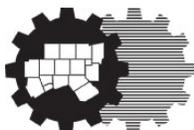


**North Central Texas Council of Governments Title VI Program
May 2013 Update**



**North Central Texas
Council of Governments**

Introduction

Regional transportation planning in North Central Texas is conducted by the federally designated Metropolitan Planning Organization (MPO), comprised of the North Central Texas Council of Governments (NCTCOG) Transportation Department, NCTCOG's Executive Board, the Regional Transportation Council (RTC), and several technical committees. The MPO works with state and local governments, the private sector, and the region's citizens to plan coordinated transportation systems designed to move goods and people affordably, efficiently, and safely. Areas served include the Dallas-Fort Worth-Arlington, Denton-Lewisville, and McKinney urbanized areas and surroundings. Major products produced by the MPO include a long-range Metropolitan Transportation Plan (MTP), a shorter-term Transportation Improvement Program (TIP), a Congestion Management Process (CMP), and a Unified Planning Work Program (UPWP).

As an MPO, NCTCOG must consider Title VI in all phases of planning. Title VI applies equally to all the plans, programs, and activities of transportation planning undertaken by the MPO. MPOs can help local public officials, who represent the broader public, understand how Title VI and environmental justice requirements improve planning and decision making. To certify compliance with Title VI and address environmental justice, NCTCOG strives to:

- Enhance analytical capabilities to ensure that the long-range transportation plan and the Transportation Improvement Program comply with Title VI.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
- Evaluate and, where necessary, improve public involvement processes to eliminate participation barriers, and engage minority and low-income populations in transportation decision making.

Following are descriptions of how NCTCOG, in its capacity as the MPO, is implementing Title VI to ensure that no one is discriminated against on the basis of race, color, or national origin.

General Requirements

Title VI Notice to the Public

NCTCOG has developed a Title VI Notice to the Public that informs the public of their rights under Title VI and includes instructions on how to file a complaint of discrimination. The notice is posted in the NCTCOG lobby and in English and Spanish on the NCTCOG Website. The notice is included as *Attachment 1*. NCTCOG has also developed a Title VI Policy Statement and Assurances which are included as *Attachment 2*. A Nondiscrimination Agreement with the Texas Department of Transportation is included as *Attachment 3*.

Title VI Complaint Procedures

The Title VI Complaint Procedures are disseminated internally amongst staff at Environmental Justice Liaison meetings, trainings, and through the department Intranet. An external version of the complaint procedures are posted on the Transportation Department Website, at public meetings, and referenced in documentation produced by the department. A copy of NCTCOG's discrimination complaint form and procedures are included as *Attachment 4*. The external complaint procedures and form are also translated into Spanish and are posted on the NCTCOG Website.

Title VI Complaint Form

The Title VI Complaint Form is included with the Complaint Procedures in *Attachment 4*.

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Since the submission of the last Title VI Program to the Federal Transit Administration (FTA), there have been no Title VI investigations, complaints, or lawsuits received by the NCTCOG Transportation Department or the NCTCOG Agency related to transit.

Public Participation Plan and a Summary of Outreach Efforts made since the Last Title VI Program Submission

Informing and involving residents in the transportation planning process is a continuous effort. The Public Participation Plan, included as *Attachment 5*, provides for an open exchange of information and ideas between the public and transportation decision makers. The Public Participation Plan incorporates several key elements to ensure the process is effective and proactive:

- Clearly defined purpose and objectives for initiating a public dialogue on transportation plans, programs, projects, policies, and partnerships.

- Identification of specifically who the affected public and other stakeholder groups are with respect to the plans, programs, projects, policies, and partnerships under development.
- Identification of techniques for engaging the public in the process.
- Notification procedures which effectively target affected groups.
- Education and assistance techniques which result in an accurate and full public understanding of the transportation problem, potential solutions, and obstacles and opportunities within various solutions to the problem.
- Follow through by public agencies demonstrating that decision makers seriously considered public input.

Evaluation of the public involvement process is ongoing, and the Public Participation Plan is regularly reviewed. The Public Participation Plan was updated in 2010 following a 45-day public comment period. The plan exceeds federal public involvement requirements and includes several implementation strategies to ensure all residents have access to information and opportunities to be involved in the transportation planning process.

Language Assistance Plan

In March 2010, the Regional Transportation Council adopted the NCTCOG Language Assistance Plan, which is included as Appendix E (pages 23 through 28) in the Public Participation Plan (*Attachment 5*). The Language Assistance Plan uses the Four Factor Analysis to identify Limited English Proficient (LEP) persons that need language assistance, outlines how language assistance is available, and describes how staff considers the needs of LEP persons.

Since the last update to the Language Assistance Plan in 2010, additional efforts have been undertaken to ensure nondiscrimination on the basis of national origin. One such effort is a survey of Transportation Department staff on the frequency of interactions with LEP persons. This survey, conducted from December 2011 through January 2012, estimates the number of LEP individuals that transportation staff encounter. The survey results are included as *Attachment 6*.

In accordance with the Safe Harbor Provision, NCTCOG has analyzed which language groups exceed the 1,000 persons or five percent threshold. These language groups are listed in *Attachment 7*. Since there are 24 languages that meet the Safe Harbor threshold, it is not feasible to translate vital documents into all of these languages. Therefore, NCTCOG focuses translation efforts on Spanish, which is the largest language group in the region other than English.

Transportation Department public meeting notices include a disclaimer in Spanish indicating that translation services are available if a request is made at least 72 hours before the meeting.

Membership of Non-Elected Committees and Councils

NCTCOG is governed by an Executive Board, comprised of elected officials from the NCTCOG area local governments. The local governments select their representatives to serve on the Executive Board. As the MPO, NCTCOG serves as staff to several non-elected committees and councils: the Regional Transportation Council; Surface Transportation Technical Committee; Air Transportation Technical Advisory Committee; and the Bicycle and Pedestrian Advisory Committee. NCTCOG does not select members for these committees, rather the constituents (i.e. local governments, transit authorities, etc.) select their representatives. The bylaws for the Executive Board and the RTC are included as *Attachments 8 and 9*.

How Agency Monitors its Subrecipients for Compliance with Title VI, and a Schedule of Subrecipient Title VI Programs Submissions

A Title VI program is one of many policies and procedures that NCTCOG's subrecipients must provide in writing to illustrate compliance with applicable federal requirements. NCTCOG staff periodically reviews the Title VI programs of its subrecipients and works cooperatively to update the programs. Updates or other modifications may be necessary for several reasons including new implementation requirements issued by the FTA. Training, workshops, and other technical assistance have been and will continue to be provided by NCTCOG staff to subrecipients. Additionally, NCTCOG staff may conduct on-site visits of subrecipients as needed or subsequent to the filing of a Title VI complaint. In the event of a subrecipient's noncompliance, NCTCOG may impose sanctions such as the withholding of payments and/or the cancellation, termination, or suspension of a project agreement.

Subrecipients must submit a Title VI program to NCTCOG subsequent to the execution of an agreement. Following submission of the initial Title VI program, subrecipients are required to resubmit annually. If NCTCOG staff identifies that modifications are needed, subrecipients must provide the most updated version of the Title VI program within 30 days of finalizing an update. Additionally, changes in the FTA's Title VI requirements may necessitate updates to subrecipients' Title VI programs in order to ensure compliance. The schedule below indicates the most recent Title VI program submissions by NCTCOG's subrecipients and the upcoming submission date. In 2012, subrecipients' submittal included an update to their Limited English Proficiency Plan. For 2013, subrecipients' Title VI program submissions will include, at a minimum, updates that reflect recent revisions to the FTA's Title VI Circular (4702.1B) which was published on October 1, 2012.

Subrecipient	2012	2013
City/County Transportation (City of Cleburne)	July 30, 2012	July 30, 2013
Collin County Area Regional Transit	July 30, 2012	July 30, 2013
Public Transit Services	July 30, 2012	July 30, 2013
Special Programs for Aging Needs	July 30, 2012	July 30, 2013
STAR Transit	July 30, 2012	July 30, 2013

Board Meeting Resolutions of Approved Title VI Program

The Title VI Program was approved by the Regional Transportation Council on May 9, 2013 and by the NCTCOG Executive Board on May 23, 2013. The resolutions approving the program are included as *Attachment 10*.

MPO Requirements

Demographic Profile of Metropolitan Area

The Metropolitan Planning Area for NCTCOG is a 12-county region comprised of Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties. Over the past several decades, the North Central Texas region has grown rapidly and has become increasingly diverse. The table below depicts growth in total population, low-income individuals, and minority groups from 2000 to 2010. The LEP statistics are included in the Language Assistance Plan (*Attachment 5*). *Attachment 11* is a series of maps that depict the location of minority, low-income, and LEP populations in 2010.

	2000	Percent of Total Population	2010	Percent of Total Population	2000-2010 Growth
Total Population	5,197,317		6,417,724		24%
Low-Income Population	549,926	10.6%	864,284	13.5%	57%
Aggregate Minority Population*	2,121,346	40.8%	3,175,810	49.5%	50%
African American	701,258	13.5%	1,015,603	15.8%	45%
American Indian/Alaska Native	23,021	0.4%	84,851	1.3%	269%
Asian	191,334	3.7%	385,636	6.0%	102%
Hawaiian/Pacific Islander	2,990	0.1%	13,086	0.2%	338%
Hispanic	1,119,914	21.6%	1,757,112	27.4%	57%

Source: 2010 U.S. Census and 2006-2010 5-Year American Community Survey Estimates

*The aggregate minority population includes all Non-White individuals who describe themselves as African American, American Indian/Alaska Native, Asian, Hawaiian/Pacific Islander, Hispanic, or Some Other Race.

How Mobility Needs of Minority Populations are Identified and Considered within the Planning Process

NCTCOG regularly collects and analyzes demographic information to help plan for a more accessible regional transportation system. In accordance with federal legislation, NCTCOG analyzes environmental justice populations, which are defined as low-income and minority groups. The Environmental Justice Index (EJI) was developed to map concentrations of low-income and minority groups in the region. The 2010 EJI is included as *Attachment 12*. The EJI tool is used by department staff members and is distributed to local governments by request. An

EJI User's Guide has been created to explain the development and ensure correct usage. The 2010 EJI User's Guide is included as *Attachment 13*. The EJI is updated as new Census data is released. Staff also analyzes demographic trends in other potentially transportation-disadvantaged groups, such as LEP individuals, zero-car households, elderly populations, disabled populations, and female head of household populations.

Demographic Maps that Show the Impacts of the Distribution of State and Federal Funds in the Aggregate for Public Transportation Projects

NCTCOG tracks regional transportation projects through the Transportation Improvement Program (TIP). The TIP is a staged, multiyear program of projects approved for funding by federal, state, and local sources within the Dallas-Fort Worth area. In order to analyze the impact of public transportation projects utilizing federal and state funds, NCTCOG mapped the location of public transportation projects that used federal or state funds in the past three fiscal years (FY2011, 2012, and 2013). These project locations were overlaid with the locations of minority populations by block group based on the 2010 Census to determine if there were any disproportionate impacts to minority groups. *Attachment 14* includes this map, a chart depicting the percentage of federal and state funds spent in each county compared to the percentage of minority individuals, and a chart depicting the total amount of programmed public transportation federal funds. The majority of the programmed federal and state public transportation funds in the past three years were for projects located in Dallas County, where about 50 percent of the regional minority population is located. Overall, the federal and state funds spent on public transportation in the past three years have been located in areas with higher than average proportions of minority individuals. This indicates that accessibility to public transportation for minority groups is increasing; therefore, there are no disproportionate impacts to minority groups based on funds spent on public transportation.

Analysis of the MPO's Transportation System Investments that Identifies and Addresses any Disparate Impacts

As part of NCTCOG's commitment to provide a transportation system that is beneficial to all populations of the region, a Regional Environmental Justice Analysis is performed to assess the impacts of the roadway and transit recommendations in the Metropolitan Transportation Plan. The analysis includes performance measures related to accessibility and mobility, which are calculated to determine if there are any disparate impacts of the recommendations on protected (environmental justice groups) compared to non-protected populations. Specific to transit, the number of jobs accessible by automobile and transit is calculated for both protected and non-protected populations over the multiple network scenarios. The Regional Environmental Justice Analysis has not resulted in any disparate impacts to date, but if there are disparate impacts in the future, the roadway and transit recommendations would be reviewed and potentially changed. The Social Considerations Chapter and Appendix of Mobility 2035 – the most recently adopted Metropolitan Transportation Plan – is included as *Attachment 15*.

List of Attachments

Attachment 1: Title VI Notice to the Public

Attachment 2: NCTCOG Title VI Policy Statement and Assurances

Attachment 3: NCTCOG Nondiscrimination Agreement

Attachment 4: Title VI Discrimination Complaint Procedures and Form

Attachment 5: NCTCOG Public Participation Plan and Language Assistance Plan

Attachment 6: Limited English Proficiency Interaction Departmental Survey Results

Attachment 7: Safe Harbor Analysis

Attachment 8: NCTCOG Executive Board Bylaws

Attachment 9: Regional Transportation Council Bylaws

Attachment 10: Title VI Program Approval Resolutions

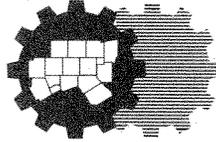
Attachment 11: 2010 Demographic Profile

Attachment 12: 2010 Environmental Justice Index

Attachment 13: Environmental Justice Index User's Guide

Attachment 14: Impacts of Public Transit Projects on Minority Populations

Attachment 15: Mobility 2035 Social Considerations Chapter and Appendix



North Central Texas Council Of Governments

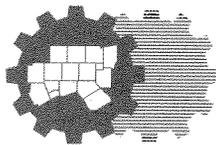
Title VI Notice to the Public

The North Central Texas Council of Governments (NCTCOG), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Agency programs or activities.

Any person who believes NCTCOG, or any entity who receives federal financial assistance from or through NCTCOG (i.e. sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination.

For more information on NCTCOG's nondiscrimination program, and the procedures to file a complaint, please visit www.nctcog.org/trans/ej/index.asp.

Para obtener más información, llame al (817) 608-2335.



North Central Texas Council Of Governments

Title VI Policy Statement:

The North Central Texas Council of Governments (NCTCOG), as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Agency programs or activities.

A handwritten signature in black ink, appearing to read "Mike Eastland", written over a horizontal line.

Mike Eastland, Executive Director

April 16, 2013

**North Central Texas Council of Governments
Title VI Assurances**

The North Central Texas Council of Governments HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d: 42 USC 2000d-4; (hereinafter referred to as the Act), 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 - Effectuation of Title VI of the Civil Rights Act of 1964; and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, sex, age, religion, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the North Central Texas Council of Governments receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations, a copy of which is attached.

More specifically and without limiting the above general assurance, the North Central Texas Council of Governments hereby gives the following specific assurances with respect to its programs:

1. That the North Central Texas Council of Governments agrees that each "program" and each "facility" as defined in subsections 49 CFR 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the North Central Texas Council of Governments shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with its programs and, in adapted form in all proposals for negotiated agreements:

The North Central Texas Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to, 2000d-4 and 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 issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, religion, or disability in consideration for an award.
3. That the North Central Texas Council of Governments shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the North Central Texas Council of Governments shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the North Central Texas Council of Governments receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the North Central Texas Council of Governments receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the North Central Texas Council of Governments shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future

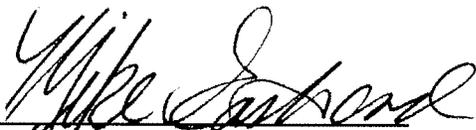
deeds, leases, permits, licenses, and similar agreements entered into by the North Central Texas Council of Governments with other parties: (a) for the subsequent transfer of real property acquired or improved under its programs; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under its programs.

8. That this assurance obligates the North Central Texas Council of Governments 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 North Central Texas Council of Governments 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 North Central Texas Council of Governments retains ownership or possession of the property.

9. The North Central Texas Council of Governments shall 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, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

10. The North Central Texas Council of Governments agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the North Central Texas Council of Governments under its programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in its programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the North Central Texas Council of Governments.



Mike Eastland, Executive Director
North Central Texas Council of Governments



Date

Appendix A to Title VI Assurances

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, religion, or disability.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the North Central Texas Council of Governments or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the North Central Texas Council of Governments or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the North Central Texas Council of Governments shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to: (a) withholding of payments to the contractor under the contract until the contractor complies; and/or (b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the North Central Texas Council of Governments or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the North Central Texas Council of Governments to enter into such litigation to protect the interests of the North Central Texas Council of Governments, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Appendix B to Title VI Assurances

6A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the North Central Texas Council of Governments will accept title to the lands and maintain the project constructed thereon, in accordance with the, Intermodal Surface Transportation Efficiency Act (ISTEA), Transportation Equity Act for the 21st Century (TEA-21), Safe, Accountable, Flexible, Efficient, Transportation Equity Act-Legacy for Users (SAFETEA-LU), the Regulations for the Administration of the North Central Texas Council of Government's programs and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with 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 (hereinafter referred to as the Regulations) 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 North Central Texas Council of Governments all the right, title and interest of the Department of Transportation 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 the North Central Texas Council of Governments 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 shall be binding on the North Central Texas Council of Governments, its successors and assigns.

The North Central Texas Council of Governments, 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 shall on the grounds of race, color, national origin, sex, age, or disability 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 the North Central Texas Council of Governments shall 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, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended and (3) that in the event of breach of any of the above-mentioned nondiscrimination and conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

Appendix C to Title VI Assurances

6B. The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the North Central Texas Council of Governments pursuant to the provisions of Assurance 6A.

The (grantee, licensee, lessee, permittee, etc., as appropriate) for themselves, their 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the North Central Texas Council of Governments shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]

That in the event of breach of any of the above nondiscrimination covenants, the North Central Texas Council of Governments shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the North Central Texas Council of Governments and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the North Central Texas Council of Governments pursuant to the provisions of Assurance 6B.

The (grantee, licensee, lessee, permittee, etc., as appropriate) for themselves, their 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 grounds of race, color, national origin, sex, age, religion, or disability shall be excluded from participation in, be 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 grounds of race, color, national origin, sex, age, religion, or disability shall be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other 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 - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the North Central Texas Council of Governments shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]

That in the event of breach of any of the above nondiscrimination covenants, the North Central Texas Council of Governments shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the North Central Texas Council of Governments and its assigns.*

RECEIVED

DEC 20 2010

OFFICE/EXECUTIVE DIRECTOR

**MEMORANDUM**

TO: Amadeo Saenz, J.P.E. **DATE:** December 17, 2010

FROM: George A. Ebert

SUBJECT: North Central Texas Council of Government's Nondiscrimination Agreement

The U.S. Department of Transportation regulations for the implementation of Title VI of the Civil Rights Act of 1964 (Title VI) require assurances from the department and its subrecipients that no person 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 for which the recipient receives federal assistance from the U.S. DOT, including the FHWA.

Summary:

The FHWA provided sample Standard Title VI Assurances and a Nondiscrimination Agreement for use by the Department and its subrecipients. During a Title VI compliance review of NCTCOG, OCR's Contract Compliance Section recommended changes to the Title VI Assurances and Nondiscrimination Agreement being used by NCTCOG based on the samples provided by the FHWA. NCTCOG agreed to the changes. The agreement has been approved by OGC and FHWA.

Signature:

Both copies of the attached Nondiscrimination Agreement signed by the North Central Texas Council of Governments (NCTCOG) require your signature.

Attachments

RECEIVED

DEC 30 2010

TRANSPORTATION

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

NONDISCRIMINATION AGREEMENT

THE TEXAS DEPARTMENT OF TRANSPORTATION

TEXAS DEPARTMENT OF TRANSPORTATION NONDISCRIMINATION AGREEMENT

The North Central Texas Council of Governments serving as the Metropolitan Planning Organization (MPO), (hereinafter referred to as the "Recipient") hereby agrees to comply with the following Federal statutes, Texas Department of Transportation, U.S. Department of Transportation and Federal Highway Administration Regulations, and the policies and procedures promulgated by the Federal Highway Administration, as a condition to receipt of Federal funds.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Title VI of the Civil Rights Act of 1964 as amended, provides that no person shall on the grounds of race, color, national origin, sex, age, religion or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving Federal funds – whether schools and colleges, government entities, or private employers – must comply with Federal civil rights laws, rather than just the particular programs or activities that receive the funds.

Nondiscrimination programs require that Federal-aid recipients, sub-recipients, and contractors prevent discrimination and ensure nondiscrimination in all of their programs and activities, whether those programs and activities are federally funded or not. If a unit of a State or local government is extended Federal-aid and distributes such aid to another governmental entity, all of the operations of the recipient and sub-recipients are covered. Corporations, partnerships, or other private organizations or sole proprietorships are covered in their entirety if such entity received Federal financial assistance (FHWA Notice N 4720.6, September 2, 1992).

ASSURANCES 49 CFR 21.7

The North Central Texas Council of Governments HEREBY GIVES ASSURANCES:

1. That no person shall on the grounds of race, color, national origin, sex, age, religion or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the Recipient regardless of whether those programs and activities are Federally funded or not. Activities and programs which the Recipient hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:
 - Program Administration, Committee Support, and Public Involvement
 - Travel Forecasting Support
 - Public Transportation Planning and Management Studies
 - The Metropolitan Transportation Plan
 - Coordination of Transportation and Environmental Planning Processes

- Regional Air Quality Planning
- Transportation Subarea Studies and Comprehensive/Thoroughfare Planning
Technical Support
- Land-use/Transportation Initiatives
- Intelligent Transportation Systems
- Regional Freight Planning
- Aviation Planning
- Streamlined Project Delivery

2. That the Recipient will promptly take any measures necessary to effectuate this agreement.
3. That each program, activity, and facility as defined at 49 CFR Part 221.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
4. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Federal Highway Administration under its programs and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, and successors in interest. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
5. That the Recipient shall insert the following notification in adopted form in all solicitations for bids for work or material subject to the Regulations, and in all proposals for negotiated agreements:
 - a. The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-4 and 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 issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age religion or disability in consideration for an award.
6. That the Recipient shall insert the clauses of Appendix A of this Agreement in every contract subject to the Act and the Regulations.
7. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

IMPLEMENTATION PROCEDURES 23 CFR PART 200

The agreement shall serve as the recipient's Title VI plan pursuant to 23 CFR 200 and the Title VI Implementation Guide.

For the purposes of this agreement, "Federal Assistance" shall include:

1. grants and loans of Federal funds;
2. the grant of donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than casual or transient basis), Federal property or any interest in such property without consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
5. Any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

The Recipient shall:

1. Issue a policy statement signed by the head of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English. This Agreement shall serve as the Recipient's policy statement.
2. Take affirmative action to correct any deficiencies found by the Federal Highway Administration within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The head of the Recipient shall be held responsible for implementing Title VI requirements.
3. Designate a Title VI specialist who has a responsible position in the organization and easy access to the head of the recipient. Title VI specialist, shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately staff Title VI specialist and effectively implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this Agreement and as established in the approved Complaint Procedures. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigations. Identify each complainant by race, color, national origin, sex, age, disability; the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information.
6. Collect statistical data (race, color, national origin, sex, age, disability) of participation in, and beneficiaries of the programs and activities conducted by the recipient.

7. Conduct Title VI reviews of the purchasing and procurement activities conducted by Recipient and applicable lower-tier contractors subject to Acts and Regulations. Revise where applicable, Recipient purchasing and procurement policies, procedures and directives to include Title VI requirements.
8. Conduct training programs on Title VI related Statues.
9. Prepare a yearly report of Title VI accomplishments for the past year and goals for the next year.
 - a. Accomplishment: List major accomplishments bade regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevents. Indicate activities and efforts the Title VI specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews conducted by the Title VI specialist. List and major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the recipient.
 - b. Annual Work Plan: Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.

DISCRIMINATION COMPLAINT PROCEDURE

1. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the recipient's Title VI Specialist for review and action.
2. In order for the complaint to be considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the alleged act of discrimination: or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.
3. Complaints shall be in writing and shall and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an employee of the recipient, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
4. Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the Texas Department of Transportation, Federal Highway Administration and the Department of Transportation.

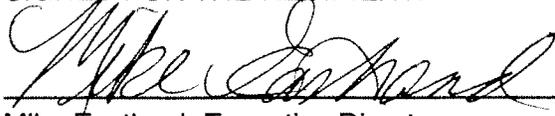
5. Generally, the following information will be included in every notification to the Office of Civil Rights:
 - a. Name, address, and phone number of the complainant.
 - b. Names and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e. race, color, national origin, sex, age, disability).
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or Federal) where the complaint has been filed.
 - h. An explanation of the action the recipient has taken or proposed to resolve the issue raised in the complaint.
6. Within 60 days, the Title VI Specialist will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the recipient. The 60 day time period may be extended if circumstances warrant a longer investigation period. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
7. Within 10 days of the completion of the investigation, the head of the recipient will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the Department of Transportation, the Federal Highway Administration, or the Texas Department of Transportation if they are dissatisfied with the final decision rendered by the Recipient.

SANCTIONS

In the event the Recipient fails or refuses to comply with the terms of this Agreement, the Texas Department of Transportation may take any or all of the following sanctions:

1. Cancel, terminate, or suspend this agreement in whole or in part.
2. Refrain from extending any further assistance to the Recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Recipient.
3. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the Recipient.
4. Refer the case to the U.S. Department of Transportation, Federal Highway Administration or Department of Justice for appropriate legal proceedings.

