of 70.9% and a minority population of 29.1%. Refer to Attachment Two for the percentage of minority population, broken down by county.

Low-income counties are those counties with a median household income below the state median of \$58,773. (Source: 2023 ACS-5-Year Estimates in 2023 Inflation Adjusted Dollars). The rest of the table's demographics are based on data obtained from U.S. Census Bureau, 2023 American Community Survey Estimates.

The 5307 recipients receive funds directly from FTA and submit their own Title VI Plan and Assurances.

### **MONITORING AND TECHNICAL ASSISTANCE TO SUBRECIPIENTS**

ARDOT's Public Transportation Programs Section (PTP) is required by the Federal Transit Administration (FTA) to ensure that subrecipients of FTA programs comply with federal requirements. To meet this federal mandate, ARDOT's monitoring, and support consists of collecting and responding to data using complementary approaches, including:

- 1) There are on-site management reviews, vehicle, and facility inspections with a Title VI Checklist, used to ensure subrecipients' compliance. (See Attachment Three)
- 2) Technical assistance provided through a web of support tailored to meet the needs of the very different agencies serving very different communities. A "Program Reporting Manual" guides Section 5310 subrecipients, while ARDOT staff utilizes an On-Site Management Review Guide to evaluate agency performance and provide detailed support. A "Management Review Guidebook" is provided for Section 5311 subrecipients. ARDOT provides one-on-one coaching and assistance utilizing program reporting documents submitted by applicants to determine if projects follow the Program of Projects (POP), as outlined in the agency's application. ARDOT and Metropolitan Planning Organizations (MPOs) are required to place draft and final planning documents on their websites for public review and comment.
- 3) Financial assistance is awarded through an annual statewide application process. A "Notice of Funding Availability" is posted on the ARDOT website and emailed to agencies that are currently receiving, have received funding in the past, or have requested an application since the last application cycle. ARDOT staff provides technical assistance to applicants, as requested, prior to the application deadline. Applications are reviewed for completeness before a selection committee formally considers each application. Approved projects are included in a POP which is formally adopted by ARDOT. Once federal funds are available, approved recipients are notified, and necessary agreements are executed. Purchase orders and requests for reimbursement (expenses) are submitted by subrecipients for review.
- 4) Section 5310 subrecipients annually certify their compliance with Title VI and Equal Access for Persons with Disabilities. Section 5311 subrecipients are required to submit their reports with their annual application. The reports are reviewed, and the agencies are contacted for additional information or clarification, as needed. Subrecipients are required to complete and submit Title VI investigations and complaint forms.

## **REPORTING REQUIREMENTS**

As a primary recipient of FTA funding, ARDOT passes FTA funding through to eligible subrecipients.

In support of ARDOT's Title VI Program, the PTP Section of the Local Programs Division monitors certain reporting requirements and provides the FTA with the following information in fulfillment of those reporting requirements.

### **1. Requirement to Provide Standard Title VI Assurances**

ARDOT submits its Certifications and Assurances to FTA through TrAMS. Subrecipients provide their Certifications and Assurances in conjunction with applications for program funding and these documents are retained with application materials.

ARDOT's Standard DOT Title VI Assurances are included in Attachment One, including Appendices A, B, C, D & E.

### **2. Requirement to Develop Title VI Complaint Procedures**

ARDOT has developed procedures for investigating and tracking Title VI complaints that may be filed against ARDOT or subrecipients and for making these procedures available to members of the public upon request. Subrecipients are required to have a similar procedure for complaints as shown in Attachment Four.

### **3. Requirement to Record Title VI Investigations, Complaints and Lawsuits**

In compliance with 49 CFR Section 21.9(b), ARDOT (and any subrecipient) shall prepare and maintain a record of any active investigations conducted by entities (other than the FTA), lawsuits, or complaints naming ARDOT (or subrecipient) alleging discrimination on the basis of race, color, national origin. This record shall include the date the investigation, lawsuit, or complaint was filed and received by ARDOT, a summary of the allegation(s), the status of the investigation, lawsuit or complaint, actions taken by ARDOT (or subrecipient) in response to the investigation, lawsuit, or complaint, and the date that the complainant was notified of the resolution of the case.

ARDOT's form for recording this information is included in Attachment Five. During the processing of active investigations, lawsuits, or complaints, the Title VI Coordinator shall update the record form as necessary. Upon resolution and closure of an investigation, lawsuit, or complaint, the Title VI Coordinator shall record such closure on this form, including the date that notice of resolution was provided to the complainant.

During the most recent reporting period, there were no Title VI complaints, investigations, or lawsuits filed against ARDOT or its subrecipients.

#### **4. Requirement to Notify Beneficiaries of Protection under Title VI**

All meetings are open to the public, and public meetings are held in places accessible to people with disabilities. If an individual requires accommodation, contact information is provided to ensure coordination.

ARDOT has established methods for notification to the public regarding its Title VI obligations, how to access information regarding ARDOT's nondiscrimination obligations, and procedures for filing a discrimination complaint against ARDOT or its subrecipients. Subrecipients are encouraged to adopt this notice format for their use and publish their notice on their websites, incorporate it in all public documents and display it at all public meetings. ARDOT's public Notice of Nondiscrimination is included in Attachment Six.

#### **5. Requirement to Provide Additional Information Upon Request**

Upon written request, ARDOT (and subrecipients) will provide additional information beyond that which is required by the circular.

#### **6. Requirement to Prepare and Submit a Title VI Program**

ARDOT is required to submit a Title VI Program that has been approved by its governing board or highest official every three years. Director Jared D. Wiley, P.E. is the highest official for ARDOT. Therefore, the submission letter is verification of agency approval.

#### **7. Conducting an Environmental Justice Analysis on Construction Projects**

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)," was enacted to reinforce Title VI of the Civil Rights Act of 1964. Additional guidance is provided through FTA Circular 4703.1.

The Civil Rights Act states, "*No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*"

Executive Order 12898 states, "*Each Federal agency shall make achieving environmental justice part of its mission identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.*"

ARDOT enforces Environmental Justice in the same manner as Title VI. Environmental Justice is included as review criteria in the annual Title VI Compliance Review and as part of the Categorical Exclusion (CE) Checklist. Refer to Attachment Seven.

There were no construction projects implemented during this reporting period.

## **8. Inclusive Public Participation Plan**

The statewide transportation planning process includes the development, administration, and update of highway, transit, bicycle/pedestrian, rail, intermodal, and air plans and programs in accordance with federal and state laws, regulations, and policies. The process relies heavily on ongoing public involvement efforts to involve stakeholders, the public, other state and local agencies, and local officials in the decision-making process.

Arkansas has the following eight Metropolitan Planning Organizations (MPOs) that play a major role in public involvement. Refer to Attachment Eight for the Public Participation Plan.