SIGNED FOR THE RECIPIENT:

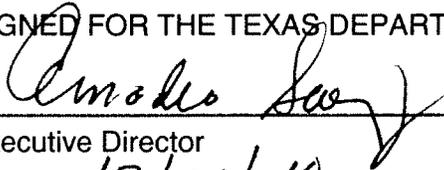


Mike Eastland, Executive Director
North Central Texas Council of Governments

11/16/10

Date

SIGNED FOR THE TEXAS DEPARTMENT OF TRANSPORTATION:



Executive Director

12/21/10

Date

Appendix A to Title VI Assurances

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

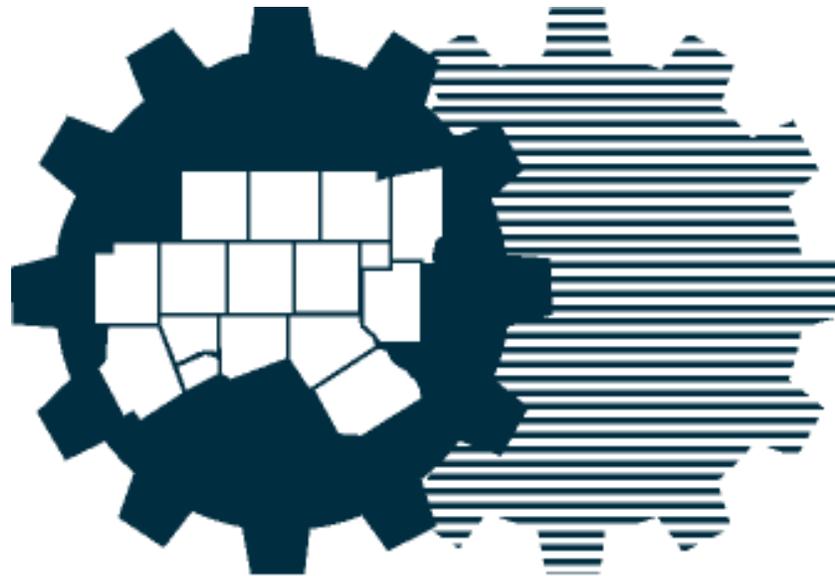
(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, religion, or disability.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the North Central Texas Council of Governments or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the North Central Texas Council of Governments or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the North Central Texas Council of Governments shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to: (a) withholding of payments to the contractor under the contract until the contractor complies; and/or (b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the North Central Texas Council of Governments or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the North Central Texas Council of Governments to enter into such litigation to protect the interests of the North Central Texas Council of Governments, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



North Central Texas Council of Governments
Transportation Department

Title VI Complaint Procedures

Introduction

The North Central Texas Council of Governments (NCTCOG) serves as the federally designated Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth region. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, NCTCOG ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. These prohibitions extend from the North Central Texas Council of Governments, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, colleges, universities, etc). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

This policy is intended to establish a procedure under which complaints alleging discrimination in NCTCOG's provisions, services, or NCTCOG activities can be made by persons who are not employees of NCTCOG.

Any person who believes NCTCOG, or any entity who receives federal financial assistance from or through NCTCOG (i.e., sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination.

NCTCOG will follow timelines set forth in guidance from the Department of Transportation, the Federal Highway Administration, Federal Transit Administration and the Department of Justice for processing Title VI discrimination complaints.

When to File

A complaint of discrimination must be filed within 180 calendar days of the alleged act of Discrimination, or discovery thereof; or where there has been a continuing course of conduct, the date on which that conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day you complete, sign, and mail the complaint form. The complaint form and consent/release form must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.

Where to File

In order to be processed, signed original complaint forms must be mailed to:

North Central Texas Council of Governments
Transportation Department
Title VI Specialist
P.O. Box 5888
Arlington, TX 76005-5888

Or hand delivered to:

616 Six Flags Drive
Arlington, TX 76011

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited-English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

Persons who are not satisfied with the findings of NCTCOG may seek remedy from other applicable state or federal agencies.

Required Elements of a Complaint

In order to be processed, a complaint must be in writing and contain the following information:

- Name, address, and phone number of the complainant.
- Name(s) and address(es) and business(es)/organization(s) of person(s) who allegedly discriminated.
- Date of alleged discriminatory act(s).
- Basis of complaint (i.e., race, color, national origin, sex, age, religion, or disability).
- A statement of complaint.
- Signed consent release form.

Incomplete Complaints

Upon initial review of the complaint, the Title VI Specialist will ensure that the form is complete and that any initial supporting documentation is provided. Should any deficiencies be found, the Title VI Specialist will notify the complainant within 10 working days. If reasonable efforts to reach the complainant are unsuccessful or if the complainant does not respond within the time specified in the request (30 days), the recipient may close the complainant's file. The complainant may resubmit the complaint provided it is filed within the original 180-day period.

Should the complaint be closed due to lack of required information, NCTCOG will notify the complainant at their last known address. In the event the complainant submits the missing information after the file has been closed, the complaint may be reopened provided it has not been more than 180 days since the date of the alleged discriminatory action.

Records of Complaints

The Title VI Specialist will keep a record of all complaints received. The log will include such information as:

- Basic information about the complaint such as when it was filed, who filed it, and who it was against.
- A description of the alleged discriminatory action.
- Findings of the investigation.

Complaint Process Overview

The following is a description of how a discrimination complaint will be handled once received by NCTCOG.

1. A complaint is received by NCTCOG:

Complaints must be in writing and signed by the complainant or their designated representative. If the complainant is unable to complete the form in writing due to disability or limited-English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint that do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

2. Complaint is logged into tracking database:

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

3. Determine jurisdiction:

NCTCOG's Title VI Specialist will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets basic criteria.

Criteria required for a complete complaint:

- Basis of alleged discrimination (i.e., race, religion, color, national origin, sex, age or disability).

-
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180 day time requirement.
 - The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. During this process, if a determination is made in which the program or activity that the alleged discrimination occurred is not related to a NCTCOG program or activity, every attempt will be made to establish the correct agency. Whenever possible, and assuming consent was granted on the Consent/Release form, the complaint will be forwarded to the appropriate agency.

4. Initial written notice to complainant:

Within 10 working days of the receipt of the complaint, NCTCOG will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a NCTCOG program or activity, or does not meet deadline requirements. Conclusions made in step three will determine the appropriate response to the complaint. Examples of response letters are located in Appendix A. If any additional information is needed from the complainant, it will be communicated at this point in the process. A copy of the written response, as well as the complaint form, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for informational purposes only.

5. Investigation of complaint:

The Title VI specialist will confer with the Department Director to determine the most appropriate fact finding process to ensure that all available information is collected in an effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:

- Internal meetings with NCTCOG staff and legal counsel.
- Consultation with state and federal agencies.
- Interviews of complainant(s).
- Review of documentation (i.e., planning, public involvement, and technical program activities).
- Interviews and review of documentation with other agencies involved.
- Review of technical analysis methods.
- Review of demographic data.

6. Determination of investigation:

An investigation must be completed within 60 days of receiving the complete complaint, unless the facts and circumstances warrant otherwise. A determination will be made based on information obtained. The Title VI Specialist, Department Director and/or designee will render a recommendation for action, including formal and/or informal resolution strategies in a report of findings to the NCTCOG Executive Director.

7. Notification of determination:

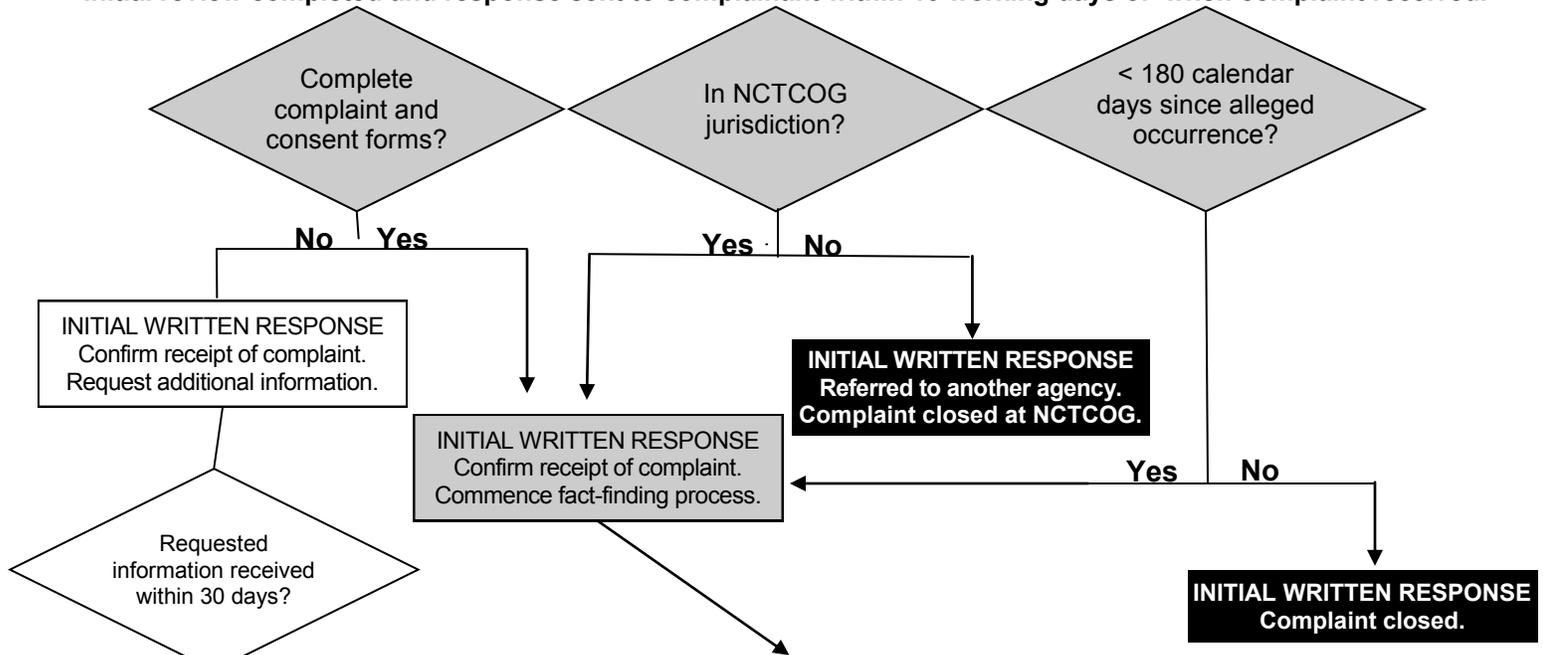
Within 10 days of completion of an investigation, the complainant must be notified by the NCTCOG Executive Director of the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for information purposes.

RECEIPT OF COMPLAINT

A written discrimination complaint is received and entered into tracking database.

INITIAL REVIEW

Initial review completed and response sent to complainant within 10 working days of when complaint received.

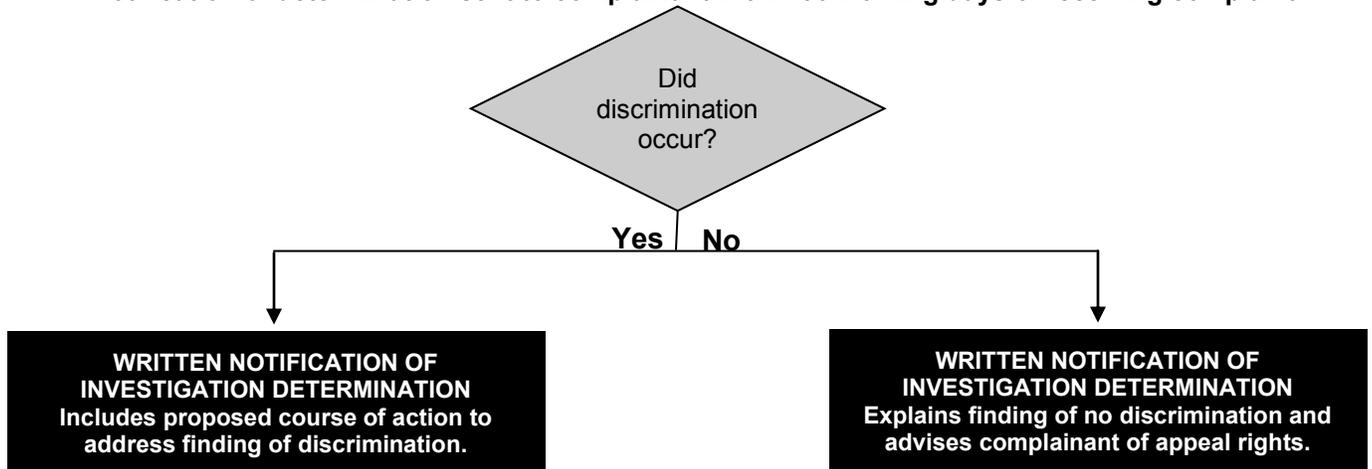


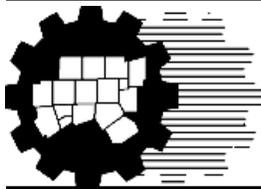
INVESTIGATION / FACT FINDING

Completed within 60 working days of receiving complaint.
Findings summarized and report submitted to head of Agency.

DETERMINATION OF INVESTIGATION

Notification of determination sent to complainant within 90 working days of receiving complaint.





North Central Texas Council of Governments Discrimination Complaint Form

Please read the information on this page of this form carefully before you begin.

The North Central Texas Council of Governments (NCTCOG) serves as the federally designated Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth region. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, NCTCOG ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. These prohibitions extend from the North Central Texas Council of Governments, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, colleges, universities, etc.). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements.

NCTCOG is required to implement measures to ensure that persons with limited-English proficiency or disability have meaningful access to the services, benefits and information of all its programs and activities under Executive Order 13166. Upon request, assistance will be provided if you are limited-English proficient or disabled. Complaints may be filed using an alternative format if you are unable to complete the written form.

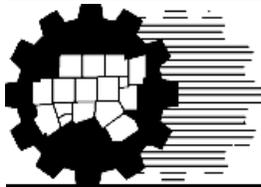
The filing date is the day you complete, sign, and mail this complaint form. Your complaint must be filed no later than 180 calendar days from the most recent date of the alleged act of discrimination. The complaint form and consent/release form must be dated and signed for acceptance. You have 30 calendar days to respond to any written request for information. Failure to do so will result in the closure of the complaint.

Submit the forms by mail to:

North Central Texas Council of Governments
Transportation Department
Title VI Specialist,
P.O. Box 5888
Arlington, TX 76005-5888

Or in Person at:
616 Six Flags Drive
Arlington, TX 76011

If you have any questions or need additional information, please call (817)695-9240 or e-mail titlevi@nctcog.org.



North Central Texas Council of Governments Discrimination Complaint Form

Please read the information on the first page of this form carefully before you begin.

1

First Name MI Last Name

Street Address City State Zip Code

Telephone Number e-mail Address

2 Who do you believe discriminated against you?

First Name MI Last Name

Name of Business/Organization Position/Title

Street Address City State Zip Code

Person's Relationship to You

3 When did the alleged act(s) of discrimination occur?

Please list all applicable dates in mm/dd/yyyy format.

Date(s):

Is the alleged discrimination ongoing? Yes No

4 Where did the alleged act(s) of discrimination occur? (Attach additional pages as necessary.)

Name of Location

5 Indicate the basis of your grievance of discrimination.

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Race: | <input type="checkbox"/> Color: |
| <input type="checkbox"/> National Origin: | <input type="checkbox"/> Sex: |
| <input type="checkbox"/> Age: | <input type="checkbox"/> Disability: |
| <input type="checkbox"/> Religion: | |

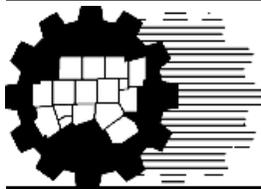
6 Describe in detail the specific incident(s) that is the basis(es) of the alleged discrimination. Describe each incident of discrimination separately. Attach additional pages as necessary.

Please explain how other persons or groups were treated differently by the person(s)/ agency who discriminated against you.

Please list and describe all documents, e-mails, or other records and materials pertaining to your complaint.

Please list and identify any witness(es) to the incidents or persons who have personal knowledge of information pertaining to your complaint.

Have you previously reported or otherwise complained about this incident or related acts of discrimination? If so, please identify the individual to whom you made the report, the date on which you made the report, and the resolution. Please provide any supporting documentation.



North Central Texas Council of Governments Discrimination Complaint Consent/Release Form

Please read the information on this form carefully before you begin.

First Name _____ MI _____ Last Name _____

Street Address _____ City _____ State _____ Zip Code _____

As a complainant, I understand that in the course of an investigation it may become necessary for the North Central Texas Council of Governments to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the North Central Texas Council of Governments to honor requests under the Freedom of Information Act. I understand that as a complainant I am protected from retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes and regulations which are enforced by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

Please Check one:

- I CONSENT and authorize the North Central Texas Council of Governments (NCTCOG), as part of its investigation, to reveal my identity to persons at the organization, business, or institution, which has been identified by me in my formal complaint of discrimination. I also authorize NCTCOG to discuss, receive and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release and do so voluntarily.
- I DENY CONSENT to have the North Central Texas Council of Governments (NCTCOG), reveal my identity to persons at the organization, business, or institution under investigation. I also deny consent to have NCTCOG disclose any information contained in the complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing NCTCOG to discuss, receive, nor review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

Signature

Date

**THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
TRANSPORTATION PUBLIC PARTICIPATION PLAN
(March 2010)**

THE NEED FOR PUBLIC PARTICIPATION

An effective public participation process provides for an open exchange of information and ideas between the public and transportation decision makers. The overall objective of the North Central Texas Council of Governments' (NCTCOG's) Transportation Department public participation plan is that it is proactive, provides complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. Not only does the public participation plan provide a mechanism for NCTCOG Transportation Department to solicit ideas and public comments, it also builds support among the public who are stakeholders in transportation investments that impact their communities.

Key elements for effective public participation are:

1. Clearly defined purpose and objectives for initiating a public dialogue on transportation plans, programs, projects, policies and partnerships;
2. Identification of specifically who the affected public and other stakeholder groups are with respect to the plans, programs, projects, policies and partnerships under development;
3. Identification of techniques for engaging the public in the process;
4. Varied notification procedures which effectively target affected groups;
5. Education and assistance techniques which result in an accurate and full public understanding of the transportation problem, potential solutions, and obstacles and opportunities within various solutions to the problem; and
6. Follow-through by public agencies demonstrating that decision makers seriously considered public input.
7. Multiple mediums and opportunities to submit input.

NCTCOG Transportation Department reviews guidance on public participation from the Federal Highway Administration/Federal Transit Administration on a regular basis.

ENVIRONMENTAL JUSTICE AND TITLE VI REQUIREMENTS

NCTCOG is committed to incorporating Environmental Justice elements and Title VI considerations into its Public Participation Plan. During the public participation process, populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered.

In response to Executive Order 12898: Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, NCTCOG's policy reflects that no segment of the region should, because of race, economic makeup, age, sex, or disability, bear a disproportionate share of the adverse human health or environmental effects, including social and economic effects, of its programs, policies, and activities or be denied equal access to environmental benefits. Other fundamental concepts of Environmental Justice included in NCTCOG's policy are to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and to prevent the denial of, reduction in, or significant delay in receipt of benefits by minority and low-income populations.

NCTCOG addresses Environmental Justice concerns throughout the transportation planning process, and it is the responsibility of all staff to consider the needs of traditionally underserved communities during planning, project selection and project implementation. As the Public Participation Plan is implemented, special consideration is given to ensure all residents have reasonable access to information and opportunities to give input. Demographic data is analyzed to identify communities of concern that can be used for public meeting location and outreach event selection as well as identification of need for more targeted or diverse outreach efforts. NCTCOG annually publishes a report outlining how Environmental Justice concerns are addressed in the Department's activities.

A Language Assistance Plan (LAP) (Appendix E) outlines NCTCOG's efforts to make information available to limited English proficient (LEP) persons. According to U.S. Department of Transportation Guidelines, a four-factor analysis is used to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

The four-factor analysis considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity or service provided by the federal-funding recipient to people's lives.
4. Resources available to federal-funding recipients and costs of language assistance.

The LAP outlines demographic information, analysis of Department activities, language assistance provided and communication to LEP persons about the availability of language assistance.

Title VI states that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. Title VI prohibits discrimination: whether intentional or where the unintended effect is unduly burdensome.

Title VI Complaint Procedures (Appendix F) outlines the NCTCOG Title VI policy, how an individual may submit a complaint, how the complaint will be investigated and potential resolution scenarios.

PUBLIC PARTICIPATION REQUIREMENTS

Prior to the passage of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA),

there were no formal public involvement procedures for metropolitan transportation planning. However, all technical committee meetings and Regional Transportation Council meetings were open to the public, and meeting notices were mailed to several hundred interested parties. A concerted effort to contact private sector and government interests was achieved. In addition, local government hearings were held prior to the adoption of the Metropolitan Transportation Plan and Transportation Improvement Program.

ISTEA and subsequent federal transportation legislation include requirements for proactive public involvement as part of the metropolitan transportation planning process. This Public Participation Plan was updated in May 2007 in accordance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU) and related federal rules.

The federal rules for metropolitan transportation planning contain additional guidelines in 23 CFR 450.316. Ten requirements are specified and are summarized in Appendix A, along with NCTCOG's response as to how the requirement will be met. Appendix B specifically lists the types of interested parties identified in SAFETEA-LU.

PUBLIC PARTICIPATION COMPONENTS

There are six main components to the NCTCOG Transportation Public Participation Plan, as described below:

1. Public meetings will occur prior to NCTCOG's Regional Transportation Council (RTC) approval of the Transportation Improvement Program (TIP), the Metropolitan Transportation Plan (MTP), Air Quality Conformity, and the Unified Planning Work Program (UPWP). Public meetings will also occur prior to TIP revisions and MTP updates.
2. Notification of UPWP modifications and TIP administrative amendments can be conducted by mailings, newspaper ads, and/or e-mail, if not addressed at public meetings.
3. Open meetings include RTC and the standing technical, policy and strategic committees.
4. NCTCOG's Government Applications Review Committee provides a forum for the review of applications for various federal and State programs as part of the Texas Review and Comment System.
5. Whenever NCTCOG is involved in the development of environmental documents following National Environmental Policy Act (NEPA), staff will coordinate with implementing agencies for public involvement and, when applicable, the Texas Department of Transportation Environmental Manual.
6. Additional public information is available through NCTCOG staff and Web site.

The following tables contain details concerning each component of the public participation plan:

1. Public Meetings

PUBLIC PARTICIPATION COMPONENT	PUBLIC MEETING DATE	COMMENT PERIOD²	ADDITIONAL COMMENTS
Development of Transportation Improvement Program, including Air Quality Conformity ¹	At least 30 days prior to RTC approval	30 days	All public comments received on the TIP and MTP will be included in the documentation of the TIP and MTP or by reference to Air Quality Conformity documentation. Whenever possible, each of these topics will be covered in the same public meetings.
Development of Metropolitan Transportation Plan (including Air Quality Conformity and population and employment forecasts)	A public meeting shall be held at least 60 days prior to requesting RTC action. A second public meeting will be held at least 30 days prior to RTC approval.	30 days following each meeting	
TIP Revisions	At least 30 days prior to RTC approval ³	30 days ³	Revisions are project modifications that require RTC action; rules regarding various types of TIP modifications are outlined in the TIP Modification Policy (Appendix D).
Metropolitan Transportation Plan Amendments	At least 30 days prior to RTC approval	30 days	
Development of Unified Planning Work Program	Once every two years, at least 30 days prior to RTC approval	30 days	
Congestion Management Process	At least 30 days prior to RTC approval	30 days	
Development or update of the Public Participation Plan	At least 45 days prior to RTC approval if changes reducing public participation proposed	45 days	

¹Sometimes conformity is re-evaluated, because of changes due to the transportation system, as well as changes in the emission budget of the State Implementation Plan. Public Meetings will be held under both conditions.

² In the event that more than one public meeting is scheduled; the public comment period will begin following the first meeting.

³With increased focus on expediting project implementation and funding allocation, there may be rare occasions in which issues arise that require urgent modification of the TIP due to funding requirements or timelines. In these cases, exceptions to the 30-day comment period may be required in order to avoid not being able to secure funding. In these cases, there will be adequate public notice and clear communication of the abbreviated comment period. An abbreviated comment period will be at least 72 hours. Longer comment periods are preferred and will be offered whenever possible.

2. Notification

PUBLIC PARTICIPATION COMPONENT	PUBLIC MEETING DATE	COMMENT PERIOD ²	ADDITIONAL COMMENTS
UPWP modifications	Notification by mailings, newspaper ads, and/or e-mail if modifications do not impact air quality conformity. At least 30 days prior to RTC approval if modifications are expected to impact air quality conformity.	30 days	UPWP modifications that do not impact air quality conformity can be transmitted by notification if not presented at public meetings.
TIP Administrative Amendments and modifications supporting previous RTC action	Summary of modifications provided at next public meeting as well as notice about how to access the complete list of administrative amendments.	N/A	TIP modifications supporting previous RTC action that do not impact air quality conformity can be transmitted by notification if not presented at public meetings.

3. Open Meetings

Regional Transportation Council (RTC)	Regular meeting on second Thursday of each month	N/A	TIP Administrative Amendments and other items not specifically requiring public involvement will be presented and discussed at the RTC and standing technical, policy and strategic committee meetings.
All Other Committees as determined by Open Meetings Act including those identified in RTC bylaws as standing technical, policy and strategic committees.	(determined individually)	N/A	

4. Government Applications Review Committee

Government Applications Review Committee	As Needed	N/A	Various federal and State programs are reviewed for regional consistency under the Texas Review and Comment System (TRACS).
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5. Additional Public Information

PUBLIC PARTICIPATION COMPONENT	PUBLIC MEETING DATE	COMMENT PERIOD²	ADDITIONAL COMMENTS
Public Information	As Needed	N/A	See Appendix A. Requests for public information and presentations are coordinated through NCTCOG staff.
Presentations	As Needed	N/A	Staff presentations and other information are available for public review by contacting NCTCOG's Transportation Department or through the NCTCOG Web site.
Publications	As Needed	N/A	Publications are available by contacting NCTCOG's Transportation Department or through the NCTCOG Web site
Opportunity to review draft environmental documents	N/A	To be determined by agency publishing document.	As the Metropolitan Planning Organization for the Dallas-Fort Worth area, NCTCOG receives copies of draft environmental documents to make available to the public for review and comment during business hours.
Web site	As Needed	N/A	Public information will be made available in electronically accessible format and means, such as the World Wide Web, whenever possible.
Community Events	As Needed	N/A	Public information is distributed at a variety of community events, such as local government events, Earth Day celebrations, bike rallies, etc. in order to increase public awareness of NCTCOG transportation and related air quality plans and programs.

6. Environmental Documents and Implementing Agency Coordination

Development of NEPA environmental documents and in coordination with implementing agency.	According to requirements established in the Texas Department of Transportation Environmental Manual or similar documents for implementing agency.	TBD depending on requirements established	NCTCOG will work with the implementing agency to establish and meet public involvement requirements including when applicable those outlined in the Texas Department of Transportation Environmental Manual.
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NOTIFICATION OF PUBLIC PARTICIPATION ACTIVITIES

All public meeting notices will be sent to select newspapers to ensure regional coverage. Translated notices will also be sent to non-English newspapers. Notification is also sent to local libraries, city halls, county court houses, chambers of commerce (including minority chambers), and the Texas Register. In addition, NCTCOG will maintain a comprehensive mailing list containing the names of individuals and organizations that wish to be notified of all public meetings as well as stakeholders identified in Appendix B. To be included on the mailing list, please submit the attached Public Notification form or go to the NCTCOG Web site, www.nctcog.org.

For additional information on the North Central Texas Council of Governments' Transportation Public Participation Plan, contact NCTCOG's Transportation Department:

North Central Texas Council of Governments
Transportation Department
P.O. Box 5888
Arlington, Texas 76005-5888

(817) 695-9240 metro
(817) 640-3028 fax
transinfo@nctcog.org

**PUBLIC NOTIFICATION
NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
TRANSPORTATION DEPARTMENT**

Please add my name to the Public Notification list:

Name: _____

Title: _____

Agency: _____

Address: _____

Phone: _____

Email: _____

Please mail, email or fax to:

North Central Texas Council of Governments
Transportation Department
P.O. Box 5888
Arlington, Texas 76005-5888

Fax (817) 640-3028
E-mail: transinfo@nctcog.org
Web site: www.nctcog.org

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APPENDIX A

Summary of Public Involvement Requirements - 23 CFR 450.316 (a)(1)

REQUIREMENT	NCTCOG RESPONSE
(i) Provide adequate public notice of public participation activities and time for public review and comment	Public meeting notices will be sent to selected newspapers to ensure regional coverage. Translated notices will also be sent to non-English newspapers. Notification is also sent to local libraries, city halls, county court houses, chambers of commerce (including minority chambers), and the <u>Texas Register</u> . In addition, NCTCOG will maintain a comprehensive mailing list containing the names of individuals and organizations that wish to be notified of all public meetings as well as stakeholders identified in Appendix B.
(ii) Provide timely information on transportation issues and processes	Information is disseminated through NCTCOG's publications, reports, public meetings and other outreach events, the NCTCOG Web site, local newspapers, and open meetings.
(iii) Employ visualization techniques to describe metropolitan transportation plans and TIPs	To the maximum extent possible, NCTCOG will employ visualization techniques such as maps, charts, graphs, photos, and computer simulation in its public involvement activities.
(iv) Make public information available in electronically accessible formats, such as the World Wide Web	Reports, plans, publications, recent presentations, and other information are available on the NCTCOG Web site. Public comments may also be submitted on the NCTCOG Transportation Department Web site and via e-mail. Interested parties may subscribe to receive topic-specific e-mail correspondence. Additional web-related communication tools are evaluated continuously for implementation.
(v) Hold public meetings at convenient and accessible locations and times	Public meetings are held in diverse locations throughout the region, accessible to individuals with disabilities, preferably near transit lines or routes, at both day and evening times. Public meeting materials and summaries are archived online and hard copies can be mailed upon request.

REQUIREMENT	NCTCOG RESPONSE
(vi) Demonstrate explicit consideration and response to public input received during development of the MTP and TIP	Public meetings will be held during development of the TIP and MTP as well as upon proposal of revisions/updates to these documents. All public comments will be reviewed and considered by the RTC and standing technical, policy and strategic committees. Public comments received on the TIP and the MTP shall be included in documentation of the TIP and the MTP or via reference to Air Quality Conformity documentation.
(vii) Seek out and consider the needs of those traditionally underserved, including, but not limited to low income and minority households	A comprehensive mailing list will be maintained. Public meetings are held in diverse locations throughout the region, accessible to individuals with disabilities, preferably near transit lines or routes, at both day and evening times.
(viii) Provide additional opportunity for public comment if final MTP or TIP differs significantly from version made available for public review	If the TIP or MTP requires significant revisions, additional public meetings will be held.
(ix) Coordinate with statewide transportation planning public involvement process	When possible, public meetings will be coordinated with the Texas Department of Transportation.
(x) Periodic review of Public Participation Plan (PPP)	NCTCOG regularly reviews its Transportation Public Participation Plan. If modified in a more restrictive fashion, a 45-day comment period will be held following the meeting.

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APPENDIX B

**Participation by Interested Parties
23 CFR 450.134 (a)**

Interested Parties
citizens
affected public agencies
representatives of public transportation employees
freight shippers
providers of freight transportation services
private providers of transportation
representatives of users of public transportation
representatives of users of pedestrian walkways and bicycle transportation facilities
representatives of the disabled
other interested parties
<ul style="list-style-type: none"> • Local and State Emergency Response agencies
<ul style="list-style-type: none"> • State and Local agencies responsible for growth and economic development
<ul style="list-style-type: none"> • Federal, State and Tribal wildlife, land management, and regulatory agencies
<ul style="list-style-type: none"> • Airport operators

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APPENDIX C

IMPLEMENTATION STRATEGIES FOR PUBLIC OUTREACH AND INVOLVEMENT

This document describes the North Central Texas Council of Governments (NCTCOG's) Transportation Department's ongoing public outreach efforts, which are utilized in conjunction with the formal public participation procedures. In addition, Appendix C describes the implementation process for the formal public participation procedures. The public participation procedures were originally adopted by the Regional Transportation Council (RTC) in June 1994 and represent the standard practices the NCTCOG Transportation Department follows in involving the public in regional transportation planning. These procedures were updated pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), the most recent federal transportation authorization legislation, and related federal rules.

In addition to these procedures, the NCTCOG Transportation Department has developed many avenues to increase public outreach. Public outreach efforts identify three critical actions:

- inform, which consists of providing information and outreach to the public;
- input, which provides an opportunity for the public to provide comments; and
- support, which follows the first two actions.

To receive effective input from the public, it is important that the public have an understanding of the issues that surround transportation and related air quality planning, programs, projects and policies. The purpose of public outreach efforts is to equip the public with that understanding.

Generally, when the public has been informed and has had the opportunity to provide input, sufficient consensus building can take place, which provides the support base for whatever transportation decisions are made.

Public Outreach Components

For projects requiring development of environmental documents pursuant to the National Environmental Policy Act (NEPA), the public involvement requirements of implementing agencies and, when applicable, the Texas Department of Transportation Environmental Manual will be met. During this process, NCTCOG will continuously coordinate with the implementing agency. One or several additional communication tools may also be used.

Public outreach serves to educate and inform the public about transportation issues and the planning process. Extensive public outreach activities should motivate public interest in transportation issues and lead to greater attendance and involvement at public meetings. Public meetings provide a useful opportunity for transportation stakeholders and the general public to submit formal, written comments or oral comments on transportation issues and planning activities. It also provides an opportunity for the NCTCOG Transportation Department to learn of public needs and opinions on various transportation issues.

In order to effectively communicate transportation and related air quality issues to the public, the NCTCOG Transportation Department employs various communication strategies. One or several of the following elements can be used as a means to educate the public on transportation issues.

- **Mailing List:** The Public Notification Database, a comprehensive mailing list of member governments, state agencies, neighborhood associations, civic organizations, transportation advocacy groups, social service organizations, freight companies, transit providers, chambers of commerce (including minority chambers), churches, and citizens has been developed, and is continually maintained and expanded. Individuals on this list receive public meeting notices; notices of workshops or open houses; educational brochures; newsletters; and other material suitable for mass mailings.

The current Public Notification Database contains approximately 9,000 individuals and is updated continuously to include new entries from the NCTCOG Transportation Department web page (an on-line form is available for submission), returned mail, and requests for additions and deletions from various sources. The NCTCOG Transportation Department also conducts an annual survey of the mailing list via return post card to track interests and for correction of information.

- **Publications:** The NCTCOG Transportation Department, in conjunction with the Public Affairs Department, takes an active roll in producing publications designed to educate the public on transportation issues and encourage their active involvement. Such publications include the *Mobility Matters* quarterly newsletter, initiated in December 2001, to provide information on the Transportation Department's activities and initiatives. This newsletter is mailed to the entire Public Notification Database, and made available at all public meetings, community events, at Regional Transportation Council and subcommittee meetings and is available through the NCTCOG Web site. Other publications include, but are not limited to:
 - *Citizen Guide to Transportation Planning and Programming in the Dallas-Fort Worth Metropolitan Area*
 - Educational pamphlets
 - *It's Your Region* (a monthly newsletter produced by NCTCOG)
 - *Local Motion*, (a monthly newsletter for local elected officials and transportation decision makers)
 - *Metropolitan Transportation Plan Executive Summary*
 - *Mobility Matters* (a quarterly newsletter mailed to the Public Involvement list)
 - Notices of Public Meeting, Workshops, and Open House events
 - *Regional Mobility Initiatives* (an ongoing educational report series)
 - *Transportation State of the Region* annual report

Since 1996, 22 issues of Regional Mobility Initiatives have been produced and distributed, and are accessible through the NCTCOG Web site:

- *Advanced Transportation Management*, March 1996
- *Air Quality*, July 1996
- *Traffic Congestion*, October 1996
- *Multimodal Solutions in the North Central Corridor*, July 1997
- *Toll Roads*, February 1998
- *Major Investment Studies*, August 1998

- *The Transportation Equity Act for the 21st Century*, October 1998
- *High Occupancy Vehicle (HOV) Lanes*, December 1998
- *Travel Demand Forecasting Procedures*, June 1999
- *Commuter Traffic*, December 2000
- *Pedestrian Transportation*, August 2002
- *Metropolitan Planning Organization*, November 2002
- *Rail Station Access*, February 2003
- *Commuter Traffic Update*, October 2004
- *Regional Rail*, October 2005
- *Goods Movement and Freight Traffic*, January 2006
- *Intelligent Transportation Systems*, December 2006
- *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*, June 2007
- *Metropolitan Planning Organization*, August 2007
- *Air Quality*, September 2007
- *Congestion Management Process*, March 2008
- *Traffic Congestion*, December 2008

- **Surveys:** Where appropriate, the NCTCOG Transportation Department may conduct surveys to determine public awareness and/or sentiment with regard to certain planning issues. Surveys may be relatively small endeavors designed to shed light on one or two issues, or may be large-scale planning endeavors.
- **Planning Documents:** Various planning documents and other publications are made available upon request. Environmental documents received by the Metropolitan Planning Organization are also available to the public. Most can also be viewed via the NCTCOG Web site. These publications include, but are not limited to:
 - Metropolitan Transportation Plan
 - Transportation Improvement Program
 - Congestion Management Process
 - Other Management System Reports
 - Air Quality Conformity Analysis
 - Technical Report Series Reports
 - Unified Planning Work Program

Upon request, any NCTCOG Transportation Department publication will be converted into alternative formats or languages.

- **Relationships with Local Media:** Relationships with media are continually being cultivated by increasing the frequency with which media releases are distributed, compiling and updating a media e-mail distribution list which includes more than 150 reporters at almost 100 local print and broadcast media outlets, and by fostering personal contact with local editors and news directors by providing timely and accurate information upon their request. NCTCOG Transportation Department staff attends professional organization meetings designed to improve media relations and develop further contacts with individual

representatives of local media. The goal of furthering these relationships with local media is to foster greater public awareness and understanding among Dallas-Fort Worth area citizens regarding transportation issues in a positive and proactive manner.

- **Electronically Accessible Information:** Information is also available online via the NCTCOG Transportation Department Web site www.nctcog.org/trans. This site includes a Public Involvement web page, www.nctcog.org/trans/outreach/involve/index.asp, to provide the latest information on public meetings, media releases, public surveys, and NCTCOG Transportation Department's Public Participation Plan. Public meeting presentations, handouts, schedules, flyers, and minutes are made available on this site as well. A printable public notification form for mailing or an online version that can be used via e-mail is available. Interested parties may also directly access all Transportation Department staff members via e-mail, phone, fax or postal mail.

- **Consensus Building:** For appropriate planning activities, NCTCOG Transportation Department will utilize, to the greatest extent possible, certain outreach efforts early in the planning process to gather input and build consensus among various transportation stakeholders. The public outreach plan for each activity will detail specific activities to be undertaken. Such efforts may include, but are not limited to:
 - Open Houses
 - Listening Sessions
 - Roundtables
 - Conferences and Forums

- **Public Meetings:** In addition to these public outreach activities, the Transportation Department follows general public procedures in holding public meetings to facilitate greater participation and to encourage the exchange of ideas and information. Environmental Justice aspects are always considered when selecting meeting sites.

General Public Meeting Guidelines

1. Meetings will be held in accessible locations, preferably near transit lines or routes.
2. Meetings will be held in buildings that are in full compliance with the Americans with Disabilities Act of 1990.
3. Presentations and supporting documentation, as needed, will be available at all meetings.
4. An informal meeting environment will be cultivated, allowing attendees to ask questions and submit comments.

5. For meetings on a specific project, the meeting(s) will be held in corridor(s) directly affected by the project.
6. The NCTCOG Transportation Department will make every effort to accommodate attendees with special needs if they provide sufficient notice. Facilities will be available on request for persons with disabilities, including sign and foreign language interpreters, and handouts in large print or Braille. A minimum of 3 business days

advance notice is required for these arrangements to be provided. Public meeting notices will provide the telephone number and e-mail address to request special arrangements.

7. At a minimum, the meeting will be audio taped. Videotaping may be preferable in certain situations.

NCTCOG Transportation Department will, on occasion, provide other informational items at public meetings. Any additional information or materials may be requested at public meetings and NCTCOG can assure that information is mailed to citizens upon their request.

Notification of Public Meeting Activities

All public meeting notices will be sent to select newspapers, as necessary, to ensure regional coverage. All public meetings are posted on the Texas Register Web site as part of the Open Meetings requirement. Public meeting notices are mailed to meeting location facilities, more than 160 public libraries, more than 190 city and county offices for posting, and to approximately 9,000 individuals and organizations in our public notification database. NCTCOG Transportation Department staff will contact public information officers of the cities in which meetings are scheduled, to request assistance in posting information, often on the city cable television channel and Web sites.

- **Community Outreach Events:** In an effort to educate the public and increase public awareness of NCTCOG transportation plans and programs, information is distributed at a variety of community events such as local government events, Earth Day celebrations, bike rallies, etc. Transportation Department staff also frequently makes presentations to community groups and civic organizations.

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APPENDIX D

**TRANSPORTATION IMPROVEMENT PROGRAM MODIFICATION POLICY
Policies and Procedures to Streamline Project Delivery**

The Transportation Improvement Program (TIP) is a staged, multi-year program of projects approved for funding with federal, State, and local funds within the Dallas-Fort Worth area. A new TIP is approved every two to three years by the Regional Transportation Council (RTC), which serves as the policy board for the Dallas-Fort Worth Metropolitan Planning Organization (MPO). Due to the changing nature of projects as they move through the implementation process, the TIP must be modified on a regular basis.

Please note certain project changes require collaboration with our State and federal review partners. This collaboration occurs through the Statewide Transportation Improvement Program (STIP) revision process. Therefore, modification of the Dallas-Fort Worth TIP will follow the quarterly schedule established for revisions to the Statewide Transportation Improvement Program (STIP).

This policy consists of four sections:

General Policy Provisions: Overall policies guiding changes to project implementation

Project Changes Not Requiring TIP Modification: Changes related to administration or interpretation of Regional Transportation Council Policy

Administrative Amendment Policy: Authority granted to the MPO Director to expedite project delivery and maximize the time the RTC has to consider policy level (vs. administrative) issues

Revision Policy: Changes only the Regional Transportation Council can approve or recommend for State and federal concurrence

General Policy Provisions

1. All projects inventoried in the Transportation Improvement Program fall under this modification policy, regardless of funding source or funding category.
2. Air quality conformity, Mobility Plan consistency, congestion management process compliance, and financial constraint requirements must be met for all TIP modifications.
3. Project modifications will only be made with the consent of the implementing/impacted agency.
4. The Dallas-Fort Worth MPO will maintain a cost overrun funding pool. Program funds must be available through the cost overrun pool or from other sources in order to process modifications involving project cost increases.

5. All funding from deleted projects will be returned to the regional program for future cost overruns or new funding initiatives, unless the deleted funds are needed to cover cost overruns in other currently selected projects. However, it is important to note that funds are awarded to projects, not to implementing agencies. Therefore, funds from potentially infeasible projects cannot be saved for use in future projects by implementing agencies. MPO staff will manage timely resolution of these projects/funds. In addition, if a project was selected through a particular "program," such as the Sustainable Development or Regional ITS Funding Program, funds from deleted projects may be returned to those programs for future "calls for projects" in those areas.
6. For projects selected using project scoring methodologies, projects will no longer be rescored before a cost increase is considered.
7. Cost increases for strategically-selected projects fall under the same modification policy provisions.
8. As a general policy, new projects are proposed through periodic regional funding initiatives. However, the RTC may elect to add new projects to the TIP, outside of a scheduled funding initiative under emergency or critical situations. Projects approved under this provision must be an immediate need.
9. Local match commitments (i.e., percentages) will be maintained as originally approved. Cost overruns on construction, right-of-way, and engineering costs will be funded according to original participation shares.
10. Additional restrictions may apply to projects selected under certain funding initiatives. For example, projects selected through the Land Use/Transportation Joint Venture (i.e., Sustainable Development) program are not eligible for cost increases from RTC-selected funding categories.
11. Cost overruns are based on the total estimated cost of the project, including all phases combined, and are evaluated once total project cost is determined to exceed original funding authorization.
12. Cost indicators may be evaluated on cost overruns to alert project reviewers of potential unreasonable cost estimates (examples include cost per lane-mile, cost per turn lane). The cost indicators are developed by the MPO, in consultation with TxDOT, using experience from the last several years. If a project falls out of this range, the MPO may either:
 - (a) require a more detailed estimate and explanation,
 - (b) require value engineering,
 - (c) suggest a reduced project scope, or
 - (d) determine that a cost increase will come from local funds, not RTC funds.
13. For a project change to be considered, implementing agencies must submit modification requests for their TIP projects through the online TIP modification system. Project change requests must include complete information by the deadline. Incomplete requests will be sent back to agency for re-submittal in a future cycle.
14. Implementing agencies must identify one or two official points of contact for TIP project modifications. The point of contact is responsible for entering complete project modification requests into the online TIP modification system on time. The point of contact must be

capable of collecting and entering accurate project information. Points of contact will be sent reminders leading up to submittal deadlines.

Project Changes Not Requiring TIP Modification

In certain circumstances, changes may be made to TIP projects without triggering a TIP modification. These circumstances are outlined below:

1. **Changes that do not impact the overall purpose of a project:** Changes to MTP reference, CSJ's, or other clerical edits do not require a TIP modification.
2. **Changes to TxDOT's Design and Construction Information System (DCIS):** The DCIS is a project tracking system, therefore, simply updating the DCIS to match previously approved TIP projects or project elements does not require TIP modification. MPO staff maintains the official list of projects and funding levels approved by the RTC.
3. **Carryover Funds:** At the end of each fiscal year, unobligated funds are moved to the new fiscal year as carryover funds. For example, if a project receives funding in a specific fiscal year, but the project is not implemented by the end of the fiscal year, staff will automatically move the funds for that project into the next fiscal year. These changes do not require a TIP modification.
4. **Cost/Funding Increases:** Staff will update cost increases in the information system for changes of less than \$400,000.
5. **Increases in Local Funds:** Staff will adjust with concurrence of local agency.
6. **Changes in RTC Funding Categories:** Staff adjustments permitted.
7. **Emergency:** This provision includes emergency changes that need approval quickly, but timing is not aligned with the RTC Meeting schedule. These changes would come to the RTC for ratification at the next scheduled meeting.
8. **Cost/Funding Decreases:** Staff will update the information system with cost decreases.
9. **Funding Year Changes:** Staff will update the information system for changes that advance project implementation. Once projects are ready for construction (i.e., all federal and State requirements and procedures have been met), staff will advance the project to construction if funds are available.
10. **Statewide Transportation Improvement Program (STIP) Revisions Consistent with Previous RTC Action** (e.g., Staff will place a project or changes previously approved by the RTC in the appropriate information system and documents.)

11. **Addition of Noncapacity, Conformity-Exempt Projects:** Staff will place projects in the appropriate information system/document.

Examples include, but are not limited to:

Sign refurbishing	Intersection Improvements
Landscaping	Intelligent Transportation System
Preventive maintenance	Traffic Signal Improvements
Bridge rehabilitation/replacement	
Safety/Maintenance	

12. **Changes to Implementing Agency:** Staff will process after receiving a written request/approval from the current implementing agency and the newly proposed implementing agency.
13. **Increased Flexibility for Traffic Signal, Intersection Improvement, ITS, and “Grouped” Projects:** Staff will use best practices to advance this category of projects.
14. **Addition and Adjustment of Phases:** Includes engineering, right-of-way, construction, etc.
15. **Administrative Scope Changes:** Minor clarifications to the type of work being performed, physical length of project, and project termini/limits. For example, changing the limits of a project from “.25 miles west of” to “west of,” or changing the limits from “point A” to “.5 miles east of point A,” or clarifying limits due to a change to the name of a roadway when there is no physical change to the limits (the name of the roadway just changed from one name to another, etc.
16. **Funding Year Changes:** Can be moved by staff if project is being moved less than one year.

Please note that a STIP revision may be required to make these changes in the statewide funding document. In all cases, MPO information systems will be updated and changes will be noted in project tracking systems.

Administrative Amendment Policy

Administrative Amendments are TIP modifications that do not require action of the RTC for approval. Under the Administrative Amendment Policy, the RTC has authorized the Director of Transportation, or his designee, for the Dallas-Fort Worth MPO to approve TIP modifications that meet the following conditions. After they are approved, administrative amendments are provided to STTC and the RTC for informational purposes, unless they are merely processed to support previous RTC project approval.

1. **Changes in Federal/State Funding Categories that Do Not Impact RTC-Selected Funding Programs:** RTC-Selected funding programs include: CMAQ, STP-MM, RTR,

Category 2M - Metro Corridor (in coordination with TxDOT), Texas Mobility Funds, Urbanized Area Formula Program - Transit Section 5307.

2. **Potentially Controversial Projects** - The administrative amendment policy does not restrict the Transportation Director from requesting Regional Transportation Council (RTC) action on potentially controversial project changes.
3. **Change in funding share due to adding funding from one program to another:** For instance, if adding Thoroughfare Assessment Program funds (80% federal and 20% state/local) to a project that is 56% federal and 44% local, an administrative amendment is permitted. The revision policy applies to all other instances.

Revision Policy

Revisions are modifications that require approval of the Regional Transportation Council. A revision is required for any project modification that meets the following criteria or that does not fall under the Administrative Amendment Policy.

1. **Adding or Deleting Projects from the TIP:** This provision includes all projects not covered previously in this Policy. All new projects regardless of funding source need to be approved under this Revision Policy.
2. **Cost/Funding Increases:** A revision is required on any cost/funding increase over \$400,000.
3. **Substantive Scope Changes:** This provision includes major or substantive changes that may have citizen interest or policy implications. For example, limits change to a brand new location, limits are extended or shortened substantially, the number of lanes changes, etc.
4. **Funding Year Changes:** A revision is required to move a project more than one year into a fiscal year that would delay project implementation.
5. **Changes in the Funding/Cost Shares:** A change to the percentage of the total project cost paid by each funding partner requires a revision (with the one exception noted in the administrative amendment policy).