## 9. Statewide Metropolitan Planning Organizations

<b>CARTS</b>	<b>NARTS</b>
Daniel Holland (Study Director)	Tim Conklin (Executive Director)
Casey Covington (Executive Director)	
Metroplan	Northwest Arkansas Regional Planning Commission
501 W Markham St, Suite B	1311 Clayton Street
Little Rock, AR 72201	Springdale, AR 72762
Phone: 501-372-3300	Phone: 479-751-7125
Email: Ccovington@metroplan.org	Email: tconklin@nwarpc.org
Email: Dholland@metroplan.org	
www.metroplan.org	www.nwarpc.org/
ARDOT Districts: 6 & 8	ARDOT Districts: 4 & 9
ARDOT Coordinator: Sunny Farmahan / Anthony Hunter	ARDOT Coordinator: Sunny Farmahan / Anthony Hunter
FHWA Contact: John Spears	FHWA Contact: John Spears
<b>TUTS</b>	<b>Frontier</b>
Rea Donna Jones (MPO Director)	Reese Brewer (Study Director)
JoAnne Gray (Assistant Planner)	Sasha Grist (Executive Director)
Texarkana MPO	Frontier MPO
220 Texas Blvd	1109 S. 16 <sup>th</sup> Street
Texarkana, TX 75501	Fort Smith, AR 72901
Phone: 903-798-3927	Phone: 479-785-2651
Email: ReaDonna.Jones@txkusa.org	Email: sgrist@wapdd.org
Email: joanne.gray@txkusa.org	Email: rbrewer@wapdd.org
www.texarkanampo.org	www.frontiermpo.org
ARDOT District: 3	ARDOT District: 4
ARDOT Coordinator: Sunny Farmahan / Anthony Hunter	ARDOT Coordinator: Sunny Farmahan / Anthony Hunter
FHWA Contact: John Spears	FHWA Contact: John Spears
<b>HSATS</b>	<b>JATS</b>
Darrick Harris (Study Director)	Alan Pillow (MPO Director)
Dwayne Pratt (Executive Director)	Linde Miller (MPO Planner I)
Tri-Lakes MPO	NE Arkansas Regional Transportation Planning Commission
1000 Central Ave	300 South Church St
Hot Springs, AR 71901	Jonesboro, AR 72401
Phone: 501-302-5028	Phone: 870-933-4623
Email: dharris@wcapdd.org	Email: apillow@jonesboro.org
www.wcapdd.dina.org/index.php/hot-springs-area-mpo	www.jonesboro.org/191/Metropolitan-Planning-Organization
ARDOT District: 6	ARDOT District: 10
ARDOT Coordinator: Sunny Farmahan / Anthony Hunter	ARDOT Coordinator: Sunny Farmahan / Anthony Hunter
FHWA Contact: John Spears	FHWA Contact: John Spears

**9. Statewide Metropolitan Planning Organizations (continued)**

<b>PBATS</b>	<b>WMATS</b>
Larry Reynolds (Director)	Rhonda Standridge (MPO Director)
Southeast Arkansas Regional Planning Commission	West Memphis MPO – Mayor Marco McClendon (Chairman)
1300 Ohio St, Suite B	205 South Redding
Pine Bluff, AR 71601	West Memphis, AR 72301
Phone: 870-534-4247	Phone: 870-735-8148
Email: larryreynolds@cablelynx.com	Email: rstandridge@wmats.org
www.searpc.com/	www.wmats.org
ARDOT District: 2	ARDOT District: 1
ARDOT Coordinator: Sunny Farmahan / Anthony Hunter	ARDOT Coordinator: Sunny Farmahan / Anthony Hunter
FHWA Contact: John Spears	FHWA Contact: John Spears

**ATTACHMENT ONE:  
STANDARD DOT TITLE VI  
ASSURANCES**

## ARKANSAS DEPARTMENT OF TRANSPORTATION

### Standard Title VI/Non-Discrimination Assurances

The Arkansas Department of Transportation (herein referred to as the Recipient), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration (FHWA)* and/or the *Federal Transit Administration (FTA)*, it is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin)
- 49 CFR Part 21 (entitled *Non-discrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964*)
- 28 CFR Section 50.3 (entitled *U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964*)

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

#### General Assurance

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

*No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the FHWA/FTA.*

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

#### Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 CFR Part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or materials subject to the Acts and Regulations made in connection with the *Federal Aid Highway Program* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

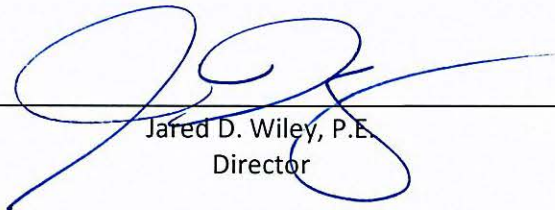
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, Regulations, and this Assurance.

By signing this ASSURANCE, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Aid Highway Program access to records, accounts, documents, information, facilities, and staff. The Recipient also recognizes that it must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Aid Highway Program. The Recipient must keep records and reports, and submit the material for review upon request to the Federal Aid Highway Program or its designee in a timely, complete, and accurate way. Additionally, the Recipient must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

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

**Arkansas Department of Transportation**  
(Name of Recipient)

By  \_\_\_\_\_  
Jared D. Wiley, P.E.  
Director

Date 7/30/2025

## APPENDIX A

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

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

## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

#### **(HABENDUM CLAUSE)**

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

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

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

## APPENDIX C

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

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

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

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

## APPENDIX D

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

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

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

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

## APPENDIX E

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

### **Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR Part 21
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects)
- Federal-Aid Highway Act of 1973 (23 USC § 324 et seq.), (prohibits discrimination on the basis of sex)
- Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR Part 27
- The Age Discrimination Act of 1975, as amended (42 USC § 6101 et seq.), (prohibits discrimination on the basis of age)
- Airport and Airway Improvement Act of 1982 (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 100-209), (broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not)
- Titles II and III of the Americans with Disabilities Act, (prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities), (42 USC §§ 12131-12189) as implemented by U.S. Department of Transportation regulations at 49 CFR Parts 37 and 38
- The Federal Aviation Administration's non-discrimination statute (49 USC § 47123), (prohibits discrimination on the basis of race, color, national origin, and sex)
- Title IX of the Education Amendments of 1972 (20 USC 1681 et seq), as amended, (prohibits discriminating because of sex in education programs or activities)

**ATTACHMENT TWO:  
2021-2023 FTA FUNDING BY  
COUNTY AND CENSUS DATA**

**FTA SECTIONS  
5305, 5310, 5311, and 5339  
PROGRAMS**

**ARKANSAS: PUBLIC TRANSIT OBLIGATIONS AND CENSUS DATA**

**BY COUNTY - STATE FY – 2021 - 2023**

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent			
<b>STATEWIDE (2023)*</b>	<b>3,032,651</b>	<b>883,765</b>	<b>29.1%</b>	<b>471,783</b>	<b>16.0%</b>	<b>\$58,773</b>	<b>265,833</b>	<b>8.8%</b>	<b>\$103,902,779</b>	<b>100%</b>	<b>100%</b>