Approved by the RTC on March 14, 2013

**THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
TRANSPORTATION PUBLIC PARTICIPATION PLAN
(March 2010)**

APPENDIX E

LANGUAGE ASSISTANCE PLAN

NCTCOG is committed to incorporating Environmental Justice elements and Title VI considerations into the public participation process for transportation planning. Input and involvement from populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered. Various communication strategies and information formats seek to make information easily accessible and understandable.

Title VI states that no person shall be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. Title VI prohibits discrimination: whether intentional or where the unintended effect is unduly burdensome. The North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures (Appendix F) establishes a procedure under which complaints alleging discrimination in NCTCOG's provisions, services, or NCTCOG activities can be made by persons who are not employees of NCTCOG.

The US Department of Transportation defines Limited English Proficiency (LEP) as persons who do not speak English as their primary language and who have limited ability to read, write, or understand English.

Executive Order 13166

In 2000, President William J. Clinton signed Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency." The order provided clarification of Title VI in the Civil Rights Act of 1964, stating that recipients of federal funds must "ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin."

The order also required federal agencies and recipients of federal financial assistance to examine the services they provide and develop an implementation plan to provide meaningful access to LEP persons.

Guidance from the Federal Highway Administration, Federal Transit Administration and the Texas Department of Transportation stresses the importance of reducing language barriers that can prevent meaningful access by LEP persons to important services. NCTCOG values public involvement and feedback and encourages participation by all communities.

To ensure all communities have meaningful access to information and opportunities to participate in the planning process, the NCTCOG Transportation Department analyzes department activities and demographic information for the region in order to:

- Identify LEP persons who need language assistance and determine how these individuals are served or likely to be served by NCTCOG Transportation Department programs.
- Outline how language assistance will be available.
- Train staff for considering the needs of and interacting with LEP persons.
- Provide notice to LEP persons.
- Monitor and update plans and strategies that address how LEP individuals have access to information and opportunities for program participation.

Because transportation planning and services provided by NCTCOG can be both a benefit and a burden to economic development, employment, housing, education, healthcare, and social opportunities, NCTCOG staff is dedicated to assessing the location and needs of LEP communities and consequently, the services NCTCOG provides to these communities.

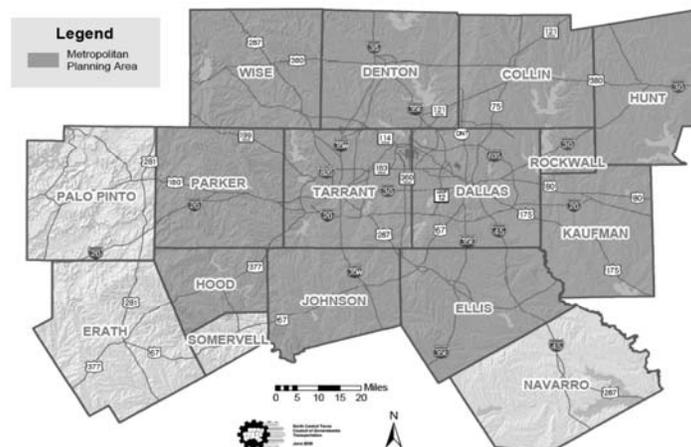
Identification of LEP populations and determination of how these individuals are served or likely to be served by NCTCOG Transportation Department Programs

The U.S. Department of Transportation issued Policy Guidance to federal financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. In this guidance the US Department of Transportation provided the four factor analysis as an approach to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient grantee

The Metropolitan Planning Area boundary encompasses 12 counties (Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant and Wise).

Limited English Proficiency Service Area



Data for the 12-county Metropolitan Planning Area was gathered using the 2000 decennial census and the 2005-2007 American Community Survey. LEP persons were classified as anyone over the age of five that classified their ability to speak English as 'well,' 'not well,' and 'not at all.' Figures from both data sets were compiled to provide an approximation for the rate of growth of LEP persons in the service area. Data from the 2005-2007 American Community Survey was not available for the counties of Rockwall and Kaufman; thus, no comparison was made for those two counties and data from the 2000 Census was used when determining figures based on the 2005-2007 American Community Survey.

In 2007, the American Community Survey estimated population was 5,459,711 for the 12-county region. The LEP population was 776,083, approximately 14.2 percent of the total population. Data from the 2000 Census showed the LEP population to be 596,426; which is a 30.1 percent increase. Based on the most recent data available Spanish is the largest language represented among the LEP population with 12 percent of the total population identified as speaking Spanish, according to the 2007 American Community Survey. Asian languages were the second largest group among the LEP population comprising 1.5 percent of the total population.

LEP Population for the 12-County Dallas-Fort Worth Metropolitan Planning Area							
Total Metropolitan Planning Area (MPA) Population		Total MPA LEP Population	% LEP of Total Population	Total MPA Spanish Population	% Spanish of Total Population	Total MPA Asian Languages Population	% Asian Language of Total Population
2000 Census	4,782,849	596,426	12.5%	486,399	10.2%	66,633	1.4%
2007 American Community Survey	5,459,711	776,083	14.2%	645,235	11.8%	82,010	1.5%
% Change	14.2%	30.1%		32.7%		23.1%	
Source: 2000 Census and the 2007 American Community Survey www.census.gov							
Limited English Proficiency (LEP) is classified as any person whose primary language is other than English & answered that their ability to speak English was "well" "not well" & "not at all."							
The Dallas-Fort Worth Metropolitan Planning Area consists of; Collin, Dallas, Denton, Ellis, Hood, Hunt Johnson, Kaufman, Parker, Rockwall, Tarrant & Wise counties.							

Recognizing that low literacy could also result in limited English proficiency, data from the U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2003 National Assessment of Adult Literacy was analyzed. The study used population estimates for persons 16 years and older as of 2003. Individuals determined to lack basic literacy skills either scored below basic in prose or could not be tested due to language barriers.

The study found that 19 percent of the statewide population lacked basic literacy skills. Within the 12-county area, 21 percent of the Dallas County population lacked basic literacy skills. Dallas County was the only county in the region above the state percentage.

Location	Population size ¹	Percent lacking <i>basic literacy skills</i> ²
Texas	15,936,279	19%
Collin County	437,018	8%
Dallas County	1,650,735	21%
Denton County	371,897	8%
Ellis County	90,668	13%
Hood County	35,299	9%
Hunt County	60,001	13%
Johnson County	102,672	12%
Kaufman County	60,172	14%
Parker County	72,454	9%
Rockwall County	40,168	8%
Tarrant County	1,130,374	14%
Wise County	40,253	12%
¹ Estimated population size of persons 16 years and older in households in 2003.		
² Those lacking <i>Basic</i> prose literacy skills include those who scored <i>Below Basic</i> in prose and those who could not be tested due to language barriers.		
SOURCE: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2003 National Assessment of Adult Literacy		

This Language Assistance Plan outlines how needs of the LEP population in the service area will be addressed, how language services will be made available and how LEP persons will be notified of these services.

Factor 2: The frequency with which LEP individuals come in contact with the program

The nature of the programs associated with the Metropolitan Planning Organization dictate that the majority of contact with the public and LEP persons is through inquiries submitted to the MPO, public meetings, public outreach events, the MPO Web site and program implementation activities.

Factor 3: The nature and importance of the program, activity or service provided by the recipient to people's lives

NCTCOG is the agency responsible for the regional transportation planning process; in this capacity, NCTCOG must ensure that all segments of the population are involved or have the opportunity to be involved in the decision making process. As required by federal guidelines, NCTCOG produces a Metropolitan Transportation Plan that outlines long-range transportation investments, a Transportation Improvement Program (TIP) that provides short range planning for transportation investments, a Unified Planning Work Program (UPWP) that outlines tasks to be performed in the upcoming year and a Congestion Management Process for developing and

implementing operational and travel-demand strategies that improve transportation system performance.

Additionally, nine North Texas counties are classified by the U.S. Environmental Protection Agency as moderate nonattainment for eight-hour ozone levels. Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant counties are classified as nonattainment. MPO transportation plans must show transportation conformity and comply with rules established by the Clean Air Act Amendments of 1990. Therefore, NCTCOG is also responsible for developing and implementing plans, policies and programs that reduce transportation-related emissions that lead to ozone formation.

Factor 4: The resources available to the recipient and costs

NCTCOG currently has available, if needed, bilingual staff to assist in translation needs and/or translation review. NCTCOG also has agreements with translation services that cover many languages as well as American Sign Language. NCTCOG currently utilizes a translation service and department staff to translate documents. Visualization tools like animations, maps, renderings, photos and others are also used when possible to increase understanding among all audiences. These tools can also be especially beneficial for LEP persons.

Guidelines for making language assistance available

All language assistance will be provided at no charge to LEP individuals.

The four-factor analysis will be used as a tool for analyzing to what extent and how the needs of LEP communities are addressed during transportation planning and program implementation. For example, the four-factor analysis will be used to determine initial translation or alternative format needs for documents and the Web site. Department reports, newsletters, brochures, other publications and Web site information include instructions about how to request information be made available in another format. Translators and interpreters used by the NCTCOG Transportation Department will be evaluated to ensure accurate, high-quality language services are available to LEP persons.

Increased use of visualization tools will be used to make information more understandable and, in some cases, reduce the need for English proficiency.

Plans, projects and programs for areas with a high number of LEP persons will have materials that address needs of the population in that area. Environmental Justice communities, including non-English speakers, are mapped whenever possible to provide, as much as possible, plan- or project-specific data to be used.

The NCTCOG Transportation Department will make every effort to accommodate language translation needs, if provided sufficient notice. A minimum of 3 business days advance notice is required for these arrangements to be provided at public meetings.

NCTCOG Transportation Department staff will consistently seek out input and involvement from organizations and agencies which serve LEP populations to complement other language assistance and outreach efforts.

Staff training for considering the needs of and interacting with LEP persons

All NCTCOG Transportation Department staff members employed as of May 2009 completed training on the requirements and techniques for providing meaningful access to services for LEP persons. Training materials and resources continue to be available for review by all staff—including new employees.

Notice of assistance available for LEP persons

Public meeting notices include the telephone number and e-mail address to request special arrangements for language translation or disability. On each notice, this information is included in English and Spanish.

Notice of the North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures is also included on publications like public meeting notices and department publications.

Language assistance can be obtained by contacting the NCTCOG Transportation Department:

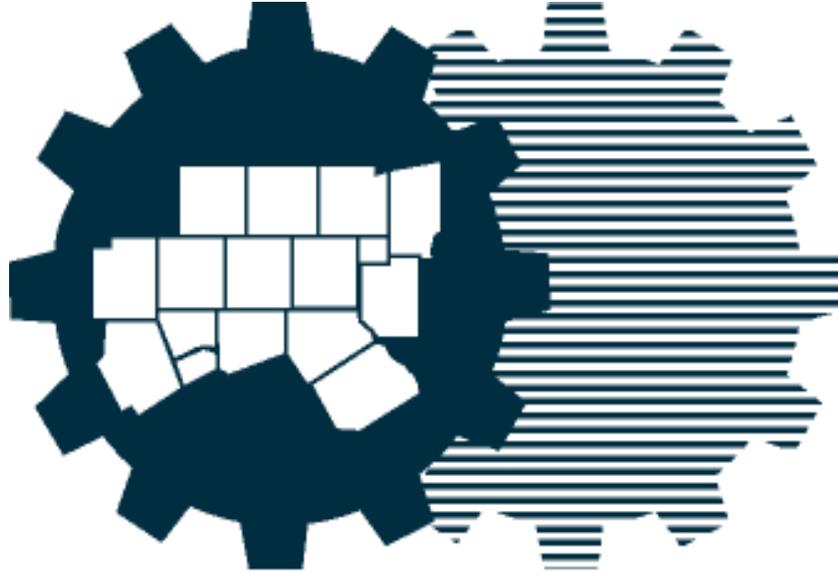
North Central Texas Council of Governments, Transportation Department
P.O. Box 5888
616 Six Flags Drive
Arlington, TX 76005-5888
Phone: (817) 695-9240
Fax: (817) 640-3028
E-mail: transinfo@nctcog.org
Web site: www.nctcog.org/trans

Monitoring and updating plans and strategies that address how LEP individuals have access to information and opportunities for program participation

This Language Assistance Plan is intended to be reviewed and updated in conjunction with NCTCOG Transportation Public Participation Plan.

Environmental Justice and Title VI activities will be periodically summarized to provide information about how the NCTCOG Transportation Department:

- Addresses the needs of LEP persons and those traditionally underserved by existing transportation services.
- Facilitates opportunities for full and fair participation from all individuals.
- Makes information accessible and understandable.
- Ensures no person shall, on the basis of race, color, national origin, age, sex, disability, or religion, be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance.



North Central Texas Council of Governments
Transportation Department

Title VI Complaint Procedures

Introduction

The North Central Texas Council of Governments (NCTCOG) serves as the federally designated Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth region. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, NCTCOG ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. These prohibitions extend from the North Central Texas Council of Governments, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, colleges, universities, etc). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

This policy is intended to establish a procedure under which complaints alleging discrimination in NCTCOG's provisions, services, or NCTCOG activities can be made by persons who are not employees of NCTCOG.

Any person who believes NCTCOG, or any entity who receives federal financial assistance from or through NCTCOG (i.e., sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination.

NCTCOG will follow timelines set forth in guidance from the Department of Transportation, the Federal Highway Administration, Federal Transit Administration and the Department of Justice for processing Title VI discrimination complaints.

When to File

A complaint of discrimination must be filed within 180 calendar days of the alleged act of Discrimination, or discovery thereof; or where there has been a continuing course of conduct, the date on which that conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day you complete, sign, and mail the complaint form. The complaint form and consent/release form must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.

Where to File

In order to be processed, signed original complaint forms must be mailed to:

North Central Texas Council of Governments
Transportation Department
Title VI Specialist
P.O. Box 5888
Arlington, TX 76005-5888

Or hand delivered to:

616 Six Flags Drive
Arlington, TX 76011

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited-English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

Persons who are not satisfied with the findings of NCTCOG may seek remedy from other applicable state or federal agencies.

Required Elements of a Complaint

In order to be processed, a complaint must be in writing and contain the following information:

- Name, address, and phone number of the complainant.
- Name(s) and address(es) and business(es)/organization(s) of person(s) who allegedly discriminated.
- Date of alleged discriminatory act(s).
- Basis of complaint (i.e., race, color, national origin, sex, age, religion, or disability).
- A statement of complaint.
- Signed consent release form.

Incomplete Complaints

Upon initial review of the complaint, the Title VI Specialist will ensure that the form is complete and that any initial supporting documentation is provided. Should any deficiencies be found, the Title VI Specialist will notify the complainant within 10 working days. If reasonable efforts to reach the complainant are unsuccessful or if the complainant does not respond within the time specified in the request (30 days), the recipient may close the complainant's file. The complainant may resubmit the complaint provided it is filed within the original 180-day period.

Should the complaint be closed due to lack of required information, NCTCOG will notify the complainant at their last known address. In the event the complainant submits the missing information after the file has been closed, the complaint may be reopened provided it has not been more than 180 days since the date of the alleged discriminatory action.

Records of Complaints

The Title VI Specialist will keep a record of all complaints received. The log will include such information as:

- Basic information about the complaint such as when it was filed, who filed it, and who it was against.
- A description of the alleged discriminatory action.
- Findings of the investigation.

Complaint Process Overview

The following is a description of how a discrimination complaint will be handled once received by NCTCOG.

1. A complaint is received by NCTCOG:

Complaints must be in writing and signed by the complainant or their designated representative. If the complainant is unable to complete the form in writing due to disability or limited-English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint that do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

2. Complaint is logged into tracking database:

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

3. Determine jurisdiction:

NCTCOG's Title VI Specialist will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets basic criteria.

Criteria required for a complete complaint:

- Basis of alleged discrimination (i.e., race, religion, color, national origin, sex, age or disability).

-
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180 day time requirement.
 - The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. During this process, if a determination is made in which the program or activity that the alleged discrimination occurred is not related to a NCTCOG program or activity, every attempt will be made to establish the correct agency. Whenever possible, and assuming consent was granted on the Consent/Release form, the complaint will be forwarded to the appropriate agency.

4. Initial written notice to complainant:

Within 10 working days of the receipt of the complaint, NCTCOG will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a NCTCOG program or activity, or does not meet deadline requirements. Conclusions made in step three will determine the appropriate response to the complaint. Examples of response letters are located in Appendix A. If any additional information is needed from the complainant, it will be communicated at this point in the process. A copy of the written response, as well as the complaint form, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for informational purposes only.

5. Investigation of complaint:

The Title VI specialist will confer with the Department Director to determine the most appropriate fact finding process to ensure that all available information is collected in an effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:

- Internal meetings with NCTCOG staff and legal counsel.
- Consultation with state and federal agencies.
- Interviews of complainant(s).
- Review of documentation (i.e., planning, public involvement, and technical program activities).
- Interviews and review of documentation with other agencies involved.
- Review of technical analysis methods.
- Review of demographic data.

6. Determination of investigation:

An investigation must be completed within 60 days of receiving the complete complaint, unless the facts and circumstances warrant otherwise. A determination will be made based on information obtained. The Title VI Specialist, Department Director and/or designee will render a recommendation for action, including formal and/or informal resolution strategies in a report of findings to the NCTCOG Executive Director.

7. Notification of determination:

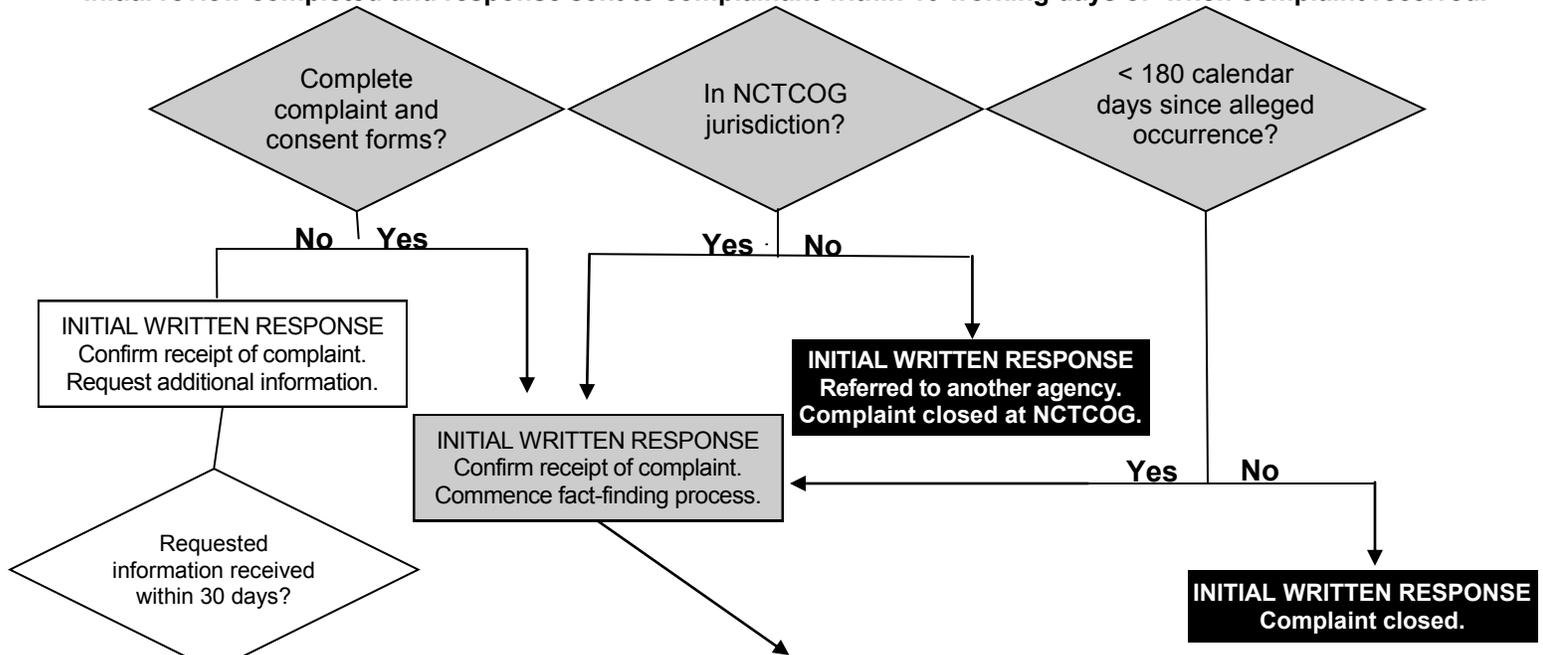
Within 10 days of completion of an investigation, the complainant must be notified by the NCTCOG Executive Director of the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for information purposes.

RECEIPT OF COMPLAINT

A written discrimination complaint is received and entered into tracking database.

INITIAL REVIEW

Initial review completed and response sent to complainant within 10 working days of when complaint received.

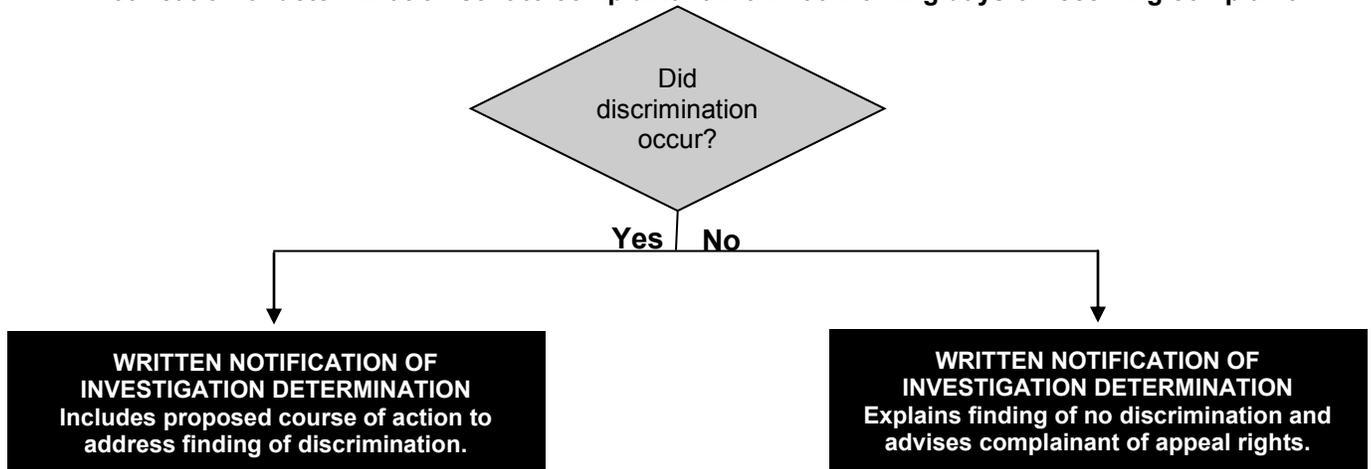


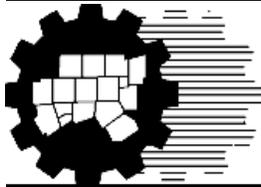
INVESTIGATION / FACT FINDING

Completed within 60 working days of receiving complaint.
Findings summarized and report submitted to head of Agency.

DETERMINATION OF INVESTIGATION

Notification of determination sent to complainant within 90 working days of receiving complaint.





North Central Texas Council of Governments Discrimination Complaint Form

Please read the information on this page of this form carefully before you begin.

The North Central Texas Council of Governments (NCTCOG) serves as the federally designated Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth region. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, NCTCOG ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. These prohibitions extend from the North Central Texas Council of Governments, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, colleges, universities, etc.). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements.

NCTCOG is required to implement measures to ensure that persons with limited-English proficiency or disability have meaningful access to the services, benefits and information of all its programs and activities under Executive Order 13166. Upon request, assistance will be provided if you are limited-English proficient or disabled. Complaints may be filed using an alternative format if you are unable to complete the written form.

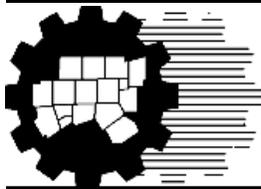
The filing date is the day you complete, sign, and mail this complaint form. Your complaint must be filed no later than 180 calendar days from the most recent date of the alleged act of discrimination. The complaint form and consent/release form must be dated and signed for acceptance. You have 30 calendar days to respond to any written request for information. Failure to do so will result in the closure of the complaint.

Submit the forms by mail to:

North Central Texas Council of Governments
Transportation Department
Title VI Specialist,
P.O. Box 5888
Arlington, TX 76005-5888

Or in Person at:
616 Six Flags Drive
Arlington, TX 76011

If you have any questions or need additional information, please call (817)695-9240 or e-mail titlevi@nctcog.org.



North Central Texas Council of Governments Discrimination Complaint Form

Please read the information on the first page of this form carefully before you begin.

1

First Name MI Last Name

Street Address City State Zip Code

Telephone Number e-mail Address

2 Who do you believe discriminated against you?

First Name MI Last Name

Name of Business/Organization Position/Title

Street Address City State Zip Code

Person's Relationship to You

3 When did the alleged act(s) of discrimination occur?

Please list all applicable dates in mm/dd/yyyy format.

Date(s):

Is the alleged discrimination ongoing? Yes No

4 Where did the alleged act(s) of discrimination occur? (Attach additional pages as necessary.)

Name of Location

5 Indicate the basis of your grievance of discrimination.

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Race: | <input type="checkbox"/> Color: |
| <input type="checkbox"/> National Origin: | <input type="checkbox"/> Sex: |
| <input type="checkbox"/> Age: | <input type="checkbox"/> Disability: |
| <input type="checkbox"/> Religion: | |

6 Describe in detail the specific incident(s) that is the basis(es) of the alleged discrimination. Describe each incident of discrimination separately. Attach additional pages as necessary.

Please explain how other persons or groups were treated differently by the person(s)/ agency who discriminated against you.

Please list and describe all documents, e-mails, or other records and materials pertaining to your complaint.

Please list and identify any witness(es) to the incidents or persons who have personal knowledge of information pertaining to your complaint.

Have you previously reported or otherwise complained about this incident or related acts of discrimination? If so, please identify the individual to whom you made the report, the date on which you made the report, and the resolution. Please provide any supporting documentation.

Limited English Proficiency (LEP) Interactions Staff Survey

Individuals with Limited English Proficiency do not speak English as their primary language, have a limited ability to read, speak, write or understand English or are native English speakers with low levels of literacy.

- 1) In the past six months have you encountered a Limited English Proficiency (LEP) person in your work activities?
- 2) What language have you encountered in the past six months?
- 3) How many times have you encountered a LEP person speaking (language selected in Question 2) in the past six months?
- 4) What type of work activity were you involved in when you encountered this language?
Choose all that apply.
 - Outreach/Public Meeting
 - E-mail
 - Phone Call
 - Other, please specify
- 5) Have you encountered additional languages in the past six months?

Survey Results (July 2011-December 2011)

Language	Number of Staff that Interacted with LEP Persons	Activities
Spanish	16	Phone Calls, Outreach/Public Meeting
Vietnamese	6	Phone Calls, Applications, Emails
Hindi	3	Phone Calls
Arabic	1	Outreach/Public Meeting
Chinese	1	Email
Other/Unspecified	1	Phone Call
Total	28	

	Region Aggregate (Population Over 5)	Percentage of total Population Over 5
Total Population	5703710	100.000000%
Spanish: Speak English less than "very well"	624880	10.955676%
Vietnamese: Speak English less than "very well"	33357	0.584830%
Chinese: Speak English less than "very well"	19242	0.337359%
Korean: Speak English less than "very well"	13806	0.242053%
Other Asian languages: Speak English less than "very well"	8410	0.147448%
African languages: Speak English less than "very well"	8334	0.146115%
Other Indic Languages: Speak English less than "very well"	5994	0.105089%
Arabic: Speak English less than "very well"	5622	0.098567%
Urdu: Speak English less than "very well"	3967	0.069551%
French: Speak English less than "very well"	3812	0.066834%
Laotian: Speak English less than "very well"	3793	0.066501%
Tagalog: Speak English less than "very well"	3320	0.058208%
Persian: Speak English less than "very well"	3319	0.058190%
Hindi: Speak English less than "very well"	3229	0.056612%
Gujarati: Speak English less than "very well"	3184	0.055823%
Thai: Speak English less than "very well"	2527	0.044304%
Russian: Speak English less than "very well"	2406	0.042183%
Other Indo-European languages: Speak English less than "very well"	2153	0.037747%
Mon-Khmer, Cambodian: Speak English less than "very well"	2140	0.037519%
Japanese: Speak English less than "very well"	2092	0.036678%
German: Speak English less than "very well"	1861	0.032628%
Portuguese or Portuguese Creole: Speak English less than "very well"	1529	0.026807%
Serbio-Croatian: Speak English less than "very well"	1508	0.026439%
Other Pacific Island languages: Speak English less than "very well"	1077	0.018882%
Other Slavic languages: Speak English less than "very well"	704	0.012343%
Polish: Speak English less than "very well"	594	0.010414%
Italian: Speak English less than "very well"	508	0.008906%
Hebrew: Speak English less than "very well"	468	0.008205%
Greek: Speak English less than "very well"	346	0.006066%
French Creole: Speak English less than "very well"	264	0.004629%
Hungarian: Speak English less than "very well"	240	0.004208%
Other and unspecified languages: Speak English less than "very well"	133	0.002332%
Scandinavian languages: Speak English less than "very well"	126	0.002209%
Armenian: Speak English less than "very well"	111	0.001946%
Hmong: Speak English less than "very well"	104	0.001823%
Other West German Languages: Speak English less than "very well"	99	0.001736%
Other Native North American languages: Speak English less than "very well"	80	0.001403%
Yiddish: Speak English less than "very well"	17	0.000298%
Navajo: Speak English less than "very well"	15	0.000263%
Total LEP Population	765371	13.418827%

Source: 2006-2010 American Community Survey

**BYLAWS of the
North Central Texas Council of Governments**
Revised on December 17, 2009

* * * * *

STATEMENT OF PRINCIPLES AND POLICIES

1. The underlying concept of the North Central Texas Council of Governments (hereinafter referred to as the Council) is that the general purpose units of government, which are closest to the people, should exercise the basic initiative and leadership and have the primary responsibility for dealing with those problems and needs which require action on an areawide or regional basis.
2. The physical, economic, and social well-being of the region, its citizens and business enterprises, now and in the future, are dependent upon an orderly development of the entire region. This will be possible only with the successful coordination of governmental services and policies.
3. Counties and cities are the principal units of local government in the region. As such, they have the responsibility for anticipating and meeting the local governmental needs which future development will produce, including the need for joint and coordinated areawide services.
4. County and city governing bodies are, and should continue to be, the top policy makers in local government. They are directly concerned with all services and regulations affecting the public in their communities.
5. Constructive and workable policies and programs for meeting and solving the areawide problems of local government will be most effectively and expeditiously developed by regular meetings of governmental unit members in an areawide voluntary council dedicated to the solution of these problems.
6. The Council is an organization through which individual governmental units can coordinate their efforts. It is not in itself a government nor does it seek to become one.
7. The Council shall consider such matters as are areawide or regional in nature.

MEMBERSHIP

Section I.

Membership in the Council of Governments shall be voluntary and will be determined by passage of a resolution, the payment of dues, and shall be open to the following eligible members:

- A. Any county in the North Central Texas State Planning Region as determined by the Office of the Governor, State of Texas.
- B. All incorporated cities, municipalities, towns, and villages within the North Central Texas State Planning Region, as determined by the Office of the Governor, State of Texas.

- C. Independent School, Hospital, Water and Sewer, and other special-purpose Districts within the North Central Texas State Planning Region, as determined by the Office of the Governor, State of Texas.
- D. Each member shall be entitled to one (1) voting representative, but may send as many delegates as desired to Council meetings. The voting representative shall be an elective public official appointed by and from the governing body of the member government.

GENERAL ASSEMBLY

Section II.

- A. The General Assembly shall be the governing body of the Council, and shall be made up of the voting representatives, or their alternates, from all member governments. The General Assembly shall be responsible for the general policies and programs of the Council, for the election of officers, and for amendments to the Bylaws.
- B. The General Assembly shall be composed of:
 - 1. One (1) elective public official from each dues-paying participating governmental unit, as set forth in Section I.
- C. Twenty-five percent (25%) of the total number of members encompassed in Section I shall constitute a quorum at all meetings of the members of the transaction of business.
- D. When a quorum of the Assembly is present at any meeting, the majority vote of the members present shall decide any question under consideration except Bylaws. Bylaws may be revised by an affirmative vote of seventy-five percent (75%) of the members present. (See Section XI.)
- E. In the absence of any member of the Assembly representing a participating governmental unit, another designated member of the absent member's governing body may serve as the alternate at a meeting of the Assembly. Such alternate member shall have full voting privileges and shall be counted in the determination of a question.
- F. The General Assembly shall elect a President, Vice President, Secretary-Treasurer, and Directors of the Council to serve in the same capacity on the General Assembly and Executive Board.

GENERAL MEMBERSHIP (GENERAL ASSEMBLY) MEETINGS

Section III.

- A. An annual membership meeting of the General Assembly shall be held after the spring municipal elections for the purpose of electing Officers and Directors to the General Assembly and Executive Board. Additional meetings may be called by the Executive Board, as necessary. General membership meetings shall be for the purposes of amending Bylaws, electing officers, and conducting any other business which may be deemed appropriate.
- B. Written notice of the general membership meetings shall be served upon or mailed to each voting representative of each member governmental unit entitled to vote thereat (at the member's address as it appears on the books of the Council) at least ten (10) days prior to the meeting.
- C. Special general membership meetings, for any purpose or purposes, shall be called by the President at the written request of any five (5) members of the General Assembly.
- D. Written notice of special general membership meetings, stating the time, place, and object of such meetings, and the business to be transacted, shall be served upon or mailed to each member governmental unit entitled to vote thereat, at least ten (10) days before such meeting. Business transacted at all special meetings shall be confined to the objects and business to be transacted as stated in the notice.
- E. The time, date, and location of all general membership meetings shall be determined by the President as recommended by the Executive Board.

ROLE AND RESPONSIBILITIES

Section IV.

- A. The Council of Governments shall be concerned with the planning of the region with respect to transportation, water supply, drainage, land use, environmental protection, public facilities, conservation, and other aspects of urban-rural development. Such Council shall be vested with full authority to perform all acts, to render all services, to initiate all studies and to make all recommendations authorized by law. The Council is authorized to apply for, contract for, receive and expend for its purposes, any funds or grants from any participating governmental unit or from the State of Texas, Federal Government, or any other sources, and to contract with and receive payments for services rendered to any incorporated municipality, the State of Texas or any of its political subdivisions, or the Federal Government. The Council shall have no power to levy any character of tax whatsoever. The participating governmental units shall appropriate funds to the Council for the cost and expenses required in the performance of its purpose.

The Council is empowered to make use of funds to employ staff and/or agents, rent office space, and purchase furniture and supplies as it may deem necessary to expeditiously carry to completion any studies and/or programs with which it may be charged.

- B. In the event one or more governmental units within the region should desire the Council to conduct a special study pertaining to a portion of the entire region, they may make application to the Executive Board by ordinance, resolution, role, or order wherein they bind themselves to pay all costs involved in said study. If said study is deemed feasible by the Council, it may enter into a separate contract with the particular governmental unit or units to conduct same.

EXECUTIVE BOARD

Section V.

- A. The Executive Board shall be the policy development body for the General Assembly and between meetings of the entire membership, shall be responsible for the general policies and programs of the Council and for the control of the funds.
- B. The Executive Board shall also be responsible for preparing business for the general and special membership meetings, preparing a work program, and preparing and adopting the annual budget following a public hearing of such budget.
- C. The Executive Board shall be empowered to appoint an Executive Director as the chief administrative and executive officer of the Council of Governments and to authorize through Board action the additional employment of such staff as necessary.
- D. The Executive Board shall be empowered to employ consultants and to execute contracts necessary to carry out the business of the Council of Governments.
- E. The Executive Board shall be empowered to appoint study committees, technical advisory committees, and policy development committees deemed necessary to carry out the business of the Council of Governments.
- F. The Executive Board shall serve or be empowered to appoint nominating committees for all offices of the Council of Governments.
- G. The Executive Board shall be responsible for the review and comment process in connection with coordination of federal grants-in-aid for local governments.
- H. The Executive Board shall meet regularly at least once each month, unless otherwise determined by its members, to conduct the continuing business of the Council.
- I. Representation on the Board shall meet the following minimum requirements at all times: Two (2) locally elected officials on the Board shall be representatives from the two (2) largest populated member Cities (one from each City), as of the last official census. Two (2) locally elected officials on the Board shall be representatives from the two (2) largest populated member Counties (one from each County), as of the last official census. One (1) locally elected official on the Board shall be from a member City with a population in excess of One Hundred Thousand (100,000), as of the last official census. Two (2) locally elected officials on the Board shall be from member Cities with populations in excess of Twenty-five Thousand (25,000), as of the last official census. One (1) locally elected official on

the Board shall be from a member City with a population of less than Twenty-Five Thousand (25,000), as of the last official census. One (1) locally elected official on the Board shall be from a County with a population in excess of Three Hundred Thousand (300,000), as of the last official census. One (1) locally elected official on the Board shall be from a County with a population less than Three Hundred Thousand (300,000), as of the last official census. Two (2) locally elected officials shall be representatives without regard to population. No entity shall have more than one representative at any one time, with the exception that the Past President shall serve in a designated position on the Board and shall not be deemed to be a representative of any specific entity.

- J. The Executive Board shall be composed of the following members:
 - 1. The Immediate Past President of the Council; and
 - 2. The twelve (12) Directors of the Council.
- K. The membership of the Executive Board shall always be composed of elected local government officials.
- L. There shall always be thirteen (13) members on the Board. Vacancies occurring on the Board shall be filled by appointment by the remaining members of the Board.
- M. Should a vacancy occur in the Officers of the Council or General Assembly, a successor shall be appointed by the Executive Board.
- N. The Executive Board shall establish an Ethics Policy, consistent with State law, that is applicable to board members and employees.

WAIVER OF NOTICE

Section VI.

Whenever any notice is required to be given under the provisions of the Bylaws to any member, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent thereto.

ADVISORY GROUPS

Section VII.

- A. It is the intent of this organization that the Council shall, when advisable, seek the advice and cooperation of interested citizen groups in the formulation of recommendations and to establish the priority of projects for consideration.
- B. The Council may recommend to the Executive Board the establishment of such citizen and/or technical advisory committees as may be necessary to effectively carry out the business of the Council of Governments.

FORMATION OF A NON-PROFIT CORPORATION

Section VIII.

A non-profit corporation is to be formed to implement all provisions of these Bylaws.

FINANCES

Section IX.

All checks or demands for money and notes of the corporation shall be signed by such officer or officers, or such persons as the Executive Board may from time to time designate.

ELECTIONS AND OFFICERS' TERMS

Section X.

The Officers and Directors of the Council shall hold office for one year, said term to begin after the Annual Spring meeting of the Council of Governments. Election of Officers will be held, unless otherwise determined by the Executive Board, at the Annual Spring meeting. The Officers and Directors will continue to serve in their respective positions until a replacement has been duly elected.

AMENDMENTS TO THE BYLAWS

Section XI.

These Bylaws may be altered, amended, or added to by written ballots from the members or by action of the General Assembly, provided:

- A. Proposed changes shall contain a full statement of the proposed amendment or amendments.
- B. The enactment of the amendment by written ballots shall require a majority vote of the general membership.
- C. The enactment of amendments at the General Assembly shall require an affirmative vote of seventy-five percent (75%) of the members present at the General Assembly and shall be submitted to the Executive Board at least sixty (60) days prior to the General Assembly.

BUDGETS AND PAYMENTS

Section XII.

- A. The fiscal year of the organization shall begin on the first day of October in each year.
- B. The annual budget, including the dues structure, for the organization shall be prepared, approved, and adopted by the Executive Board on or before the last day of September of each year, after a public hearing thereon.
- C. Prior to the adoption of the annual budget, dues for all participating governmental units shall be fixed by the Executive Board. Dues shall be in amounts sufficient to provide funds as required by the budget. Any member governmental unit whose annual dues have not been paid by the date of any general membership meeting shall not officially participate in any meeting until such dues are paid in full.
- D. New members may join the Council upon the pro-rate payment of dues for the remaining portion of the current fiscal year.
- E. The annual dues for member governmental units shall be established in accordance with current population of such governmental units as certified annually by the Council.
- F. The books of the Council shall be audited annually by a certified public accountant or accountants, and the audit report shall be made to the Executive Board and be available no later than three (3) months after the close of the fiscal year.

BYLAWS AND OPERATING PROCEDURES
REGIONAL TRANSPORTATION COUNCIL

December 2009

STATEMENT OF PRINCIPLES

1. The physical, economic, and social well-being of the region, its citizens, and business enterprises, now and in the future, is determined to a great extent by its transportation system. Therefore, decisions involving transportation systems and subsystems must consider the environmental, economic, and social impacts of the alternatives in the future development of the transportation system and must attain the principal objective of having an efficient, safe, and practical system for moving people, goods, and services in the region according to their needs.
2. A transportation system can best be planned on a large-area basis involving city, county, regional, and state jurisdictional responsibilities and a proper mix of various modes of travel.
3. Counties and cities have the local responsibility for anticipating and meeting the transportation needs for adequately moving people and goods within their jurisdictions. However, the Texas Department of Transportation is charged, by law, with the responsibility for planning, designing, constructing, and maintaining the State Highway System. In addition, duly authorized transportation authorities are responsible for planning, developing, and operating public transportation services in their respective service areas. Under federal legislation, the Metropolitan Planning Organization (MPO), through the NCTCOG Regional Transportation Council, has an expanded role in project selection, transportation project programming, and project funding.

4. Evaluation of transportation alternatives and the determination of the most desirable transportation system can best be accomplished through a Regional Transportation Council (RTC) of primarily elected officials from the counties and cities in the North Central Texas Region. The Regional Transportation Council will be the forum for cooperative decision making by primarily elected officials of general purpose local governments (i.e., cities and counties) and including representatives of entities responsible for highway, toll roads, and mass transit improvements. It is in the explicit interest of the Regional Transportation Council, that all elected officials be of general purpose local governments.
5. The Regional Transportation Council will make recommendations involving the regional transportation system to the counties and cities, the State, and the authorities for all modes of transportation. Final decisions for implementing the Metropolitan Transportation Plan will be a cooperative effort between the governing bodies of the counties and cities, the Texas Transportation Commission, the Regional Transportation Council, and the authorities.
6. The Regional Transportation Council will monitor the metropolitan transportation planning process to assure that it is conducted in a manner consistent with requirements of federal law and regulations.
7. In an attempt to fulfill the above concepts and to meet the requirements of the Federal Aid Highway Act of 1973, the Governor, on April 18, 1974, designated the North Central Texas Council of Governments as the Metropolitan Planning Organization for transportation planning with the proviso that the Regional Transportation Council be the decision-making group for regional transportation policy for the Dallas-Fort Worth urbanized area. Since that time, this designation has been modified to reflect the inclusion of both the Denton-Lewisville urbanized area and the McKinney urbanized area. The NCTCOG Executive Board serves as the fiscal

agent for the MPO. As the designated Metropolitan Planning Organization, the North Central Texas Council of Governments must assure that transportation planning in the urbanized area is satisfactorily coordinated and integrated with other comprehensive planning in the State Planning Region. These Bylaws and Operating Procedures spell out the manner in which the Regional Transportation Council shall fulfill its responsibilities as the cooperative transportation decision-making group of the Metropolitan Planning Organization for the Dallas-Fort Worth metropolitan area.

DEFINITIONS

Section 1. The following definitions shall apply to terms used in these Bylaws and Operating Procedures:

- A. Transportation Planning Process. The transportation planning process is the process of estimating future travel demand, identifying transportation improvement alternatives, and evaluating those alternatives and financial resources to determine the best combination of facilities and services for all modes of travel.

- B. Metropolitan Transportation Plan. The Metropolitan Transportation Plan is the delineation of the highway, transit, and airport facilities that would serve the projected travel demand for a forecast year. The Metropolitan Transportation Plan will include a listing of projects anticipated to be funded over the next approximately 20+ years and be developed consistent with federal guidelines.

- C. Transportation Improvement Program. The Transportation Improvement Program (TIP) is a multimodal listing of all transportation projects and programs expected to be implemented over an approximately four-year period as well as projects that are funded but not yet ready for

implementation. This includes all projects or programs which are expected to utilize federal funds and those projects or programs which will utilize other funds (state or local), including toll road projects. The TIP will be developed consistent with federal guidelines and Regional Transportation Council selection criteria.

- D. Unified Planning Work Program. The Unified Planning Work Program (UPWP) is a listing of planning projects to be performed by the MPO in support of a continuous, comprehensive, and coordinated transportation planning process. The UPWP also contains a listing of planning projects performed by other agencies which will have regional significance.

- E. Regional Transportation System. The Regional Transportation System is the continuous network of roadways and transit services that provides for movement and interchange of people and goods, primarily between local jurisdictions within the region. Included in the Regional Transportation System are highways and streets, parking and intermodal terminals, tollways, fixed-guideway transit lines, bus routes, taxi services, paratransit and ridesharing services, railroad facilities, and general aviation and air carrier airports.

- F. Regional Highway System. The regional highway system is those freeways, principal and minor arterials, tollways, truck terminals, parking facilities, and ridesharing services which make up the system for travel by automobile or truck.

- G. Regional Public Transportation System. The regional public transportation system includes all fixed-guideway facilities, bus routes, personal rapid transit, paratransit, and taxi services operated by public or private entities.

- H. Regional Airport System. The regional airport system is the collective airports and heliports in the urbanized area which provide terminals for commercial air travel, general aviation, and air cargo.

- I. Metropolitan Area. The Metropolitan Area is that portion of Dallas, Tarrant, Denton, Collin, Rockwall, and surrounding counties expected to be principally urbanized by the appropriate planning horizon (approximately 20 years).

- J. Texas Metropolitan Mobility Plan. The region will develop, and update regularly, a needs-based plan in order to quantify funding needs and develop candidate policy areas.

- K. Primary Member. A primary member is the principal individual appointed to represent an entity or group of entities on the Regional Transportation Council.

- L. Alternate Member. An alternate member is the individual appointed to represent an entity or group of entities on the Regional Transportation Council in the absence of the primary member. An alternate member will receive all materials provided to the primary member and is encouraged to attend Regional Transportation Council meetings on a regular basis in order to be knowledgeable on issues and prepared to vote should the primary member be unable to attend a particular meeting. In order to ensure coordination between primary and alternate members, all information requests by the alternate member should be coordinated through the primary member.

ORGANIZATION

Section 2. The organization for regional transportation planning shall consist of the Regional Transportation Council, RTC subcommittees determined by the RTC officers, the Surface

Transportation Technical Committee, and other technical committees determined by the NCTCOG Transportation Director, as described in subsequent paragraphs and sections of these Bylaws and Operating Procedures.

- A. Regional Transportation Council. The Regional Transportation Council shall be the forum for cooperative decision making by primarily elected officials of general purpose local governments in the Metropolitan Area.

- B. Standing and Ad Hoc Subcommittees. The Regional Transportation Council officers will determine necessary subcommittees for the conduct of RTC business.

- C. Technical Committees. The Surface Transportation Technical Committee shall provide technical review and advice to the Regional Transportation Council with regard to the surface transportation system. Other technical committees, determined by the NCTCOG Transportation Director, as needed, shall provide technical review and advice for the regional transportation planning process.

REGIONAL TRANSPORTATION COUNCIL

Section 3. The following rules shall govern the procedure, membership, and records of the Regional Transportation Council and its Subcommittees.

- A. Membership. Membership on the Regional Transportation Council shall be provided for local governments in the Metropolitan Area, either by direct membership or by representation. The maximum number of seats for individual and cluster cities shall be 26; the maximum for all other seats shall be 17, resulting in membership that shall not exceed 43 seats. The membership formula shall be based on the most recent NCTCOG demographic data, and the

allocation readjusted to maintain the membership limit of 43. Federally designated urbanized areas of 50,000 or greater, in which the Regional Transportation Council is serving as the Metropolitan Planning Organization, shall be provided direct membership. The following local governments and public agencies shall be represented as indicated:

Cities

City of Arlington	2
Cities of Carrollton and Farmers Branch	1
Cities of Dallas, Highland Park, and University Park	6
Cities of Denton, Sanger, Corinth, Little Elm, Highland Village, and Lake Dallas	1 (urbanized area)
Cities of Duncanville, DeSoto, Lancaster, Cedar Hill, and Glenn Heights	1
City of Fort Worth	3
Cities of Garland and Rowlett	1
City of Grand Prairie	1
Cities of Hurst, Euless, Bedford, Colleyville, Grapevine, and Southlake	1
Cities of Irving and Coppell	1
Cities of Lewisville, Flower Mound, The Colony, Trophy Club, and Roanoke	1 (urbanized area)
Cities of Mansfield, Benbrook, Forest Hill, White Settlement, Crowley, River Oaks, Everman, and Kennedale	1
Cities of Mesquite, Balch Springs, and Seagoville	1
Cities of North Richland Hills, Haltom City, Watauga, Keller, Saginaw, and Richland Hills	1
Cities of McKinney, Fairview, Anna, and Princeton	1 (urbanized area)
City of Plano	1
Cities of Richardson, Addison, Wylie, Sachse, and Murphy	1
Cities of Frisco, Allen, Prosper, and Lucas	<u>1</u>
Subtotal	26

Other

Collin County	1
Dallas County	2
Denton County	1
Ellis County and the Cities of Waxahachie, Midlothian, Ennis, and Red Oak and Kaufman County and the Cities of Forney, Terrell, and Kaufman	1
Johnson County and the Cities of Burleson, Cleburne, and Keene and Hood County and the City of Granbury	1
Rockwall County and the Cities of Rockwall, Heath, and Royse City and Hunt County and the Cities of Greenville and Commerce	1

Parker County and the Cities of Weatherford and Azle and Wise County and the Cities of Decatur and Bridgeport	1
Tarrant County	2
District Engineer, Dallas District, TxDOT	1
District Engineer, Fort Worth District, TxDOT	1
Board Member, Dallas Area Rapid Transit	1
Board Member, Fort Worth Transportation Authority	1
Board Member, Denton County Transportation Authority	1
Board Member, North Texas Tollway Authority	1
Board Member, Dallas/Fort Worth International Airport	<u>1</u>
Subtotal	<u>17</u>
TOTAL	43

The representatives of the Dallas/Fort Worth International Airport, North Texas Tollway Authority (NTTA) and the three transportation authorities shall be selected by the chairs of their respective entities. The Dallas/Fort Worth International Airport, NTTA and transportation authority representatives shall be Board members of their respective entities.