**By County (2023)\***

ARKANSAS	16,773	4,957	29.6%	2,425	14.7%	\$60,831	661	3.9%	\$3,274,293	3.4%	0.6%
ASHLEY	18,722	5,612	30.0%	4,215	22.7%	\$44,481	1,157	6.2%	\$1,669,624	1.6%	0.6%
BAXTER	42,150	2,997	7.1%	6,029	14.5%	\$48,427	1,157	2.7%	\$1,090,174	1.0%	1.4%
BENTON	294,541	100,134	34.0%	22,138	7.6%	\$89,879	53,388	18.1%	\$2,584,377	2.5%	9.8%
BOONE	37,896	2,174	5.7%	5,018	13.4%	\$54,195	1,120	3.0%	\$1,285,594	1.2%	1.3%
BRADLEY	10,354	4,320	41.7%	2,057	20.1%	\$39,565	1,618	15.6%	\$1,631,093	1.7%	0.3%
CALHOUN	4,717	992	21.0%	601	13.3%	\$63,654	544	11.5%	\$4,321,211	4.5%	0.2%
CARROLL	28,526	7,638	26.8%	4,586	16.3%	\$55,187	4,423	15.5%	\$2,524,694	2.6%	0.9%
CHICOT	9,997	5,903	59.0%	2,264	24.4%	\$39,683	628	6.3%	\$1,631,093	1.7%	0.3%
CLARK	21,378	6,504	30.4%	3,810	20.2%	\$50,985	1,146	5.4%	\$2,943,250	3.1%	0.7%
CLAY	14,399	860	6.0%	2,449	17.2%	\$48,500	120	0.8%	\$427,587	0.4%	0.5%
CLEBURNE	25,048	1,408	5.6%	3,415	13.8%	\$55,979	713	2.8%	\$112,516	0.1%	0.8%
CLEVELAND	7,491	1,209	16.1%	1,153	15.6%	\$50,509	23	0.3%	\$1,631,093	1.7%	0.2%
COLUMBIA	22,527	8,742	38.8%	4,642	22.7%	\$47,363	757	3.4%	\$2,713,624	2.6%	0.7%
CONWAY	20,872	3,748	18.0%	4,261	20.6%	\$51,212	950	4.6%	\$342,142	0.4%	0.7%
CRAIGHEAD	112,097	30,070	26.8%	20,670	19.1%	\$57,615	6,899	6.2%	\$759,752	0.8%	3.7%
CRAWFORD	60,792	10,375	17.1%	9,998	16.8%	\$60,362	4,950	8.1%	\$1,018,959	1.0%	2.0%
CRITTENDEN	47,609	28,395	59.6%	9,684	20.7%	\$54,271	1,476	3.1%	\$768,792	0.7%	1.6%
CROSS	16,681	4,672	28.0%	3,314	20.1%	\$47,012	367	2.2%	\$134,339	0.1%	0.6%
DALLAS	6,351	2,992	47.1%	675	11.2%	\$44,694	92	1.4%	\$4,321,211	4.5%	0.6%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent			
DESHA	11,041	6,080	55.1%	3,164	28.9%	\$36,064	765	6.9%	\$1,813,441	1.7%	0.4%
DREW	17,143	5,877	34.3%	3,720	22.7%	\$41,071	706	4.1%	\$1,672,379	1.6%	0.6%
FAULKNER	126,001	25,333	20.1%	18,099	15.0%	\$65,071	6,949	5.5%	\$1,797,444	1.7%	4.2%
FRANKLIN	17,220	2,367	13.7%	3,197	18.9%	\$51,919	548	3.2%	\$457,951	0.4%	0.6%
FULTON	12,239	868	7.1%	1,782	14.8%	\$38,941	208	1.7%	\$941,176	1.0%	0.4%
GARLAND	100,062	16,458	16.4%	16,237	16.5%	\$55,409	7,179	7.2%	\$2,940,937	2.8%	3.3%
GRANT	18,111	1,493	8.2%	2,205	12.3%	\$75,512	490	2.7%	\$1,631,093	1.7%	0.6%
GREENE	46,182	4,527	9.8%	7,657	17.0%	\$56,793	1,678	3.6%	\$405,426	0.4%	1.5%
HEMPSTEAD	19,778	8,808	44.5%	3,702	19.0%	\$47,654	2,955	14.9%	\$396,584	0.4%	0.7%
HOT SPRING	33,142	5,687	17.2%	5,264	17.1%	\$52,644	1,323	4.0%	\$3,095,302	3.2%	1.1%
HOWARD	12,701	4,525	35.6%	2,477	19.8%	\$44,492	1,559	12.3%	\$237,401	0.2%	0.4%
INDEPENDENCE	38,120	5,749	15.1%	7,287	19.6%	\$56,009	3,313	8.7%	\$425,589	0.4%	1.3%
IZARD	13,866	1,692	12.2%	2,692	21.1%	\$47,728	388	2.8%	\$1,025,761	1.0%	0.5%
JACKSON	16,775	4,073	24.3%	3,044	21.2%	\$41,215	515	3.1%	\$578,109	0.6%	0.6%
JEFFERSON	65,780	41,070	62.4%	12,300	20.6%	\$48,552	1,631	2.5%	\$2,360,542	2.3%	2.2%
JOHNSON	25,932	4,074	15.7%	4,874	19.4%	\$44,808	3,539	13.6%	\$541,614	0.5%	0.9%
LAFAYETTE	6,211	2,625	42.3%	1,658	27.2%	\$37,237	49	0.8%	\$17,477	0.0%	0.2%
LAWRENCE	16,265	1,188	7.3%	2,854	18.2%	\$44,164	348	2.1%	\$601,656	0.6%	0.5%
LEE	8,511	5,110	60.0%	1,926	27.7%	\$36,860	249	2.9%	\$1,660,677	1.7%	0.3%
LINCOLN	12,966	4,920	37.9%	1,512	17.7%	\$51,667	639	4.9%	\$1,631,093	1.7%	0.4%
LITTLE RIVER	11,959	3,236	27.1%	1,927	16.5%	\$52,241	445	3.7%	\$330,623	0.3%	0.4%
LOGAN	21,240	2,281	10.7%	3,009	14.4%	\$54,237	707	3.3%	\$255,500	0.2%	0.7%
LONOKE	74,747	10,676	14.3%	8,232	11.1%	\$71,449	3,871	5.2%	\$2,999,918	2.9%	2.5%
MADISON	17,032	4,345	25.5%	2,529	15.0%	\$53,888	1,036	6.1%	\$1,031,512	1.1%	0.6%
MARION	17,076	1,020	6.0%	3,008	17.8%	\$46,953	446	2.6%	\$1,204,294	1.3%	0.6%
MILLER	42,588	13,820	32.5%	8,694	21.0%	\$49,983	1,683	4.0%	\$504,996	0.5%	1.4%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent			
MISSISSIPPI	39,749	16,903	42.5%	8,150	21.0%	\$53,428	1,861	4.7%	\$347,749	0.4%	1.3%
MONROE	6,681	3,111	46.6%	1,452	22.2%	\$43,955	189	2.8%	\$1,896,332	2.0%	0.2%
MONTGOMERY	8,571	774	9.0%	1,762	20.8%	\$49,015	410	4.8%	\$2,707,595	2.8%	0.3%
NEVADA	8,228	2,888	35.1%	2,298	28.5%	\$41,761	379	4.6%	\$253,132	0.3%	0.3%
NEWTON	7,175	457	6.4%	945	13.3%	\$47,395	123	1.7%	\$1,270,510	1.2%	0.2%
OUACHITA	22,317	9,989	44.8%	3,913	17.9%	\$49,838	562	2.5%	\$2,707,595	2.8%	0.7%
PERRY	10,073	831	8.2%	1,558	15.6%	\$60,078	332	3.3%	\$17,477	0.0%	0.3%
PHILLIPS	15,910	10,432	65.6%	4,534	28.7%	\$38,874	305	1.9%	\$1,716,473	1.7%	0.5%
PIKE	10,182	1,240	12.2%	1,871	18.8%	\$51,000	801	7.9%	\$2,707,595	2.8%	0.3%
POINSETT	22,740	3,440	15.1%	4,466	20.1%	\$47,188	840	3.7%	\$347,749	0.4%	0.8%
POLK	19,348	2,044	10.6%	3,611	19.0%	\$49,252	1,325	6.8%	\$588,559	0.6%	0.6%
POPE	63,830	9,846	15.4%	10,633	17.6%	\$54,606	6,783	10.6%	\$618,191	0.6%	2.1%
PRAIRIE	8,162	1,252	15.3%	739	9.4%	\$51,094	179	2.2%	\$1,896,332	2.0%	0.3%
PULASKI	398,949	196,385	49.2%	63,472	16.2%	\$60,385	32,722	8.2%	\$3,006,486	2.9%	13.3%
RANDOLPH	18,733	1,915	10.2%	3,879	21.1%	\$52,838	461	2.5%	\$427,587	0.4%	0.6%
ST. FRANCIS	22,740	13,390	58.9%	5,503	27.8%	\$41,784	760	3.3%	\$705,510	0.7%	0.8%
SALINE	125,724	22,530	17.9%	11,244	9.1%	\$76,534	8,776	7.0%	\$4,549,998	4.4%	4.2%
SCOTT	9,839	1,488	15.1%	1,678	17.2%	\$45,955	768	7.8%	\$419,633	0.4%	0.3%
SEARCY	7,861	926	11.8%	1,896	24.5%	\$41,978	172	2.2%	\$1,517,440	1.6%	0.3%
SEBASTIAN	128,448	39,534	30.8%	20,559	16.3%	\$56,450	20,023	15.6%	\$924,190	0.9%	4.3%
SEVIER	15,797	6,520	41.3%	3,049	19.6%	\$51,641	5,538	35.1%	\$408,720	0.4%	0.5%
SHARP	17,597	1,338	7.6%	2,997	17.3%	\$42,950	409	2.3%	\$106,487	0.1%	0.6%
STONE	12,474	1,169	9.4%	2,665	21.6%	\$38,531	266	2.1%	\$106,487	0.1%	0.4%
UNION	38,368	14,579	38.0%	7,327	19.4%	\$50,221	1,751	4.6%	\$4,590,982	4.4%	1.3%
VAN BUREN	15,936	1,126	7.1%	3,069	19.5%	\$47,266	533	3.3%	\$515,205	0.5%	0.5%
WASHINGTON	251,863	82,555	32.8%	35,887	14.8%	\$66,426	46,214	18.3%	\$2,671,445	2.6%	8.4%