B. Appointees. All members of the RTC shall be local elected officials except:

- the three transportation authority representatives,
- the two TxDOT District Engineer,
- the representative of the North Texas Tollway Authority,
- the representative of the Dallas/Fort Worth International Airport (unless an elected official Board member is selected), and
- optional representatives of local governments where one-third of a public agency's representation may be by non-elected private sector officials who are residents of the appointing entity. (This would permit the City of Fort Worth to have one private sector representative and the City of Dallas to have two private sector representatives.)

Representatives of individual cities and counties shall be appointed by and serve at the pleasure of the city councils and commissioners' courts respectively, and shall be serving on

the governing body they represent (except as noted above). The person representing a group of several cities shall be selected by the mayors using a weighted vote of the maximum population or employment of the cities represented, and the person selected shall serve a two-year term beginning in June of even-numbered years and shall be serving on one of the governing bodies they represent (except as noted above or below). The person representing a group of several cities and counties shall be selected by the county judges using a weighted vote of the maximum population or employment of the counties represented, and the person selected shall serve a two-year term beginning in June of even-numbered years and shall be serving on one of the governing bodies they represent. The entity from which the representative is serving must be located within the Metropolitan Planning Area Boundary. When the Regional Transportation Council modifies the current boundary, membership eligibility will be reevaluated based on the new boundary area.

Each seat on the Regional Transportation Council will be provided a primary member and permitted an alternate member. Alternate members must be predetermined in advance of a meeting and will have voting rights in the absence of the primary member. An entity or group of entities may elect to appoint its alternate member(s) from a pool of eligible nominees. The same requirements apply to alternate members as to primary members. If a primary member is an elected official, then the alternate member must also be an elected official; if a primary member is a non-elected private sector official, then the alternate member must also be a non-elected private sector official or an elected official. Cities and/or counties within a cluster group are strongly encouraged to reflect diversity in their selections of primary and alternate members as well as membership rotation amongst the group depending on the qualifications of the appointees.

The appointing bodies are encouraged to select members in common for the RTC and the NCTCOG Executive Board.

C. Voting Structure. Each seat on the Regional Transportation Council will be provided one vote. As noted above, either the primary or alternate member in attendance will have the right to vote. An alternate member may represent only one primary member at any given meeting. Teleconferencing for member participation will not be permitted; members must be in attendance to vote. No proxy or absentee voting will be allowed.

D. Standards of Conduct (Ethics Policy). The Regional Transportation Council (RTC) establishes the following Ethics Policy in accordance with Section 472.034 of the Texas Transportation Code. This policy applies to both primary and alternate RTC members, whether elected or non-elected. An RTC member may not:

- accept or solicit any gift, favor, or service that might reasonably tend to influence the member in the discharge of official duties or that the member knows or should know is being offered with the intent to influence the member's official conduct;
- accept other employment or engage in a business or professional activity that the member might reasonably expect would require or induce the member to disclose confidential information acquired by reason of the official position;
- accept other employment or compensation that could reasonably be expected to impair the member's independence of judgment in the performance of the member's official duties;
- make personal investments that could reasonably be expected to create a substantial conflict between the member's private interest and the public interest; or

- intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or performed the member's official duties in favor of another.

A copy of the Ethics Policy will be provided to new RTC members, both primary and alternate, no later than the third business day after the date the person qualifies for membership and the North Central Texas Council of Governments receives notification.

All RTC members must also adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies.

The NCTCOG Executive Board has established an Ethics Policy and Standards of Conduct applicable to NCTCOG employees consistent with Section 472.034 of the Texas Transportation Code.

- E. Attendance. Records of attendance of RTC meetings shall be kept and presented monthly as part of the minutes. These records shall be sent to the represented local governments quarterly. Entities with RTC members that have missed at least three consecutive meetings or at least four meetings in the preceding 12 months will be notified and the appointing bodies shall be asked to review the continued service of their representatives. RTC members may record excused absences if it is made known to NCTCOG and it is related to the following: personal illness, family emergency, jury duty, business necessity, or fulfillment of obligation arising out of elected service. An excused absence will not be recorded as an absence. It is the responsibility of the primary members to notify NCTCOG staff and respective alternate members in advance when unable to attend a meeting. The names of the alternate members

should also be provided to NCTCOG. The quarterly attendance notice shall indicate that such notice is standard practice and not indicative of any particular problem.

F. Quorum. At least 50 percent of the appointed members identified in Section 3.A above must be present at meetings for the RTC to take action.

G. Officers. The Regional Transportation Council shall elect a Chair, Vice Chair, and Secretary for a term of one year. Elections shall be held in June of each year. The Chair shall appoint a nominating committee no later than the May meeting of each year for the purpose of bringing before the Council a slate of officers for consideration. The nominating committee, in its deliberations, shall address issues of diversity, including sensitivity to gender, ethnicity, and geography in making its recommendations. Officers shall be elected public officials appointed by and from the governing body of the member government. The Chair shall rotate annually between the Eastern and Western Subregions. In the event that the Chair of the Regional Transportation Council cannot continue to serve at any time during the term of election, the Vice Chair shall automatically become the Chair. If the fulfillment of this term is eight months or less, the Chair is eligible to be reelected. A vacancy in either the office of the Vice Chair or Secretary shall be filled by the Regional Transportation Council in the first meeting of the Council after the vacancy becomes known. In the event that the offices of Chair, Vice Chair, and Secretary all become vacant, new officers shall be elected at the next regularly scheduled meeting of the Regional Transportation Council, with nominations from the floor.

By resolution on August 23, 2007, the North Central Texas Council of Governments Executive Board created an Investment Advisory Committee to guide the development of an investment plan for Regional Toll Revenue funds, also referred to as Revenue Center 5 funds. The

Executive Board shall identify, at a minimum, one officer of the Regional Transportation Council to serve on the Investment Advisory Committee.

- H. Meetings. At least one meeting shall be held annually by the Regional Transportation Council, but the Council shall meet as often as necessary for the purpose of transacting the business at hand. The Chair shall call the meeting and shall designate in the written notice of the meeting the business to be transacted or considered. All members will be able to place items on the agenda.

Written notice of the meeting, accompanied by an Agenda, shall be transmitted to the members and major news media at least 72 hours prior to the meeting and confirmed with members by telephone. The place of meetings shall be designated by the Chair. All meetings shall be held as open meetings as defined in Chapter 551 of the Texas Government Code.

- I. Minutes. Minutes of the meetings shall be kept and shall be submitted to the members of the Council for approval. Meeting minutes from the Surface Transportation Technical Committee will be made available to the RTC for information.
- J. Staff Support. Staff support for the Regional Transportation Council shall be furnished by the staff of the North Central Texas Council of Governments.
- K. Council Functions. Functions of the Regional Transportation Council shall be as follows:
1. Provide direction to the regional transportation planning process.
 2. Certify the coordination, comprehensiveness, and continuity of the regional transportation planning process.
 3. Develop the Unified Planning Work Program, Metropolitan Transportation Plan and related items, and the Transportation Improvement Program in accordance with requirements of federal statutes and regulations.

4. Review the Transportation Improvement Program and Metropolitan Transportation Plan to assure that transportation projects do not reasonably exceed the funding that currently seems likely to be available for each metropolitan subarea.
5. Select and nominate projects for those funding programs authorized by federal law or requested by the State according to the following procedures:

- a. Applicable Program Areas

This policy applies to all of the program areas for which the Regional Transportation Council selects, nominates, or supports projects. These include:

- Transit Section 5307--Urbanized Area Formula Program: These funds are programmed in the Dallas-Fort Worth-Arlington, Denton-Lewisville, and McKinney urbanized areas.
- Surface Transportation Program--Metropolitan Mobility (STP-MM): These funds are programmed in the Dallas-Fort Worth Metropolitan Area Boundary approved by the RTC at the time of funding distribution.
- Congestion Mitigation and Air Quality Improvement Program (CMAQ): These funds are programmed in the Dallas-Fort Worth Nonattainment Area as defined prior to the time of funding distribution.
- Freeway/Toll Road Projects for the Unified Transportation Program (UTP): Projects selected with Metropolitan Corridor funding are programmed through a coordinated effort involving the MPO, and the TxDOT Dallas and Fort Worth Districts. The MPO shall consult with the North Texas Tollway Authority regarding all gas tax projects. Once projects are selected, they are provided to TxDOT Austin for inclusion in the UTP.
- Regional Toll Revenue (RTR) Funds: Toll revenues are funds awarded either up front or over time that result directly from the tolling of a transportation facility.
- Statewide Transportation Enhancement Program (STEP): Projects that are non-roadway in nature and comprise the entire region.

- b. Eastern/Western Subregion Funding Split

To ensure an equitable distribution of funding between the Eastern and Western portions of the Dallas-Fort Worth Area, the RTC applies a funding distribution that fairly credits each subregion within all applicable federal and State laws. In extreme circumstances, it may be necessary to modify the Eastern/Western funding split of one category in order to accommodate federal/State laws of another. When this situation arises, the variation from established policy will be clearly documented and tracked. This policy applies to all funding programs selected and funded by the RTC. The Eastern/Western funding split is calculated and implemented in multiple ways depending upon the funding source, as indicated below:

- (1) Traditional Gas Tax Supported Funding: Distributed based upon population, employment, activity (population and employment equalized), and vehicle miles of travel, for example. This funding split is determined at the beginning of each transportation funding bill cycle. This methodology applies to the following funding sources:

- STP-MM
 - CMAQ
 - Metro Corridor
 - STEP
- (2) Transit Section 5307 Urbanized Area Formula Program Funding: Distributed based on the same formula used by the Federal Transit Administration (FTA) to apportion the funds to the larger urbanized area. This funding split is determined on an annual basis when FTA apportionments are made available.
- (3) Toll Revenue Funding: Distributed based upon the factors enumerated in Texas State law and in accordance with the RTC Near Neighbor and Excess Revenue Policies. The funding split is determined at the time the revenues are received by the RTC directly or by the State on behalf of the RTC.
- c. RTC Procedures for Calls for Projects/Funding Initiatives
- (1) NCTCOG wishes to assist its member governments to the best extent possible assuring fair and equitable treatment for all. NCTCOG has historically provided technical assistance and will continue to do so under this policy. No supplemental information can be submitted or will be accepted after the application deadline. Applicants will be encouraged to submit their applications far enough in advance of the submission deadline to allow NCTCOG to review the material for completeness only. Applications submitted just prior to the deadline may not receive any advance review. NCTCOG staff will be able to provide more assistance to the applicant when the Regional Transportation Council's role is to simply nominate a project. NCTCOG staff must remain neutral when the Regional Transportation Council selects transportation projects.
- (2) When the Regional Transportation Council sends out a Call for Projects, the applicant will have an option to return an "Intent to Submit" response card to NCTCOG. This response card will entitle each applicant that returns this card to receive a reminder notice approximately two weeks in advance of the deadline. This reminder will include a summary of this policy statement reminding applicants that late or incomplete applications will not be accepted.
- (3) The Regional Transportation Council will communicate these policies when a Call for Projects is initiated.
- (4) The Regional Transportation Council will not accept any late applications.
- (5) The Regional Transportation Council will not accept any incomplete applications.
- (6) Consistent deadlines will be established with the standard deadline being on Friday at 5 p.m. NCTCOG must have the submitted application "in hand" at the NCTCOG offices. Postmarked by the published deadline does not constitute an on-time application. Deadlines other than the standard will be communicated in advance to the Regional Transportation Council.

- (7) Questions on project scores are required previous to Regional Transportation Council selection. No appeals on late or incomplete applications will be accepted.
 - (8) While all of the above rules apply to all RTC-sponsored Calls for Projects/Funding Initiatives, additional rules apply when projects are selected using toll revenues.
6. Prioritize corridors identified for improvements in the Metropolitan Transportation Plan for which Corridor Studies shall be performed in accordance with federal regulations.
7. Review the limits of the Metropolitan Area and make revisions considered appropriate.
8. Authorize transit planning technical assistance to transit operating agencies at their request.
9. Encourage federal and state agencies to follow the plans and programs developed by the Regional Transportation Council.
10. Identify the kinds of consultant projects eligible for federal transportation funding.
11. County representatives are appointed to represent the transportation needs of the entire county, especially those areas of the county within unincorporated areas, and local governments within each county which are not directly represented on the RTC. It is the responsibility of the county representatives to inform and discuss policies and actions of the RTC with those impacted areas they represent and to communicate the transportation needs of these areas to the RTC.
12. RTC members representing groups of entities are appointed to represent the transportation needs of all entities within the group. It is the responsibility of the RTC members representing groups to inform and discuss policies and actions of the RTC with elected officials in their impacted areas and to communicate the transportation needs of these areas to the RTC.
13. Maintain a set of public involvement procedures to optimize public participation and periodically review these procedures for possible enhancements.

TECHNICAL COMMITTEES

Section 4. The following rules shall govern the procedures, membership, and records of the Technical Committees.

A. Technical Committees. The following technical committees shall be the minimum number of committees formed to provide technical advice and review for the transportation planning process.

1. Surface Transportation Technical Committee (STTC)
2. Other technical committees determined by NCTCOG Transportation Director.

B. Membership. Members of the Surface Transportation Technical Committee shall be staff personnel nominated by their respective governments or agencies and shall include at least one member from each jurisdiction and agency directly represented on the Regional Transportation Council. Local governments or agencies wishing to send a “consultant or designee” serving as staff is acceptable. Membership selected by formula will be based on the most recently approved population and employment data from NCTCOG with adjustments performed in June of even-numbered years. Membership and voting on the Surface Transportation Technical Committee shall be provided to local governments and public agencies and shall be represented by the following formulas:

- Dallas and Tarrant Counties shall each have two representatives.
- Each perimeter county in the Metropolitan Area with combined population and employment of 10,000 or more (in the portion of the county within the Metropolitan Area Boundary) shall have one representative.
- Each city within the Metropolitan Area with a combined population and employment greater than 1,500,000 shall have five representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 1,000,000 and less than or equal to 1,500,000 shall have four representatives.

- Each city within the Metropolitan Area with a combined population and employment greater than 500,000 and less than or equal to 1,000,000 shall have three representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 200,000 and less than or equal to 500,000 shall have two representatives.
- Each city within the Metropolitan Area with a combined population and employment greater than 40,000 and less than or equal to 200,000 shall have one representative.
- The following planning agencies will be represented as listed:

TxDOT Fort Worth District	2
TxDOT Dallas District	2
TxDOT Paris District	1
TxDOT Regional Planning Office	1
TxDOT TP&P (Austin)	1
Dallas Area Rapid Transit	2
Fort Worth Transportation Authority	2
Denton County Transportation Authority	1
North Texas Tollway Authority	2
Texas Commission on Environmental Quality ¹ (non-voting)	
Dallas/Fort Worth International Airport	1

Each city with an RTC primary member representing multiple local governments and not having a Surface Transportation Technical Committee member by the above representation will also be provided one member.

Representatives from other local governments, the Federal Highway Administration, Federal Transit Administration, and U.S. Environmental Protection Agency are welcome to attend the meetings.

Members of other Technical Committees are selected on an as-needed basis and shall be approved by the Executive Board of the North Central Texas Council of Governments.

C. Standards of Conduct (Ethics Policy).

The Regional Transportation Council (RTC) establishes the following Ethics Policy in accordance with Section 472.034 of the Texas Transportation Code. This policy applies to all Technical Committee members, whether local government representatives, consultants or designees. A Technical Committee member may not:

- accept or solicit a gift, favor, or service that might reasonably tend to influence the member in the discharge of official duties or that the member knows or should know is being offered with the intent to influence the member's official conduct;
- accept other employment or engage in a business or professional activity that the member might reasonably expect would require or induce the member to disclose confidential information acquired by reason of the official position;
- accept other employment or compensation that could reasonably be expected to impair the member's independence of judgment in the performance of the member's official duties;
- make personal investments that could reasonably be expected to create a substantial conflict between the member's private interest and the public interest; or

- intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or performed the member's official duties in favor of another.

A copy of the Ethics Policy will be provided to new Technical Committee members no later than the third business day after the date the person qualifies for membership and the North Central Texas Council of Governments receives notification.

Technical Committee members must also adhere to Chapter 171 of the Local Government Code and to the Code of Ethics from their respective local governments and public agencies.

D. Attendance. Records of attendance at Surface Transportation Technical Committee meetings shall be kept and presented monthly as part of the minutes. These records shall be sent to the represented local governments quarterly. Entities with STTC members that have missed at least three consecutive meetings or at least four meetings in the preceding 12 months will be notified and the appointing bodies shall be asked to review the continued service of their representatives. STTC members may record an excused absence if it is made known to NCTCOG and it is related to the following: personal illness, family emergency, jury duty, or business necessity. An excused absence will not be recorded as an absence. The quarterly attendance notice shall indicate that such notice is standard practice and not indicative of any particular problem.

E. Quorum. The Technical Committee approved membership in attendance at a meeting shall constitute a quorum for action to be taken.

- F. Officers. A Chair, Vice Chair, and a Secretary for the Surface Transportation Technical Committee shall be designated by the Executive Board of the North Central Texas Council of Governments for a term of one year, beginning in June of each year. Officers for other technical committees will be approved by the Executive Board as well.
- G. Meetings. Meetings of the Technical Committees shall be held as necessary to review and advise on matters referred to them. The Chair shall call such meetings as necessary and shall notify all Committee members.
- H. Minutes. Minutes of all meetings shall be kept and submitted to the membership of the Committee for approval. Minutes will also be made available to the RTC. The Regional Transportation Council will be kept apprised of Surface Transportation Technical Committee attendance by agency.
- I. Staff Support. Staff support for the Surface Transportation Technical Committee shall be furnished by the North Central Texas Council of Governments.
- J. Committee Functions. The functions of the Technical Committees shall be to review and comment on all matters referred to them by either the Regional Transportation Council, their respective Technical Committee Chairs, or the NCTCOG Transportation Director. The Surface Transportation Technical Committee shall advise the North Central Texas Council of Governments on projects submitted for review as part of the Texas Review and Comment System. Comments will be provided as information to the RTC.

INTENT

Section 5. These Bylaws and Operating Procedures are intended to provide rules and procedures to assure the orderly function of the regional transportation planning process in North Central Texas. The Bylaws and Operating Procedures should be reviewed for possible revisions following receipt of the Census and five years later, at a minimum.

ADOPTION

Section 6. These Bylaws and Operating Procedures shall be in full force and effect at such time as they have been approved by two-thirds vote of the Regional Transportation Council at a meeting at which a quorum, as defined herein, is present.

REVISION

Section 7. These Bylaws and Operating Procedures may be revised by approval of two-thirds of the members of the Regional Transportation Council at a meeting at which a quorum, as defined herein, is present. Changes in the Bylaws must be presented at one regularly scheduled meeting and voted on at a following regularly scheduled meeting. No Bylaw change shall be made that has not been presented at a previous meeting. The Chair shall vote on Bylaw changes.

**RESOLUTION APPROVING METROPOLITAN PLANNING ORGANIZATION
TITLE VI NONDISCRIMINATION PROGRAM UPDATE
(R13-03)**

WHEREAS, the North Central Texas Council of Governments is designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and,

WHEREAS, Title VI of the Civil Rights Act of 1964 and related statutes prohibit discrimination on the basis of race, religion, color, national origin, sex, age, or disability; and,

WHEREAS, the North Central Texas Council of Governments, as a recipient of federal financial assistance and a Federal Transit Administration designated recipient, is required to comply with Title VI requirements which include review and approval of a Title VI Nondiscrimination Program every three years.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The Regional Transportation Council hereby approves the MPO Title VI Nondiscrimination Program Update included as Attachment 1.
- Section 2.** This resolution shall be transmitted to the Federal Transit Administration and other funding agencies as appropriate.
- Section 3.** This resolution shall be in effect immediately upon its adoption.



 Pete Kamp, Chair
 Regional Transportation Council
 Mayor Pro Tem, City of Denton

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on May 9, 2013.



 Mike Cantrell, Secretary
 Regional Transportation Council
 Commissioner, Dallas County

RESOLUTION APPROVING THE NORTH CENTRAL TEXAS
COUNCIL OF GOVERNMENTS' TITLE VI PROGRAM UPDATE

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and,

WHEREAS, Title VI of the Civil Rights Act of 1964 and related statutes prohibit discrimination on the basis of race, religion, color, national origin, sex, age, or disability; and,

WHEREAS, the North Central Texas Council of Governments, as a recipient of federal financial assistance and a Federal Transit Administration designated recipient is required to comply with Title VI requirements which include review and approval of a Title VI Nondiscrimination Program every three years.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The NCTCOG Executive Board hereby approves the NCTCOG Title VI Nondiscrimination Program Update included as Attachment 1.

Section 2. This resolution shall be transmitted to the Federal Transit Administration and other funding agencies as appropriate.

Section 3. This resolution shall be in effect immediately upon adoption.



Bobbie Mitchell, President
North Central Texas Council of Governments
Commissioner, Denton County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on May 23, 2013.

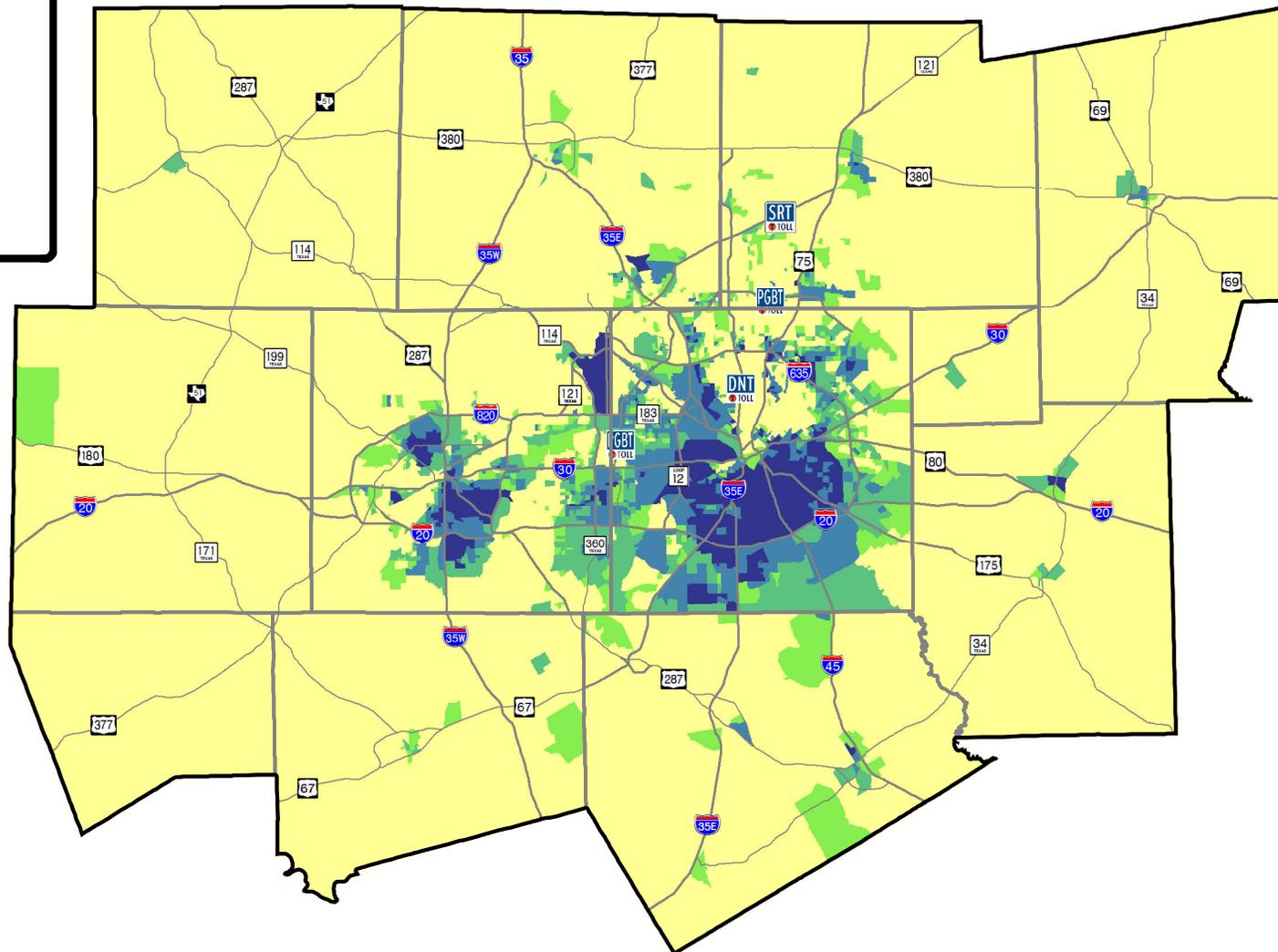


Bill McElhane, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Wise County

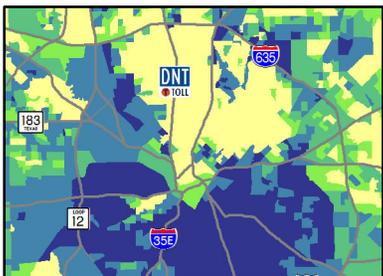
2010 Total Minority Population

Minority Individuals by Block Group
Regional Average = 49.76%

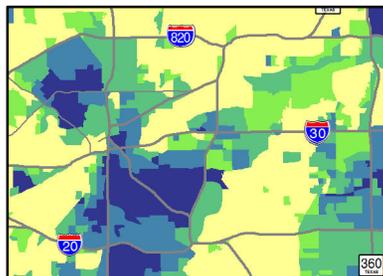
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- 49.77 - 60.00
- 60.01 - 75.00
- 75.01 - 90.00
- 90.01 - 100.0



Dallas



Fort Worth



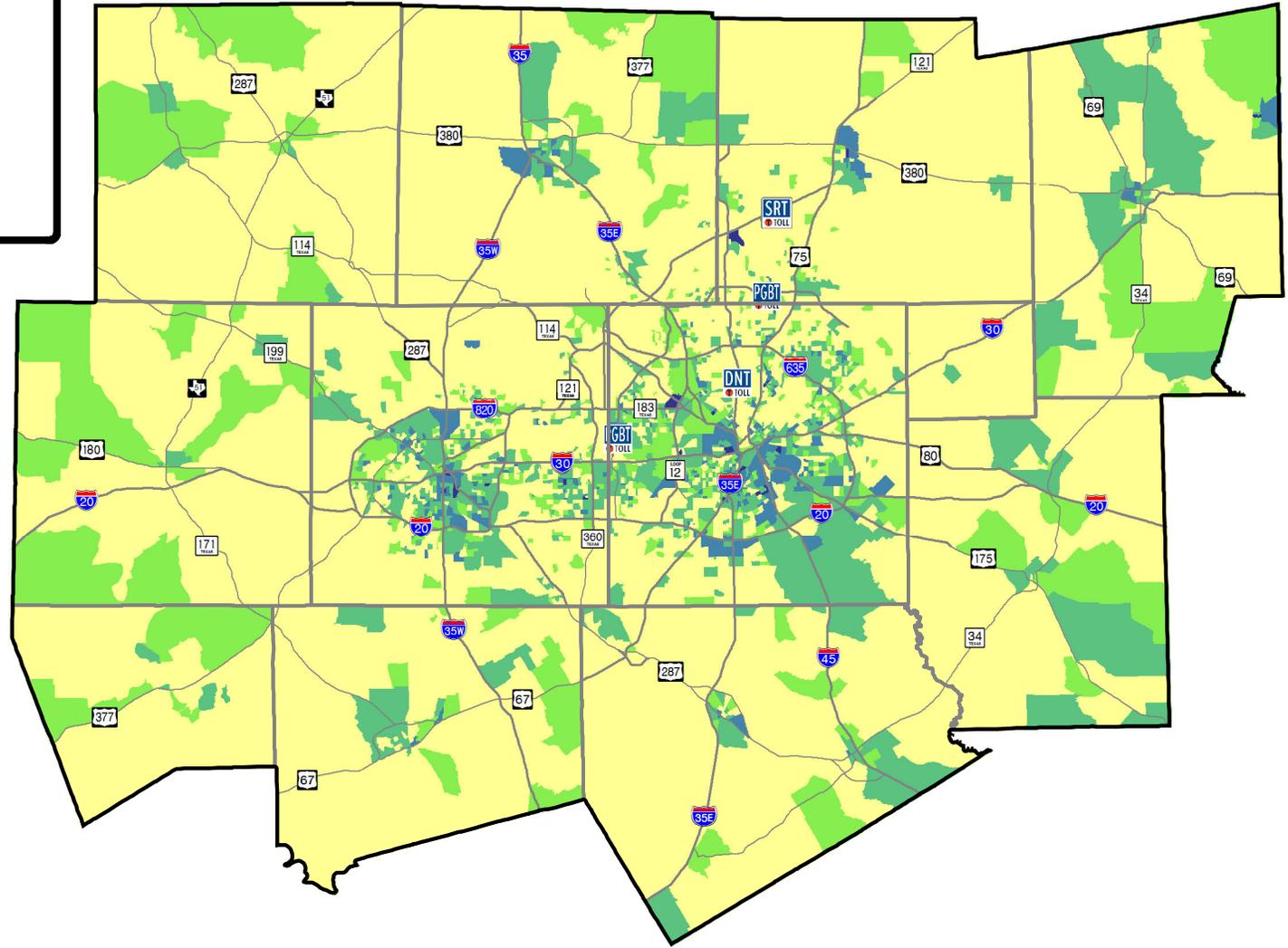
Total Minority Population is comprised of any individuals who define their race or ethnicity as other than White. Total Minority racial and ethnic groups include African American, American Indian/Alaskan Native, Asian, Hawaiian/Pacific Islander, Hispanic, and Other. The regional average of Minority persons per block group is 49.76 percent. Data is from the 2010 Census.



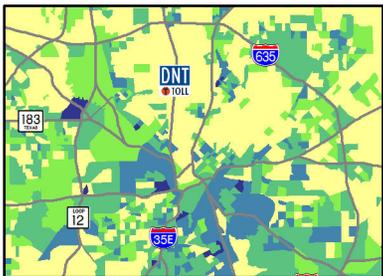
2010 Low Income Population

Low Income Individuals by Block Group
Regional Average = 14.02%

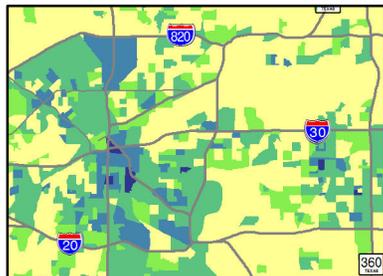
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- 40.01 - 70.00
- 70.01 - 100.00



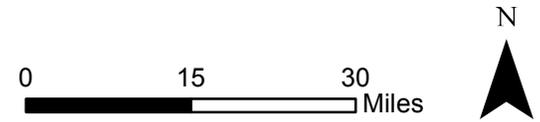
Dallas



Fort Worth



Low Income Population is any person whose household income is at or below the Department of Health and Human Services poverty guidelines. Total population for whom poverty status was surveyed was used to determine the regional average of persons below the poverty line. The regional average of Low Income Population per block group is 14.02 percent. Data is from the 2006-2010 5-Year American Community Survey.

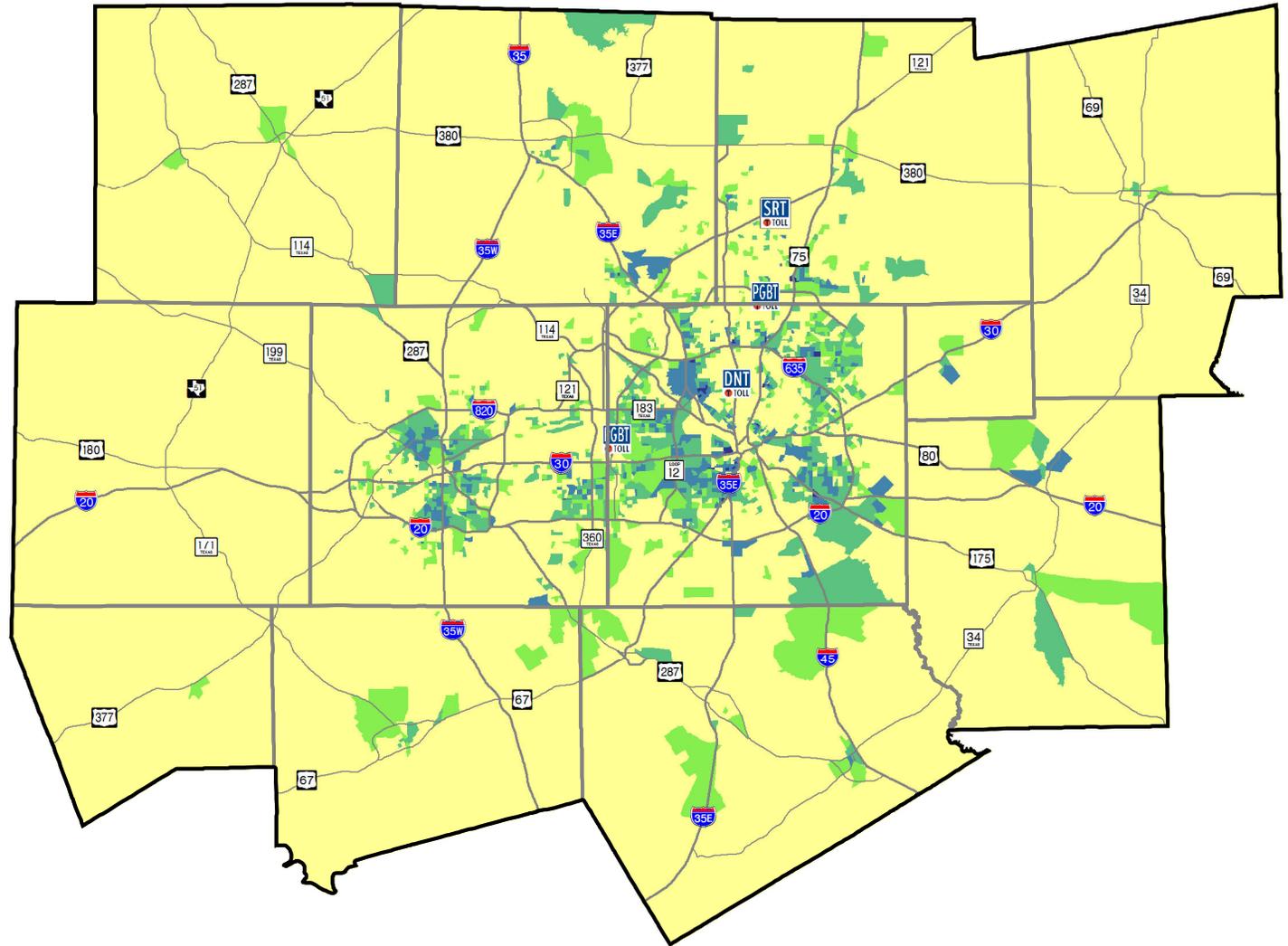


2010 Total Limited English Proficient Population

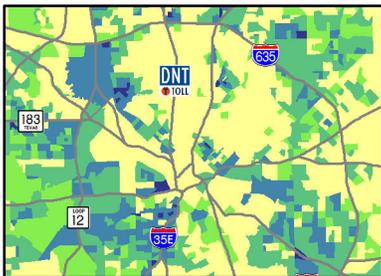
LEP Individuals by Block Group

Regional Average = 13.84%

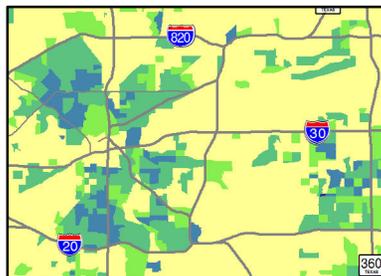
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- 20.01 - 40.00
- 40.01 - 70.00
- 70.01 - 100.00



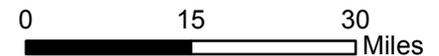
Dallas



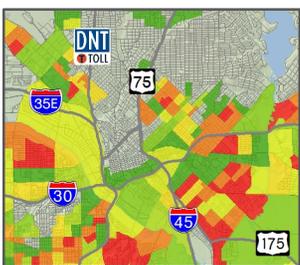
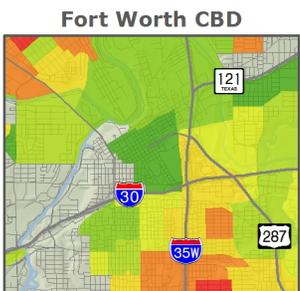
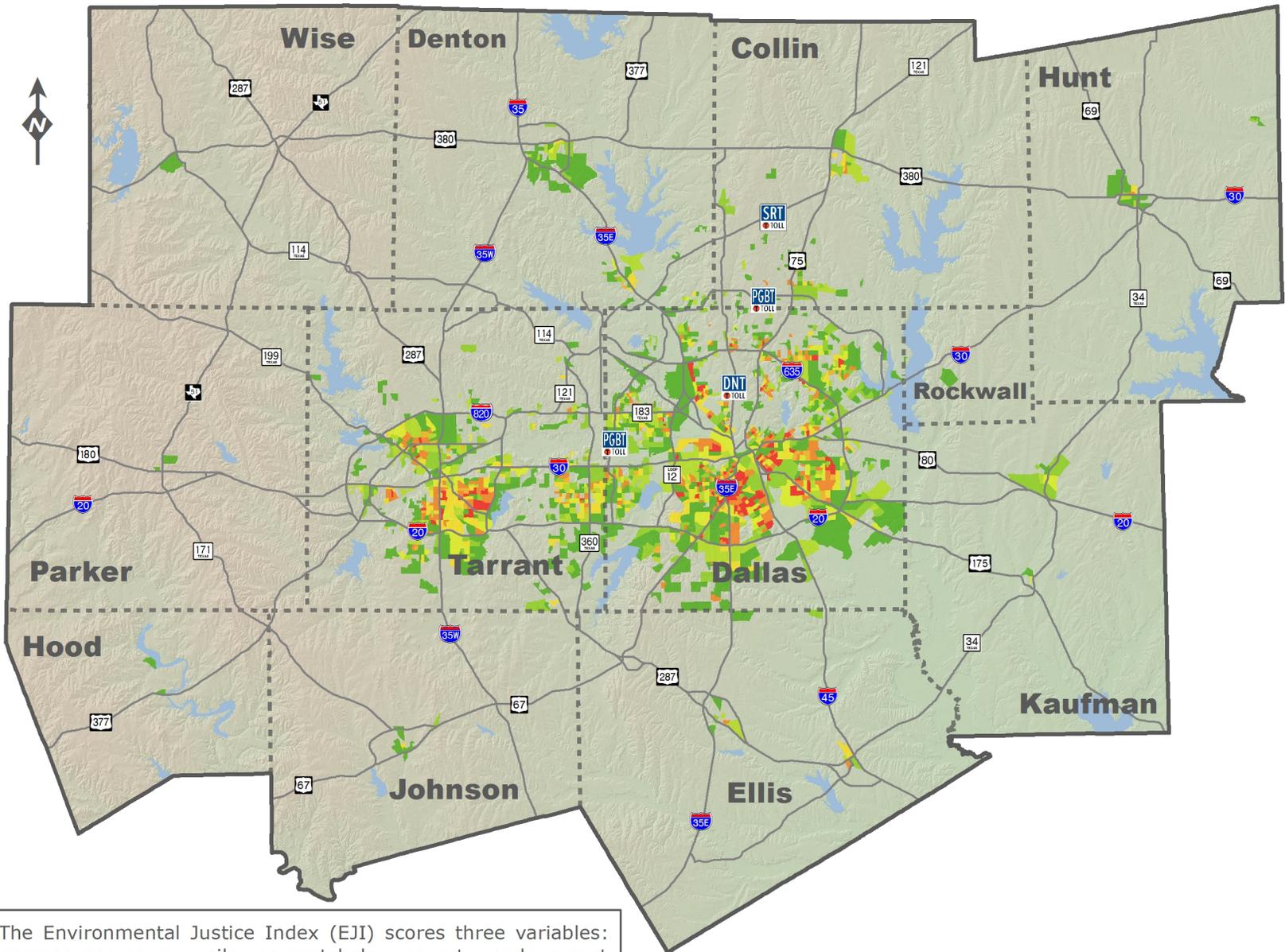
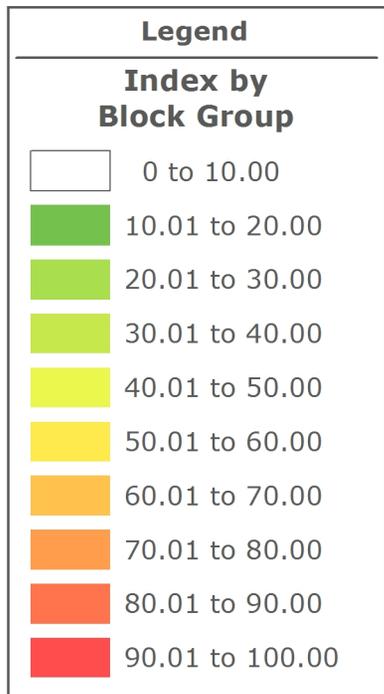
Fort Worth



Limited English Proficient (LEP) are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. Individuals who answered their ability to read, speak, write, or understand English as "well", "not well", or "not at well" are considered LEP. The regional average of LEP persons per block group is 13.84%. Data is from the 2006-2010 5-Year American Community Survey.



Environmental Justice Index



The Environmental Justice Index (EJI) scores three variables: persons per square mile, percent below poverty, and percent minority. Scores are assigned based on density and a comparison to the regional average; the scores are multiplied to obtain an EJI of 1 to 100. Block groups are displayed based on their EJI score in intervals of 10, from 1 to 100. Data is from the 2006-2010 American Community Survey.

EJI Users Guide

Executive Order 12898 defines Environmental Justice (EJ) populations as low-income and minority groups. This legislation also states that federally-funded agencies must identify and address disproportionately high and adverse impacts of their plans on EJ populations. The Environmental Justice Index (EJI) is a methodology used to map concentrations of EJ populations using demographic data and is based on the NCHRP Report 532 “Effective Methods for Environmental Justice Assessment.” This mapping technique is meant to be a tool to identify concentrations of EJ populations for further analysis and not meant to act as the analysis itself. This methodology is best used on a large-scale regional geography to see how a particular area compares to the entire region. To obtain a Basic EJI score, individual Census block groups are assigned a score of 1-100 based on an index of three variables: population density, percentage of individuals below poverty, and percentage of minorities. The scope and specific needs of your project should be examined when determining the appropriate critical score, or minimum EJI score, for further analysis. Furthermore, data for the tool is based on the 2006-2010 American Community Survey (ACS) five year estimates and 2010 Census SF1 data. The tool will be updated when 2010 Census SF3 data is available at the block group level.

Methodology

To obtain the Basic EJI score three variables are assigned an individual score based on their value and then multiplied together for the final value (from 1-100). The variables used are population density of the block group (DVPOP), percent below poverty (DVECO), and percent total minority (DVMAV). This method aggregates the two federally designated EJ populations (low-income and minority) to identify concentrations of these combined populations. By aggregating the populations the distribution of both categories can be shown on one map, which allows for an initial screening to identify areas where additional analysis may be needed.

Basic EJI formula: **(DVPOP) X (DVMAV) X (DVECO)**

Scoring Variables

DVPOP= *degree of vulnerability based on population density*

The variable DVPOP is population density, or the number of people per square mile (sq. mi.) in a block group. To determine the density of each block group the total population was divided by the total land area of the block group. Next, the densities were placed in ascending order and assigned a percentile group based on natural breaks in the density values. The mean value for 2010 block group densities is 4,865 people/sq. mi, which falls above the 60th percentile (the interval break for the 60th percentile is 4,675 people/sq. mi). In other words, 60 percent of North Central Texas block groups in 2010 have a density of less than 4,675 people/sq. mi. Based on the percentile the block group density falls under, a corresponding score from 0-4 is assigned. If the density falls under the 5th percentile, then a score of zero is assigned to the block group; this

is because the EJI is meant to identify concentrations of low-income and minority populations, not dispersed groups. Also, if the density value of the block group falls within the 60th to 100th percentile, the corresponding score would also be four.

Score	Density Value (population/sq. mi.)	Corresponding Percentile
0	≤ 126	0 - 5 th
1	> 126 and ≤ 381	5 th - 10 th
2	> 381 and ≤ 1,282	10 th - 20 th
3	> 1,282 and ≤ 3,153	20 th - 40 th
4	> 3,153 and ≤ 4,675	40 th - 60 th
4	> 4,675	60 th - 100 th

DVMAV = degree of vulnerability based on presence of minority population

The variable DVMAV is the percentage of total minority persons in the block group. Populations that are considered minority for this mapping technique include:

- American Indian/Alaska Native
- Asian
- Black/African American
- Hispanic
- Native Hawaiian/Pacific Islander
- Some Other Race (Non-White)
- Two or More Races (Could include White)

Total Minority is the sum of the number of Hispanics and each other individual minority race alone (Non-Hispanic) to avoid double counting. The regional average of minority persons per block group used for the 2010 comparison is 48.04%. Each block group is assigned a DVMAV score corresponding to the percentage of minorities in that block group compared to the regional average.

Score	Percent Minority
1	≤ Regional Average (RA)
2	> RA and ≤ 1.33 X RA
3	>1.33 X RA and ≤ 1.66 X RA
4	>1.66 X RA and ≤ 2.0 X RA
5	>2.0 X RA

DVECO = degree of vulnerability based on presence of low-income populations

The variable DVECO is the percentage of persons who are classified as living below the poverty level. To establish the percentage of persons below the poverty level two census variables were used: “total population for whom poverty status is determined” and “income in the past 12 months below poverty level.” Percentages were based on these variables because poverty

status is not established for the entire population and by using the total population actual percentages could be artificially low. The regional average of persons below the poverty level per block group used for the 2010 comparison is 14.03%. Each block group is assigned a DVECO score corresponding to the percentage of individuals below the poverty line in that block group compared to the regional average.

Score	Percent Below Poverty Line
1	≤ Regional Average (RA)
2	> RA and ≤ 1.33 X RA
3	> 1.33 X RA and ≤ 1.66 X RA
4	> 1.66 X RA and ≤ 2.0 X RA
5	> 2.0 X RA

Example Calculation:

In Block Group A, the population density is 900 people per square mile, 52% of individuals are minorities, and 25% of individuals live below the poverty line.

DVPOP: The population density falls within the 20th percentile earning a score of **2**.

DVMAV: The percentage of minorities is 1.08 times the RA (0.52/0.4804). This percentage is above the RA and less than 1.33 times the RA so the DVMAV score for this block group is **2**.

DVECO: The percentage of low-income individuals is 1.78 times the RA (0.25/0.1403). This percentage is between 1.66 and 2.0 times the RA so the DVECO score for this block group is **4**.

$$\text{Basic EJI} = (\text{DVPOP}) \times (\text{DVMAV}) \times (\text{DVECO})$$

$$2 \quad \times \quad 2 \quad \times \quad 4 \quad = \quad 16$$

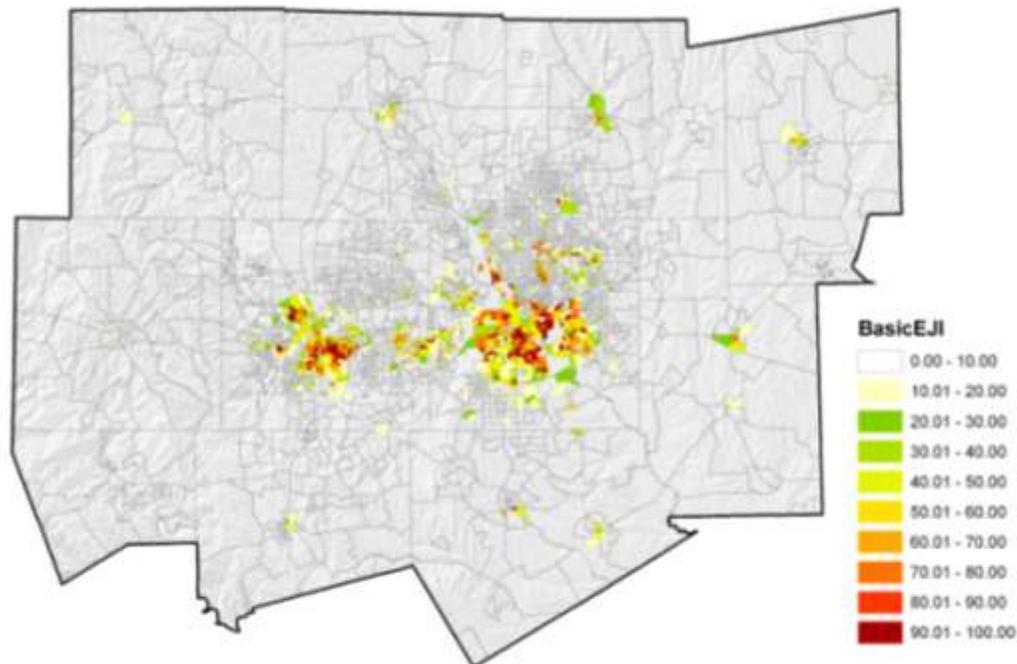
Upon first glance, a Basic EJI score of 16 tells us that this block group has a relatively low concentration of EJ populations. However, the percentage of low-income individuals is 1.78 times the RA, which is high. Therefore, a limitation of the EJI is that a block group with a high score for one variable may not have a high overall EJI score if the other two variables are not significant. Therefore, it is helpful to also view the population characteristics individually to fully understand the demographics of the particular geography. Percentage of people below poverty and individual minority races can also be mapped; these individual characteristics can be found in the attribute table.

Displaying the Results

The results of the Basic EJI are displayed in increments of ten (i.e. 0-10, 11-20, 21-30, etc.). Areas with scores above 0 indicate the presence of a relatively concentrated EJ population. The higher the EJI score the higher and more concentrated the presence of EJ populations. Typically, an EJI score of 45 or above indicates areas that are especially vulnerable to adverse

impacts of transportation plans and policies. However, this critical score can change based on your specific project scope and needs.

Basic EJI, 2000



Additional Layers

The option to overlay additional variables is also included in the EJI. These variables are not federally-mandated as EJ population characteristics but can add value to the overall analysis. These variables include:

- Over 65 Population
- Zero-Car Households
- Female Head of Household (single mother with own children under 18 living with her)
- Population Under 14
- Limited English Proficient (LEP) Populations (individuals that speak English less than "very well")
 - Total LEP Population
 - Spanish LEP Population
 - Asian Languages LEP Population
 - Indo-European Languages LEP Population
 - Other Languages LEP Population

All of these additional overlay variables are mapped in the tool using natural breaks, except for Female Head of Household, which is mapped as either above or below the regional average.