County Name	Population Estimate	Minority		Poverty		Median Household	Hispanic or Latino		Public Transit Obligations	Percent Obligations	Percent Pop.
		Number	Percent	Number	Percent		Number	Percent			
WHITE	77,395	9,407	12.2%	12,190	16.4%	\$53,435	3,693	4.8%	\$716,127	0.7%	2.6%
WOODRUFF	6,157	1,868	30.3%	1,361	22.8%	\$49,982	36	0.6%	\$248,302	0.2%	0.2%
YELL	20,195	4,224	20.9%	2,621	13.3%	\$58,870	4,214	20.9%	\$168,984	0.2%	0.7%
<b>By County Total</b>	<b>3,032,651</b>	<b>883,765</b>	<b>29.1%</b>	<b>471,783</b>	<b>16.0%</b>	<b>\$58,773</b>	<b>265,833</b>	<b>8.8%</b>	<b>\$103,902,779</b>	<b>100.0%</b>	<b>100%</b>

**NOTES and Data Sources:**

**Data is for Planning and Project Selection Purposes Only: Use of various data sources requires extrapolation of some values**

Arkansas Economic Development Institute (AEDI) Census 2020 Estimates Data Profiles

2023: DP05: American Community Survey Demographic and Housing Estimates (Race, Hispanic or Latino)

2023: S1701: American Community Survey 5-year Estimates: Poverty Status in the Past 12 Months:

Minority Estimates: Total Population Minus Non-Hispanic Whites

2023:S1601: American Community Survey 5-year Estimates: Language Spoken at Home

Public Transit Obligations: Derived from Capital Spreadsheets for FY 2021-2023

Public Transit Obligations: County level data is extrapolated: dividing total funds allocated by counties served

Public Transit Obligations: Funds awarded to ARDOT as Primary Recipient and funds awarded by ARDOT /Sub-recipients as Local Match

Public Transit Obligations: Includes Sections 5305, 5310, 5311, and 5339 Program Funds. Cares Act Funds are also included.

Public Transit Obligations: Direct Recipients funded directly by FTA are not reflected in this analysis

ATA and Remaining Values were totaled and distributed on a statewide basis by county (see working totals)

When necessary - project selection is based on data supported decision making, past performance, need, and institutional knowledge

[DP05: ACS Demographic and ... - Census Bureau Table](#)

<https://data.census.gov/>

**ATTACHMENT THREE:  
SUBRECIPIENT  
TITLE VI CHECKLIST**

## TITLE VI PROGRAM CHECKLIST

Agency: \_\_\_\_\_

Year: \_\_\_\_\_

*All recipients must submit every three years:*

- 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, as well as a summary of outreach efforts made since the last Title VI Program submission
- 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 subrecipients for compliance with Title VI, and a schedule of subrecipient 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 DOT's, 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)

### **Requirements of Transit Providers (Chapter IV)**

*All Fixed Route Transit Providers must submit:*

- All requirements set out in Chapter III (General Requirements)
- Service standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
  - Service availability for each mode
- Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

*Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:*

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

### **Requirements of States (Chapter V)**

*States must submit:*

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
- Demographic profile of the State
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the State’s transportation system investments that identifies and addresses any disparate impacts
- A description of the Statewide planning process that identifies the transportation needs of minority populations
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
- Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

## **Requirements of MPOs (Chapter VI)**

*Metropolitan Planning Organizations and other planning entities must submit:*

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation
- Demographic profile of the metropolitan area
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
- Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)

**Source: FTA C 4702.1B, App A-1, Dated October 1, 2012**

**ATTACHMENT FOUR:  
TITLE VI  
COMPLAINT PROCEDURES  
AND  
COMPLAINT FORM**

## **ATTACHMENT FOUR COMPLAINT PROCEDURES**

The investigation and processing of all alleged complaints of discrimination received by ARDOT will be accomplished by the Civil Rights Division.

When an allegation of discrimination is filed directly with ARDOT, the ARDOT will:

1. Notify the appropriate agency (Federal Transit Administration, Federal Highway Administration, Federal Railroad Administration, etc.) within ten (10) working days of the allegation. As a minimum, the following information will be included in every notification:
  - Name, address, telephone number of the complainant.
  - Names(s) and address(s) of alleged discriminating official(s).
  - Basis of complaint (i.e. race, color, religion, sex, national origin, disability, age).
  - Date of alleged discriminatory act(s).
  - Date complaint was received by ARDOT.
  - A copy of the complaint when it becomes available or a statement of the complaint until a copy is available.
  - Other agencies (state, local or federal) with which the complaint has been filed.
  - An explanation of the actions ARDOT has taken or proposes to resolve the issues raised in the complaint.
2. Acknowledge receipt of the allegation, informing the complainant of action taken or proposed to process the allegation and advising the complainant of other avenues of redress available, within ten (10) working days.
3. Contact the complainant to determine that the issues and concerns are understood and considered in the review.
4. Investigate the allegation based on the information obtained and determine whether discrimination occurred.
5. Prepare a report of findings.
6. Notify the complainant within 45 days from the receipt of the allegation of the findings and decision reached including proposed disposition. The notification will advise the complainant of avenues for appeal if dissatisfied with the decision. The proposed resolution will require action adequate to correct and prevent similar occurrences of discrimination.
7. Provide the appropriate agency with the decision and a summary of the findings within 45 days after receipt of the allegation.
8. Periodically inform the appropriate agency regarding the status of complaints.
9. Informal attempts will be made to resolve the matters. These attempts and the results will be synopsisized in the report of investigations.
10. The procedure outline herein will not prohibit interagency agreements between ARDOT and state or local Federal Employment Practice agencies.

11. The fact that an allegation has been filed directly with the Federal Transit Administration, Federal Highway Administration, Federal Railroad Administration, etc., will not relieve ARDOT of the responsibility for taking action pursuant to its own internal procedures.

## ARDOT FTA TITLE VI Complaint Form

Title VI of the Civil Rights Act of 1964 states "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

***Title 42 U.S.C. Sections 2000d***

Executive Order 13166 ensures individuals whose first language is not English and has a limited capacity to read, write or understand English have meaningful access to programs, information and services by any entity receiving Federal funding. Please provide the following information necessary in order to process your complaint. A formal complaint must be filed within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact ARDOT Civil Rights Division at (501) 569-2297.

**Complete this form and return to:**  
Arkansas Department of Transportation  
Civil Rights Division  
Attn: Joanna P. McFadden, Civil Rights Officer  
10324 Interstate 30  
Little Rock, AR 72209

---

Complainant's Name:

\_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_ Telephone (Work): \_\_\_\_\_

Person(s) discriminated against (if other than complainant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_ Telephone (Work): \_\_\_\_\_

What is the discrimination based on?

- Race/Color
- National Origin
- Disability
- Other

I believe that a public transit provider has failed to comply with the following program requirements:

- Disadvantage Business Enterprise
- External Equal Employment Opportunity
- Not Applicable
- Other

Date of the alleged discrimination: \_\_\_\_\_

Location: \_\_\_\_\_

Agency or person that was responsible for the alleged discrimination:

\_\_\_\_\_

Have you filed this complaint with any other Federal, State, or local agency? If so, whom?

- Transit Provider
- Arkansas Department of Transportation
- FTA
- Department of Justice
- Other

What remedy are you seeking?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List names and contact information of persons who may have knowledge of the alleged discrimination.

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Describe the alleged discrimination. Explain what happened and whom you believe as responsible.

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**Please sign and date. The complaint will not be accepted if it has not been signed. You may attach any written materials or other supporting information you think is relevant to your complaint.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ATTACHMENT FIVE:  
TITLE VI  
COMPLAINT RECORD**

**ATTACHMENT FIVE**

**ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT)**

**TITLE VI COMPLIANCE PROGRAM**

**RECORD OF TITLE VI COMPLAINT, INVESTIGATION, AND  
RESOLUTION 49 CFR 21.9(b) and 49 CFR 21.11(b)**

Complainant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Alleged Discriminating Official(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Complaint Filed with Other Agencies (State, Local or Federal):

\_\_\_\_\_

1. Date Title VI Complaint Received by ARDOT: \_\_\_\_\_

2. Summary of Complaint Allegation(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Status of Investigation of Complaint:

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4. Action(s) Taken by ARDOT:

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5. Date Complaint Resolved or Closed: \_\_\_\_\_

6. Date Complainant Notified of Resolution: \_\_\_\_\_

NOTE: Complainants have 180 days from the date of an occurrence to file a complaint with the ARDOT.

**ATTACHMENT SIX:  
NOTICE OF  
NONDISCRIMINATION**

**ARKANSAS DEPARTMENT OF TRANSPORTATION  
NOTICE OF NONDISCRIMINATION**

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, ARDOT does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the FMCSA Title VI Program), or disability in the admission, access to and treatment in ARDOT's programs and activities, as well as ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ARDOT's nondiscrimination policies may be directed to Civil Rights Officer Joanna P. McFadden (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: [joanna.mcfadden@ardot.gov](mailto:joanna.mcfadden@ardot.gov)

Free language assistance may be available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

**ATTACHMENT SEVEN:  
CATEGORICAL EXCLUSION**

## Federal Transit Administration-Region 6

### Categorical Exclusion Worksheet

This Worksheet will assist grantees in complying with the National Environmental Policy Act (NEPA). Please contact Region 6 at 817-978-0550 or your FTA Planner if you need any assistance with filling out this form.

#### Section I:

Project Title: [Click here to enter text.](#)

Project Description (Include the following information in the description):

- Reason for the proposed project  
[Click here to enter text.](#)
- Project size or scale  
[Click here to enter text.](#)
- Scope of Work  
[Click here to enter text.](#)

Attach an image of the project site. If the project involves construction include:

- Project location or map  
[Click here to enter text.](#)
- Basic construction site plan showing access points and construction site boundaries  
[Click here to enter text.](#)

## Section II

### Land Use/Zoning:

- Attach a land use map showing the project location and its surrounding parcel's land use classification.
- Attach a zoning map showing/describing the project's zoning classification.

### Traffic:

- Describe potential parking/traffic impacts, if any?  
[Click here to enter text.](#)
- Indicate whether the existing roadways have adequate capacity to handle increased bus or other vehicular traffic.  
[Click here to enter text.](#)
- Describe connectivity to other transportation facilities and modes, and coordination with relevant agencies.  
[Click here to enter text.](#)
- If the project will modify an existing roadway configuration include a map/diagram.

### Noise:

Does the project have the potential to increase noise?

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 4-1 of FTA's Noise and Vibration Manual.

Yes, please attach a general noise assessment.

Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

### Vibration:

Does the project cross or have the potential for vibration impacts?

No, there are no receptors within the screening distance for this project. Screening distance criteria can be found in Table 9-2 of FTA's Noise and Vibration Manual.

Yes, please include a general vibration assessment. Follow the procedures in Chapter 5 of FTA's Noise and Vibration Manual. Describe impacts, if any, proposed mitigation measures, and remaining impacts after mitigation.

### Environmental Justice:

Note: Refer to [FTA's Circular on Environmental Justice](#)

- Determine the presence of minority/low-income populations within the project area.  
[Click here to enter text.](#)

- Indicate whether the project will have disproportionately high and adverse impacts on minority/low-income populations.  
Click here to enter text.
- Describe any outreach efforts targeted specifically at minority/low-income populations  
Click here to enter text.

---

**Historic/Cultural Resources:**

Note: [Refer to Section 106 process and Section 4\(f\) Policy Paper](#)

- Describe any cultural, historic, or archaeological resource that is located in or around the immediate vicinity of the proposed project.  
Click here to enter text.
- Describe the potential for the project to affect that resource. (Attach any relevant documentation and correspondence). If the project has the potential to affect historic resources the Section 106 process must be followed. Contact your FTA planner for further guidance.  
Click here to enter text.

---

**Section 4(f) Resources (Public Parks/Recreation Areas, Historic Sites):**

Note: Refer to [Section 4\(f\) Policy Paper](#)

Is the project located in or adjacent to a publicly-owned park, recreation area or wildlife or waterfowl refuge, or a publicly or privately owned historic district/property?

No

Yes, describe the potential impacts to the park/recreation area

Click here to enter text.

---

**Biological Resources:**

Note: Refer to [U.S. Fish & Wildlife Service](#) and the [National Marine Fisheries Service](#)

Are there any species located within the project vicinity that are listed as threatened or endangered under the Endangered Species Act?

No

Yes, describe any critical habitat, essential fish habitat or other ecologically sensitive areas within or near the project area.

Click here to enter text.

**Property Acquisition/Relocations:**

---

Will property be acquired for this project?

No

Yes, indicate whether acquisition will result in relocation of individuals/businesses. Attach maps or graphs of affected parcel including relocations.

[Click here to enter text.](#)

**Wetlands:**

---

Will the project affect potential/on site/adjacent wetlands?

No

Yes, describe the impact and attach correspondence with the US Army Corps of Engineers

[Click here to enter text.](#)

**Water Quality:**

---

Does the project have the potential to impact water quality, including during construction?

No

Yes, describe potential impacts and best management practices which will be in place

[Click here to enter text.](#)

Will there be an increase in new impervious surface or restored pervious surface?

No

Yes, describe potential impacts and proposed treatment for storm water runoff

[Click here to enter text.](#)

Is the project located in the vicinity of an EPA-designated sole source aquifer?

No

Yes, provide the name of the aquifer which the project is located in and describe any potential impacts to the aquifer. Also, include the approximate amount of new impervious surface created by the project.

[Click here to enter text.](#)

## Air Quality:

---

Note: Refer to [Air Quality guidance](#)

Is the project located in an Environmental Protection Agency designated non-attainment or maintenance area?

- No
- Yes, indicate the criteria pollutant below and contact FTA to determine if a hot spot analysis is necessary.
  - Carbon Monoxide (CO)
  - Ozone (O<sub>3</sub>)
  - Particulate Matter (PM<sub>2.5</sub>)
  - Particulate Matter (PM<sub>10</sub>)
  - Oxides of Nitrogen (NO<sub>x</sub>)
  - Oxides of Sulfur (SO<sub>x</sub>)

Describe any impacts to air quality resulting from the project.

[Click here to enter text.](#)

Does the project require conformity analysis?

- No, it is exempt from conformity analysis under 40 CFR Part 51 §93.126
- Yes, it is not exempt under §93.126 or §93.127

If the non-attainment area is also in a metropolitan area, was the project included in the MPO's Transportation Improvement Program (TIP) air quality conformity analysis?

- No
- Yes, Date of USDOT conformity finding: [Click here to enter a date.](#)

**Hazardous Materials:**

Is there any known/potential contamination at the project site?

Contamination may include lead/asbestos, above/underground storage tanks, or a history of industrial sites.

No, describe the analysis used to determine whether hazardous materials were present

[Click here to enter text.](#)

Yes, describe mitigation and clean-up measures that will be taken to remove hazardous materials. If the project includes property acquisition, a Phase I Environmental Site Assessment may be required for the land to be acquired. Contact the FTA planner to discuss the Phase I Environment Site Assessment requirements.

[Click here to enter text.](#)

**Prime and Unique Farmlands:**

Note: Refer to [Farmland Protection Policy Act](#)

Does the proposal involve the use of any prime or unique farmland?

No

Yes, describe potential impacts and any coordination with the Soil Conservation Service of the U.S. Department of Agriculture.

[Click here to enter text.](#)

**Safety/Security:**

Describe all measures that need to be taken and that have been included for the safe and secure operation of the project after its construction.

[Click here to enter text.](#)

**Construction Impacts:**

Describe temporary impacts associated with construction activities such as noise, air quality, sidewalk and road closures, traffic detour/access change, construction schedules (e.g., local ordinance may restrict late night work activity in residential neighborhoods). Describe mitigation measures to address the impact, if applicable.

**Mitigation Measures:**

Describe all measures, if any, to be taken to mitigate project impacts.

[Click here to enter text.](#)

**Submitted by:**

[Click here to enter text.](#)

**Title:**

[Click here to enter text.](#)

**Date:**

[Click here to enter a date.](#)

**ATTACHMENT EIGHT:  
PUBLIC PARTICIPATION PLAN**

**IMPROVING PUBLIC ENGAGEMENT FOR THE LONG-RANGE INTERMODAL TRANSPORTATION PLAN**

<b>Existing Efforts &amp; Commitments</b>	<b>Web Site:</b> <a href="http://www.wemovearkansas.com">www.wemovearkansas.com</a>	
	<b>Mailing List:</b> <ul style="list-style-type: none"> <li>- TPAG members</li> <li>- PDD/EDD Offices</li> <li>- Public Meeting Sign In</li> <li>- MPO Offices</li> <li>- ARDOT Divisions/Districts</li> <li>- Web Site Sign Up</li> </ul>	
	<b>ARDOT Web Site:</b> <ul style="list-style-type: none"> <li>• The Project is one of the six rotating screens on the ARDOT website; linking to the project web site.</li> </ul>	
<b>Proposed Efforts</b>	<b>Twitter Presence:</b> <ul style="list-style-type: none"> <li>• Through the ARDOT Twitter feed</li> <li>• Need Scheduled posts to keep it fresh                             <ul style="list-style-type: none"> <li>○ Content</li> <li>○ Frequency</li> </ul> </li> </ul>	<b>Presentation (Meeting) in a Box</b> <ul style="list-style-type: none"> <li>• Provide a standard presentation for anyone to use for District Engineers, MPO meetings, other standing committees</li> <li>• Use technology (iPad, Tablet, mobile devices, etc.) to access site during meeting</li> </ul>
	<b>Project Newsletter:</b> <ul style="list-style-type: none"> <li>• One page</li> <li>• Monthly?</li> <li>• Direct to the lists above (pdf)</li> <li>• Posted to website, Facebook, twitter                             <ul style="list-style-type: none"> <li>○ Provide to Municipal League, Good Roads, AGC, AAC, Department of Health, Department of Education, AARP for inclusion in their newsletters, AR Trucking Assn.</li> </ul> </li> </ul>	<b>Leverage Existing Committees/Meetings</b> TRC Advisory (external members), Intermodal Authority meetings, Safety Committee, Adopt-a-Highway contact list, Bike-Ped Contact list, Transit providers, Waterways Commission (May– Newport; July – Fort Smith)
	<b>Passive Advertising:</b> <ul style="list-style-type: none"> <li>• Project Logo and URL in email signatures of Department staff</li> <li>• Make this a group effort – each Section in TPP plays a role in the development and implementation of the LRP; we need to educate TPP staff and get ‘buy in’ on importance of LRITP; then let the staff educate the public.</li> </ul>	<b>Non-Traditional Audiences:</b> Community Economic Development (CED) at UCA, APA – Arkansas Chapter, Universities with Planning/Public Admin curriculum, Popup Tent at the Little Rock Marathon, Chambers of Commerce, Religious Organizations (tie to social issues), Leadership classes (local and state-level), State Board of Realtors (tie to property value), UAMS, AGIO, GIS Board Meeting
	<b>Proactive Advertising:</b> <ul style="list-style-type: none"> <li>• Materials at regular meetings of Municipal League, Association of Arkansas Counties, include an insert in the City/County mail out from PLAS for the annual expenditure survey for stat reports</li> </ul>	<b>Cultivate Media:</b> Radio, NPR, Talk Business and Politics (one of the Commissioners is a contributor)  We will work with the project team to draft content for an article.

## **Current Practices at the Arkansas Department of Transportation**

The following excerpt from the Statewide Long-Range Intermodal Transportation Plan (LRTP) – approved by the Arkansas Highway Commission in 2007— describes in detail the current Public Involvement Procedures in place at ARDOT.

Note: A new LRTP is being developed, and current best practices are being employed to ensure that public involvement shapes the final product and ensures future public involvement under the plan.

### **PUBLIC INVOLVEMENT PROCEDURES**

*The Arkansas Department of Transportation has developed the following public involvement methods and processes to ensure opportunities for public review for transportation planning programs administered by ARDOT as required by federal regulation 23 CFR 450.210. This process is separate and discrete from transportation policy and project development in metropolitan areas with a population greater than 50,000.*

*ARDOT will use the following process to consult, notify, solicit input, receive comments, and give notice of availability to interested parties for the Statewide Transportation Improvement Program (STIP) and the Statewide Long Range Intermodal Transportation Plan (Long-Range Plan). Maps and charts will be used as visual techniques as much as possible for presenting information included in these documents. Additionally, ARDOT believes that an effective public involvement process should engage those individuals who could be traditionally underserved in the transportation planning and programming process. In keeping with the Americans with Disabilities Act, ARDOT will hold meetings at locations that are accessible to people who have disabilities. Upon request, ARDOT provides assistance in public meetings to persons who are traditionally underserved, including but not limited to hearing impaired, sight impaired, minority groups, etc.*

*The STIP is a document that contains Federally funded highway and transit projects to be undertaken by ARDOT and the MPOs in the next four years. The STIP describes specific projects, their funding source, route, job limits, and anticipated construction letting dates and is updated every four years.*

*The Long-Range Plan contains policies that will guide transportation planning for a minimum of 20 years into the future. It is intermodal, that is, it considers policies for highways, rail, air, waterways, rural transit, and pedestrian/bicycle forms of transportation. Unlike the STIP, the Long-Range Plan does not contain specific transportation projects. However, it may identify corridors for transportation improvements. The Long-Range Plan is updated every five years.*

*Transportation planning studies conducted by ARDOT are also a part of the transportation planning process. These studies provide an evaluation of a particular segment or corridor of the State Highway System. The results of the studies are used as guidelines when proceeding to environmental and design phases of project development.*

*Current documents may be viewed on the Internet at [www.ardot.gov](http://www.ardot.gov). Additional information may be obtained, or questions answered about the public involvement procedures in the following ways:*

*By Telephone:*

*Contact David Siskowski at 501-435-3255*

*By Writing:*

*Mr. David Siskowski, P.E., Division Head*

*Local Programs Division*

*P.O. Box 2261*

*Little Rock, AR 72203*

### **Process for Public Involvement of Interested Parties on the STIP**

#### **Early Involvement**

*As the Arkansas Highway Commission is structured, each member is a voice for transportation needs throughout the State. As such, the Commission members communicate with local elected officials, community leaders, and business leaders to understand the local and regional transportation strengths and needs.*

*Arkansas Highway Commission members and ARDOT personnel routinely attend local civic meetings during the year throughout the State to gather information regarding transportation in Arkansas. In addition, meetings are held*

with local elected officials and other transportation stakeholders on a continual basis. These meetings are vitally important in the development of the STIP and the Long-Range Plan. A dialog is established to discuss the benefits, conditions and needs of the Arkansas transportation network.

Also, regional meetings may be offered by ARDOT to further discuss statewide, regional, and local needs and opportunities. It is from these meetings as well that corridor needs and specific projects may be identified for possible inclusion into the STIP.

Likewise, formal public meetings are conducted periodically during the planning and early environmental review process. Comments from local officials and transportation stakeholders are received and appropriately incorporated into project planning and design phases. The public is also afforded the opportunity to request improvements or project development via the ARDOT's Public Affairs Office and the ARDOT's web site at [www.ardot.gov](http://www.ardot.gov).

Finally, local officials, public transit operators, human service providers and transit dependent persons are afforded an opportunity to comment on roadway and transit projects at an early stage. Agencies applying for transit funding assistance through ARDOT must publish an opportunity for public comment about their project as part of the application process. In addition, transit agencies are afforded an opportunity to comment on the distribution of Federal and State transit funds and the type of transit projects initiated.

These activities constitute the initiation of the STIP development. In addition, local officials routinely recommend improvement projects for inclusion in the STIP. As projects and improvements are brought forward to the Commission's and ARDOT's attention, they are noted as appropriate for further program development. They are then reviewed and evaluated for inclusion in the STIP as it is being developed.

#### Development of the STIP

1. Early and continuous involvement occurs as described previously providing input into the preparation of a Draft STIP.
2. A Draft STIP is developed by ARDOT and approved by the Director relying on information provided by the public and local officials throughout the years, including the Metropolitan Planning Organizations' long-range transportation plans. This draft is also made available on ARDOT's Internet site at [www.ardot.gov](http://www.ardot.gov).
3. A legal notice is published in a statewide newspaper, including those publications that typically serve minority populations, informing the public and local officials that the Draft STIP is available for comment.
4. A press release, including a listing of projects/funding by county, is given to the media informing them of the availability of the Draft STIP for comment.
5. Letters or notices stating the availability of and soliciting oral and written comments on the Draft STIP are sent to the following officials, community leaders, interest groups and State and Federal agencies
  - a. Arkansas Senators and Representatives
  - b. Mayors
  - c. County Judges
  - d. Arkansas Municipal League
  - e. Association of Arkansas Counties
  - f. Representatives of public transportation employees
  - g. Freight shippers
  - h. Natural resource agencies
  - i. Private providers of transportation
  - j. Representatives of public transportation users
  - k. Representatives of bike/pedestrian facilities users
  - l. Representatives of persons with disabilities
  - m. Freight transportation providers
  - n. Low income persons
  - o. Minority groups
  - p. Indian Tribes

- q. Metropolitan Planning Organizations (MPOs)
  - r. Planning and Development Districts or Economic Development Districts (PDD/EDDs)
6. The Draft STIP is made available in various formats: by download from ARDOT's website, by mailing copies upon request and by placing them in the District Headquarters, the MPO offices, the PDD/EDD offices, and the State Clearinghouse.
  7. A thirty-day comment period is provided.
  8. Comments received by ARDOT are addressed and responses are made to the originator of the comment when appropriate.
  9. The Draft STIP goes through a final internal review process, including the review of all comments received.
  10. The Draft STIP (with any revisions) is then submitted to the Arkansas State Highway Commission (Commission).
  11. The Commission approves the STIP by Minute Order.
  12. Notification of the availability of the final document is published in a statewide newspaper, including those publications that typically serve minority populations.
  13. ARDOT's Internet site is updated with the Final STIP.

### **Process for Public Involvement of Interested Parties on the Statewide Long-Range Plan**

#### Early Involvement

As the Arkansas Highway Commission is structured, each member serves an area as its advocate for transportation as well as being a voice for transportation needs throughout the state. As such, the Commission members communicate with local elected officials, community leaders, and business leaders to understand the local and regional transportation strengths and needs.

Arkansas Highway Commission members and ARDOT personnel routinely attend local civic meetings during the year throughout the State to gather information regarding transportation in Arkansas. In addition, meetings are held with local elected officials and other transportation stakeholders on a continual basis. These meetings are vitally important in the development of the STIP and the Long-Range Plan. A dialog is established to discuss the benefits, conditions and needs of the Arkansas transportation network.

Also, regional meetings may be offered by ARDOT to further discuss statewide, regional, and local needs and opportunities. It is from these meetings as well that corridor needs and specific projects may be identified.

Likewise, formal public meetings are conducted periodically during the planning and early environmental review process. Comments from local officials and transportation stakeholders are received and appropriately incorporated into project planning and design phases. The public is also afforded the opportunity to request planning studies, improvements, or project development via ARDOT's Public Affairs Office and ARDOT's web site at [www.ardot.gov](http://www.ardot.gov).

Finally, local officials, public transit operators, human service providers and transit dependent persons are afforded an opportunity to comment on roadway and transit projects at an early stage. Agencies applying for transit funding assistance through ARDOT must publish an opportunity for public comment about their project as part of the application process. In addition, transit agencies are afforded an opportunity to comment on the distribution of Federal and State transit funds and the type of transit projects initiated.

#### Development of the Statewide Long-Range Plan

1. Early and continuous involvement occurs as described previously providing input into the preparation of a Draft Statewide Long-Range Plan.
2. A Draft Statewide Long-Range Plan is developed by ARDOT and approved by the Director relying on information provided by the public throughout the years. This draft is also made available on the ARDOT's Internet site at [www.ardot.gov](http://www.ardot.gov).

3. *A legal notice is published in a statewide newspaper informing the public and local officials that the Draft Long-Range Plan is available for comment.*
4. *A press release is given to the media informing them of the availability of the Draft Long-Range Plan for comment.*
5. *Letters or notices stating the availability of and soliciting oral or written comments on the Draft Long-Range Plan are sent to the following officials, community leaders, interest groups and State and Federal agencies:*
  - a. *Arkansas Senators and Representatives*
  - b. *Mayors*
  - c. *County Judges*
  - d. *Arkansas Municipal League*
  - e. *Association of Arkansas Counties*
  - f. *Representatives of public transportation employees*
  - g. *Freight shippers*
  - h. *Natural resource agencies*
  - i. *Private providers of transportation*
  - j. *Representatives of public transportation users*
  - k. *Representatives of bike/pedestrian facilities users*
  - l. *Representatives of disabled*
  - m. *Low income persons*
  - o. *Minority groups*
  - p. *Indian Tribes*
  - q. *Metropolitan Planning Organizations (MPOs)*
  - r. *Planning and Development Districts or Economic Development Districts (PDD/EDDs)*
6. *The Draft Long-Range Plan is made available in various formats: by download from ARDOT's website, by mailing copies upon request, and by placing them in the District Headquarters, the MPO offices, the PDD/EDD offices, and the State Clearinghouse.*
7. *A thirty-day comment period is provided.*
8. *Comments received by ARDOT are addressed and responses are made to the originator of the comment as appropriate.*
9. *The Draft Long-Range Plan goes through a final internal review process, including the review of all comments received on the plan.*
10. *The Draft Long-Range Plan (with any revisions) is then submitted to the Commission.*
11. *The Commission approves the Long-Range Plan by Minute Order.*
12. *Notification of the availability of the final document is published in a statewide newspaper, including those publications that typically serve minority populations.*
13. *ARDOT's Internet site is updated with the Final Long-Range Plan.*

**Process for Public Involvement for Developing Transportation Planning Studies**

*ARDOT has developed guidelines for the review of transportation planning studies within ARDOT. The guidelines also indicate at what point local officials and the public is provided an opportunity to comment on the draft study. These are only guidelines and may be modified depending on the scope and complexity of the study. These guidelines are for those studies conducted by ARDOT staff. Transportation studies conducted by consultants often have a public involvement process developed specifically for that study.*

The following steps are an abbreviated list of the guidelines. A complete and detailed copy of the procedures may be obtained from ARDOT at the address listed above.

1. Study initiated by local elected officials, local agency or ARDOT.
2. ARDOT staff meet with community leaders to discuss the scope of the study.
3. Draft document prepared by Planning and Research Division.
4. Draft reviewed and approved by Planning and Research staff.
5. Revised draft reviewed and approved by Assistant Chief Engineer for Planning.
6. Revised draft reviewed and approved by other ARDOT Divisions.
7. Revised draft discussed with local officials from affected jurisdictions, including appropriate MPO staff.
8. Revised draft reviewed and approved by Chief of Administration and then by the Director.
9. Revised draft reviewed by Highway Commission.
10. Final document prepared for adoption by Highway Commission.
11. Following adoption, copies of the Executive Summary are prepared for external and internal distribution.

### **Process for Evaluating the Effectiveness of the Public Involvement Plan**

#### **(23 CFR 450.210(a)(1)(ix))**

1. ARDOT will rely primarily on participants' comments at civic and public meetings to evaluate the effectiveness of the Public Involvement Plan.
2. During civic and public meetings ARDOT may collect information from written surveys, general discussions from participants, and/or demographic profiles of participants.
3. Specifically for public meetings, ARDOT may measure effectiveness by comparing such data as the number actually attending the meetings, the number invited to attend, the number of comments received, etc.

### **Process for Updating the Public Involvement Plan (23 CFR 450.210(a)(2))**

1. ARDOT will evaluate and revise its Public Involvement Plan as needed.
2. Representatives of the interest groups, including traditionally underserved groups, and individuals expressing an interest in the Public Involvement Process will be asked to review and comment on existing procedures.
3. If changes are developed, a draft is prepared for ARDOT review.
4. The Draft Public Involvement Plan is approved by the Director.
5. A legal notice is published in a statewide newspaper informing the public and local Officials that the Draft Public Involvement Plan is available for comment.
6. A press release is given to the statewide media informing them of the availability of the Draft Public Involvement Plan for comment.
7. A forty-five-day comment period is provided.
8. ARDOT prepares a final Plan.
9. ARDOT's Internet site is updated with the Final Public Involvement Plan.

# **PUBLIC INVOLVEMENT METHODS AND PROCESSES**

## **For Consulting with Non-Metropolitan Local Officials**

The Arkansas Department of Transportation has developed the following public involvement methods and processes to ensure consultation with local officials in non-metropolitan areas for transportation planning programs administered by ARDOT as required by federal regulation 23 CFR 450.212(h)-(i). This process is separate and discrete from transportation policy and project development in metropolitan areas with a population greater than 50,000. In metropolitan areas, transportation plan development is administered by the Metropolitan Planning Organization (MPO). The MPO conducts public involvement activities in accordance with local procedures.

ARDOT will use the following process to consult, notify, solicit input, receive comments, and give notice of availability to the officials in non-metropolitan areas for the Statewide Transportation Improvement Program (STIP) and the Statewide Long Range Intermodal Transportation Plan (SWLRP). Exact methods will depend on the situation and, when appropriate, will embrace a combination of the following methods.

The following methods and processes will apply to the STIP. The STIP is a document that contains federally funded projects to be undertaken by ARDOT and the MPOs in the next three years. The STIP describes specific projects, their funding source, route, job limits, and anticipated construction letting dates. It is updated every two years.

The following methods and processes will also apply to the SWLRP. The SWLRP contains policies that will guide transportation planning for a minimum of 20 years into the future. It is intermodal, that is, it considers policies for highways, rail, air, waterways, rural transit, and pedestrian/bicycle forms of transportation. Unlike the STIP, the SWLRP does not contain specific transportation projects. However, it may identify corridors for transportation improvements. The SWLRP is updated every five (5) years.

### **Process for Consultation with Local Officials in Non-Metropolitan Areas on the STIP:**

1. The Draft STIP is developed by ARDOT and approved by the Director.
2. A Legal Notice is published in a statewide newspaper informing the local officials that the Draft STIP is available for comment.
3. A press release, including a listing of projects/funding by County, is given to the statewide media informing them of the availability of the Draft STIP for comment.
4. Letters or Notices stating the availability of and soliciting oral or written comments on the Draft STIP are sent to the following non-metropolitan local officials:
  - a. Mayors of towns, cities, or municipalities not a member of an MPO;
  - b. County Judges representing counties not a member of an MPO and;
  - c. Planning and Development Districts or Economic Development Districts (PDD/EDDs).

5. The Draft STIP is made available in various formats: by download from the ARDOT website, by mailing copies upon request, and by placing them in the District Headquarters, the PDD/EDD offices, and the State Clearinghouse.
6. Comments received by ARDOT are addressed, and responses are made to the originator of the comment.
7. The Draft STIP goes through a final internal review process, including the review of all comments received.
8. The Draft STIP (with any revisions) is then submitted to the Arkansas State Highway Commission (the Commission).
9. The Commission approves the STIP by Minute Order.
10. Notification of the availability for distribution is sent to the following non-metropolitan local officials:
  - a. Mayors of towns, cities, or municipalities not a member of an MPO;
  - b. County Judges representing counties not a member of an MPO and;
  - c. PDD/EDDs.
11. The ARDOT web site is updated with the Final STIP.

**Process for Consultation with Local Officials in Non-Metropolitan Areas on the SWLRP:**

1. The Draft SWLRP is developed by ARDOT and approved by the Director.
2. A Legal Notice is published in a statewide newspaper informing the public and local officials that the Draft SWLRP is available for comment.
3. A press release is given to the statewide media informing them of the availability of the Draft SWLRP for comment.
4. Letters or Notices stating the availability of and soliciting oral or written comments on the Draft SWLRP are sent to the following non-metropolitan local officials, community leaders, and state and federal agencies:
  - a. Mayors of towns, cities, or municipalities not a member of an MPO;
  - b. County Judges representing counties not a member of an MPO and;
  - c. PDD/EDDs.
5. The Draft SWLRP is made available in various formats: by download from the ARDOT website, by mailing copies upon request, and by placing them in the District Headquarters, the PDD/EDD offices, and the State Clearinghouse.
6. Comments received by ARDOT are addressed and responses are made to the originator of the comment.
7. The Draft SWLRP goes through a final internal review process, including the review of all comments received on the plan.
8. The Draft SWLRP (with any revisions) is then submitted to the Commission.

9. The Commission approves the SWLRP by Minute Order.
10. Notification of the availability for distribution is sent to the following non-metropolitan local officials:
  - a. Mayors of towns, cities, or municipalities not a member of an MPO;
  - b. County Judges representing counties not a member of an MPO and;
  - c. PDD/EDDs.
11. The ARDOT web site is updated with the Final SWLRP.

This document can also be viewed at ARDOT's web site: [www.ardot.gov](http://www.ardot.gov). More information may be obtained, or questions answered in the following ways:

By Telephone: Contact David Siskowski at 501-435-3255  
By Writing: Mr. David Siskowski, P.E., Division Head  
Local Programs Division  
P.O. Box 2261  
Little Rock, AR 72203  
By Email: [david.siskowski@ardot.gov](mailto:david.siskowski@ardot.gov)