Using the Database

Should you need to use the database for specific calculations a list of the fields in the attribute table and their meanings are provided below.

Field	Description
LOGRECNO	Logical Record Number
BG	Census 2010 Block Group
County	County Code
SQMI	Land Area in Square Miles
P001001	Total Population SF1
TotPop	Total Population ACS 2006-2010
Popden	Population Density
PerMinority	Percent Non-white or Hispanic or Both
PerInc	Percent of Persons in Poverty
per65plus	Percent of Persons Aged 65 and Over
per14under	Percent of Persons Aged 14 and Under
pernocar	Percent of Households Without a Car
perLEP	Percent of Persons who do not Speak English Very Well SF3
dvspop	Assigned value for Population Density
dvmav	Assigned value for Percent Minority
dveco	Assigned value for Percent in Poverty
dvsixtyfive	Assigned value for Percent Aged 65 and Over
EJI	Environmental Justice Score
EJI3	EJ Score including Aged 65 and Over
PCT_SPAN	Percent Spanish population with limited English proficiency
PCT_INEU	Percent INEU population with limited English proficiency
PCT_ASP	Percent Asian population with limited English proficiency
PCT_OTH	Percent Other population with limited English proficiency
PCT_LEP	Percent total population with limited English proficiency

P087001	Persons for whom the poverty status is determined
P087002	Persons whose income is below poverty level
Minority	Total minority population
Age 65	Total population of age 65 and over
Age 14	Total population of age 14 and under
P042001	Total Non Institutionalized population over 5 years age
H044001	Total Occupied housing units
No car	Total households with no car

Benefits of Using the EJI

The EJI can help transportation agencies comply with federal legislation related to the avoidance of adverse impacts that plans and policies may have on environmental justice populations. Furthermore, the EJI can be used as a screening technique to identify areas where more detailed assessment should take place for long-range transportation planning, project programming, public outreach, identifying potential needs for transit service and other various applications. Finally, the EJI facilitates this screening process because it allows users to look at aggregated population characteristics on a single map.

Limitations of the EJI

The results of the index are meant to serve as a guide to identify concentrations of environmental justice populations for further analysis and not intended as a guarantee of locating communities that are depressed or in need of services. Total population for the current EJI tool is based on 2010 Census SF1 data. All of the other data for the current EJI is based on the 2006-2010 ACS five-year estimates since not all of the population characteristics are available through the 2010 Census datasets yet. When all relevant demographic data is made available by the Census at the block group level, the EJI tool will be updated with the new data. Also, since the EJI is an aggregation of variables, it is often necessary to look at the individual population characteristics for a more detailed analysis since one low variable could potentially skew the results.

Conclusions

The Basic EJI can help agencies initially identify where concentrations of EJ populations are located but should not be the sole analysis used in a project. In conjunction with more detailed, project-specific analysis, the EJI can be treated as a preliminary step to avoiding

disproportionately high and adverse impacts of plans and policies on EJ populations. As the North Central Texas region continues to change demographically, adjustments may be made to the way the EJI scores are calculated to better reflect the weight of individual characteristics.

Appendix

Census Tables Used for Demographic Data:

Population Characteristic	Data Source
Total Population	2010 SF1 Census, Table P1
Total Minority	2006-2010 ACS, SF Table B03002
Below Poverty Line	2006-2010 ACS, SF Table B17021
Over 65, Under 14	2006-2010 ACS, SF Table B01001
Female Head of Households	2006-2010 ACS, SF Table B11003
LEP	2006-2010 ACS, SF Table B16004
Zero-Car Households	2006-2010 ACS, SF Table B25044

Relevant Literature

National Cooperative Highway Research Program. "NCHRP Report 532: Effective Methods for Environmental Justice Assessment." Washington D.C.: Transportation Research Board, 2004.

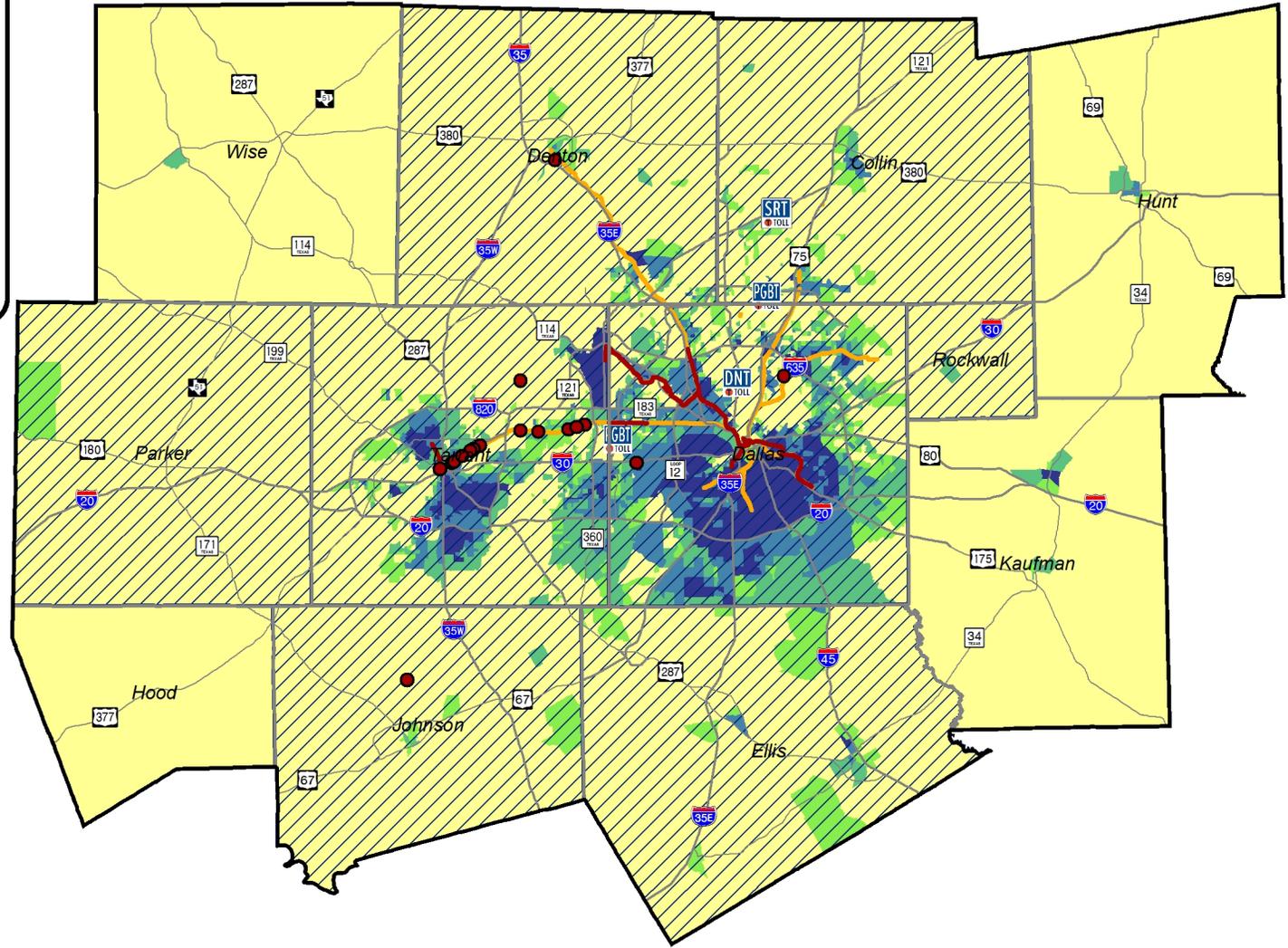
2011-2013 Programmed Public Transit Projects Impact on Minority Populations

- Capital Public Transit Projects
- Programmed with Federal or State Funds
- Existing Passenger Rail
- Counties with Section 5307, 5309, 5310, 5316, 5317, or 5339 funds

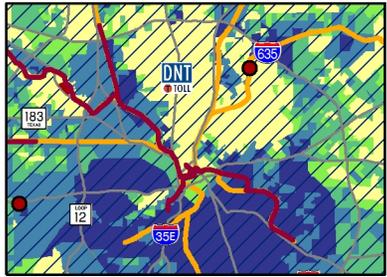
Minority Individuals by Block Group

Regional Average = 49.76%

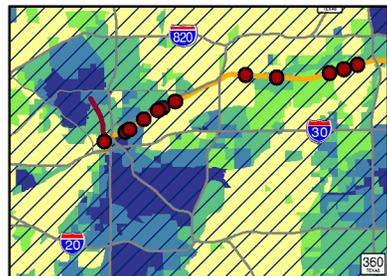
- 0.00 - 49.76
- 49.77 - 60.00
- 60.01 - 75.00
- 75.01 - 90.00
- 90.01 - 100.0



Dallas



Fort Worth



Total Minority Population is comprised of any individuals who define their race or ethnicity as other than White. Total Minority racial and ethnic groups include African American, American Indian/Alaskan Native, Asian, Hawaiian/Pacific Islander, Hispanic, and Other. The regional average of Minority persons per block group is 49.76 percent. Data is from the 2010 Census.



NCTCOG Capital Public Transportation Programmed Funds: Fiscal Years 2011-2013					
County	Federal Funds	State Funds	Total State and Federal Funds	Percentage of State and Federal Funds by County	Percentage of Regional Minority Population by County
Collin	0	\$300,000	\$300,000	0.1%	9.1%
Dallas	\$332,095,742	\$64,127,257	\$396,222,999	91.0%	49.9%
Denton	\$10,095,994	0	\$10,095,994	2.3%	7.4%
Ellis	0	0	0	0.0%	1.6%
Hood	0	0	0	0.0%	0.2%
Hunt	0	0	0	0.0%	0.7%
Johnson	\$432,000	0	\$432,000	0.1%	1.1%
Kaufman	0	0	0	0.0%	1.0%
Parker	0	0	0	0.0%	0.5%
Rockwall	0	0	0	0.0%	0.6%
Tarrant	\$7,363,088	\$20,800,000	\$28,163,088	6.5%	27.5%
Wise	0	0	0	0.0%	0.4%
	\$349,986,824	\$85,227,257	\$435,214,081		

*Includes all capital public transportation projects with federal, state, or regional funds

**Programmed Funds may not be obligated yet

***State funds include Regional Toll Revenue (RTR) funds

NCTCOG Programmed Public Transportation Funds: Total Federal Funds						
	FY2011		FY2012		FY2013	
	TxDOT Dallas District	TxDOT Fort Worth District	TxDOT Dallas District	TxDOT Fort Worth District	TxDOT Dallas District	TxDOT Fort Worth District
Section 5307	\$275,275,206	\$106,873,577	\$53,360,856	\$18,120,402	\$216,881,477	\$69,922,421
Section 5309	\$541,498,955	\$9,970,260	\$116,330,288	\$1,973,450	\$440,656,682	\$11,081,282
Section 5310	\$2,863,480	\$1,490,749	\$2,008,973	\$1,195,161		
Section 5316	\$7,644,066	\$4,071,269			\$4,096,269	\$3,359,193
Section 5317	\$3,362,727	\$1,600,760			\$761,113	\$2,265,497
TIGER III					\$5,000,000	
Total	\$830,644,434	\$124,006,615	\$171,700,117	\$21,289,013	\$667,395,541	\$86,628,393

*Includes federal funds programmed for Section 5307, 5309, 5310, 5316, 5317, and TIGER funds

**TxDOT Dallas District includes Collin, Dallas, Denton, Ellis, Kaufman, and Rockwall Counties

***TxDOT Fort Worth District includes Hood, Johnson, Parker, Tarrant, and Wise Counties

Social Considerations

Mobility 2035 Supported Goals

- Assure all communities are provided access to the regional transportation system and planning process.
- Encourage livable communities which support sustainability and economic vitality.
- Preserve and enhance the natural environment, improve air quality, and promote active lifestyles.
- Provide for timely project planning and implementation.

Public Benefits of the Transportation System

The transportation system provides residents in the Dallas-Fort Worth area access to jobs, medical care, recreation, education, and public facilities and opportunities. The ease of accessing daily life activities and the availability of transportation options contributes to the overall quality of life of a region. Developing transportation infrastructure, focusing on the way people travel, and improving the connection between land use and transportation while maintaining sensitivity to diverse demographic and social needs is key to supporting vibrant and livable communities and enhancing quality of life for all residents.

Opportunities to walk instead of drive are linked to healthy communities or a community which includes elements that enable people to maintain a high quality of life and productivity. The benefits of walking – whether for utilitarian or recreational purposes – can be expressed in terms of improved environment and personal health, reduced traffic congestion, enhanced quality of life, and economic rewards, as well as other benefits.¹ The Centers for Disease Control (CDC) have linked the lack of physical activity as a major contributor to the rise in obesity, diabetes, heart disease, and several other chronic conditions in the United States.² The CDC Recommendations for Improving Health through Transportation Policy

¹ Pedestrian and Bicycle Information System, 2010, www.walkinginfo.org

² CDC Recommendations for Improving Health through Transportation Policy, www.cdc.gov/transportation

Social Considerations at a Glance:

Engaging the public and addressing their needs is of utmost importance in any public planning process. The North Central Texas Council of Governments proactively seeks to educate and engage North Central Texans in the transportation planning process. It is expected that by 2035 nearly ten million people will call North Central Texas home. Meeting the mobility needs of today and tomorrow requires coordination and collaboration of all stakeholders. Likewise, nondiscrimination plays a vital role in the transportation planning process. Through public outreach and analysis, the Regional Transportation Council seeks to understand and address the needs of the North Central Texas community.

In This Chapter:

- Public Benefits of Transportation System
- Regional Demographic Profile
- Environmental Justice
- Public Involvement

Did You Know ...

... by the year 2035, the 12-county Metropolitan Planning Area is forecasted to grow to 9.8 million residents; a 50 percent increase in the population of North Central Texas over the next 25 years?

... job accessibility will increase for protected populations by 64 percent if Mobility 2035 roadway and transit recommendations are built by the year 2035?

“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.”

John F. Kennedy, 1963

outlined several transportation policies that have direct impacts on human health. A key recommendation of this report to improve the health of a community through transportation policy is to promote active transportation.

Mobility 2035 includes policies, programs, and projects that support a range of mobility options that contribute to livable communities. Through development of active transportation systems such as bicycle and pedestrian facilities, Mobility 2035 promotes active lifestyles that lead to healthy communities. Active transportation offers opportunities for residents to engage in physical activity while traveling to daily activities. Active transportation facilities create more equitable communities by providing transportation options for all residents. By providing a system that may be utilized by all residents regardless of income, age, or disability, active transportation has the ability to increase the social capital and economic health of a community. Active transportation elements such as bicycle and pedestrian options can be found in the Mobility Options chapter.

Considerations for healthy, livable, and sustainable communities should be integrated into the transportation planning process. The Environmental Considerations, Operational Efficiency, and Mobility Options chapters of Mobility 2035 recommend programs and projects that aim to support and lead to healthy, livable, and sustainable communities for the existing and future residents of the Dallas-Fort Worth area.

Regional Population and Employment Trends

Regional population and employment trends and forecasts determine where residents currently live, work, and carry out leisure activities and where they will be undergoing these activities in the future. This information is necessary for the transportation plan in order to provide facilities and connections that aim to meet the mobility and accessibility needs of existing and future populations.

The Dallas-Fort Worth-Arlington Metropolitan Statistical Area (MSA) was one of the fastest growing areas in the United States during the 2000s.³ The MSA had the second largest increase in population after the Houston-Sugar Land-Baytown MSA. From 2000 to 2010, the Dallas-Fort Worth-Arlington MSA population increased 23.4

percent, an addition of 1.2 million residents (from 5,161,544 in 2000 to 6,371,773 in 2010).⁴ According to the most recent American Community Survey, the MSA was listed as the fourth largest in the country.

The region continues to experience high levels of population growth and forecasts project this trend will continue through 2035. The continued growth in this region is important to transportation planners who strive to provide a system that meets the needs of a diverse population. Several key considerations for planners related to demographics and transportation include the density, size, and profile of the population. Population location and quantity impact where transportation improvements will be needed to curb congestion and have an effect on the land use/transportation connection. These two aspects are explored further in the Mobility Options chapter and the Sustainable Development portion of the Operational Efficiency chapter.

Historical Population Growth

In 2010, the 12-county Dallas-Fort Worth Metropolitan Planning Area (MPA) had a population of approximately 6.5 million.⁵ By the year 2035, these same 12 counties are forecasted to grow to 9.8 million residents. This growth represents a 50 percent increase in the population of North Central Texas over the next 25 years. Historical population growth is important to understanding where populations will grow in the future.

Exhibit 3.1 shows the population distribution by county for 1990, 2000, and 2010. In 1990, Collin, Dallas, Denton, and Tarrant counties (core counties) had a combined population of 3.56 million, or 89 percent, of the 12-county population. In 2000, these core counties had grown to nearly 4.6 million, or 88 percent, of the regional population and in 2010, these four counties accounted for approximately 5.6 million, or 88 percent, of the 12-county population. *Exhibit 3.2* shows the changes in population share of each county of the 12-county region.

Looking more closely at the individual growth of each of these four counties provides additional perspective on regional growth. From 1990 to 2010, Dallas County's percentage of the 12-county region population decreased by nine percentage points while Tarrant County's population decreased by one percentage

³ The Dallas-Fort Worth-Arlington MSA consists of Collin, Dallas, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties.

⁴ 2010 US Census, www.census.gov

⁵ 2010 Census, www.census.gov

point. The population percentage of Collin County and Denton County increased by five percent and three percent, respectively, during the past two decades.

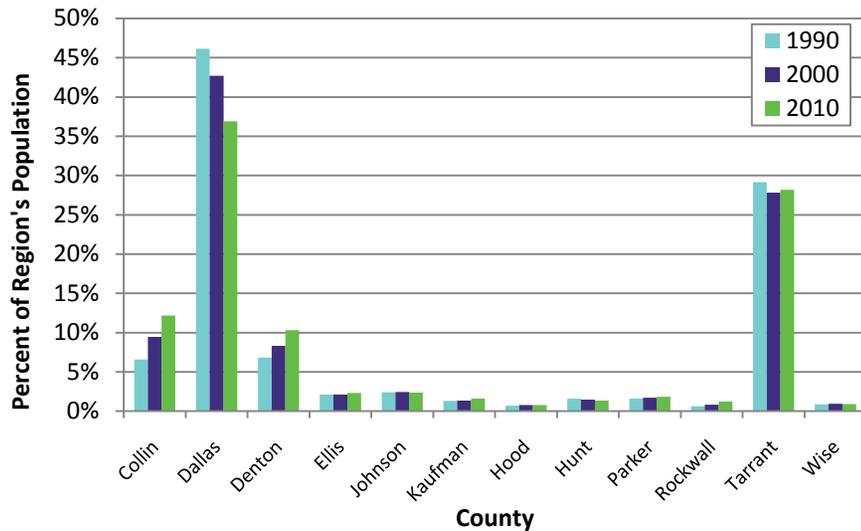


Exhibit 3.1: Historical Population Growth by County, 1990-2010 US Census Data

Additionally, more than 52 percent of the regional growth between 2000 and 2010 was accounted for by eight cities: Fort Worth, 17 percent; Dallas, 10 percent; Frisco, 6 percent; McKinney, 6 percent; Plano, 4 percent; Arlington, 3 percent; Grand Prairie, 3 percent; and Allen, 3 percent.

Population Forecasts

Mobility 2035 uses the North Central Texas Council of Governments (NCTCOG) 2040 demographic forecast to develop the transportation recommendations included in the Metropolitan Transportation Plan. The 2012 and 2035 population forecasts are used to model the regional transportation needs associated with roadways, transit, and other programs and projects. Using the population forecasts for 2012 and 2035, the total population of the MPA is projected to increase from 6,651,887 in 2012 to 9,833,378 in 2035. Exhibit 3.3 represents this increase of 48 percent growth and the growth by individual counties in the MPA.

MPA County	Population					
	1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent
Collin	264,036	7	491,675	10	782,341	12
Dallas	1,852,810	46	2,218,899	43	2,368,139	37
Denton	273,525	7	432,976	8	662,614	10
Ellis	85,167	2	111,360	2	149,610	2
Hood	28,981	1	41,100	1	51,182	1
Hunt	64,343	2	76,596	2	86,129	1
Johnson	97,165	2	126,811	2	150,934	2
Kaufman	52,220	1	71,313	1	103,350	2
Parker	64,785	2	88,495	2	116,927	2
Rockwall	25,604	1	43,080	1	78,337	1
Tarrant	1,170,103	29	1,446,219	28	1,809,034	28
Wise	34,679	1	48,793	1	59,127	1
Total	4,013,418	100	5,197,317	100	6,417,724	100

Exhibit 3.2: Population Share of Counties of the 12-county Region, 1990, 2000, and 2010

MPA County	2012 Population	2035 Population	Growth	Percent Growth
Collin	806,425	1,404,149	597,724	74%
Dallas	2,444,148	3,125,282	681,134	28%
Denton	660,863	1,053,903	393,040	59%
Ellis	162,405	252,768	90,363	56%
Hood	67,688	97,805	30,117	44%
Hunt	98,791	148,451	49,660	50%
Johnson	173,741	272,061	98,320	57%
Kaufman	111,267	193,509	82,242	74%
Parker	122,372	193,730	71,358	58%
Rockwall	86,236	172,568	86,332	100%
Tarrant	1,848,779	2,823,535	974,756	53%
Wise	70,172	95,617	25,445	36%
Total	6,651,887	9,833,378	3,181,489	48%

Exhibit 3.3: 2040 Demographic Forecast Population Growth by County, 2012-2035

The highest magnitude of population growth among all counties is projected to occur in Tarrant County with the addition of 974,756 persons between 2012 and 2035. Dallas (682,134), Collin (597,724), and Denton (393,040) counties follow

Tarrant County as the next top three growing counties in terms of forecasted population growth between 2012 and 2035. Rockwall County has the greatest percent increase in forecasted growth with a doubling of the 2012 population in 2035 to 172,568 persons. Counties projected to grow by more than 50 percent in population include Collin, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, and Tarrant.

Population Density

In addition to the forecasted population values by county and for the region, the population density is critical to the decision-making process regarding the needed and appropriate transportation facilities. For the Dallas-Fort Worth MPA, the population density is projected to increase from 2,058 to 3,143 persons per square mile between the years 2012 and 2035, respectively. Exhibits 3.4, 3.5, and 3.6 show the population density by county and by traffic survey zone between 2012 and 2035.

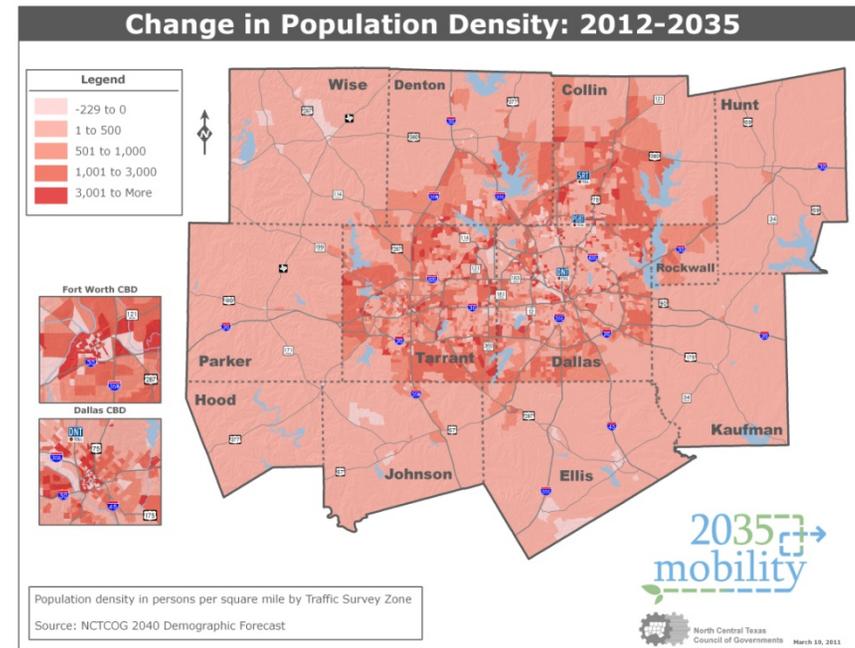


Exhibit 3.5: Population Density in the 12-county MPA, 2012 and 2035

As shown in Exhibit 3.6, density increases the greatest in Tarrant, Dallas, Collin, Rockwall, and Denton counties by 1,085; 750; 674; 580; and 410 persons per square mile, respectively, by 2035 (area shown in light blue). These increases result in the following top five densest counties in 2035: Dallas, Tarrant, Collin, Rockwall, and Denton counties at 3,438; 3,143; 1,584; 1,159; and 1,100 persons per square mile, respectively. The least dense county in 2035 is Wise County at 104 persons per square mile.

Employment Growth

North Central Texas is a major economic, social, and political center of both Texas and the United States. The Dallas-Fort Worth area represents 34 percent of the state’s economy and is the twelfth largest metropolitan economy in the world. The region supports a diverse economy and is home to 24 Fortune 500 companies. By the year 2035, the region is expected to experience a 48 percent increase in population and a 47 percent increase in employment. The transportation system is central to this growth because it allows for the efficient movement of people and goods. Understanding not only population but employment growth is critical to the

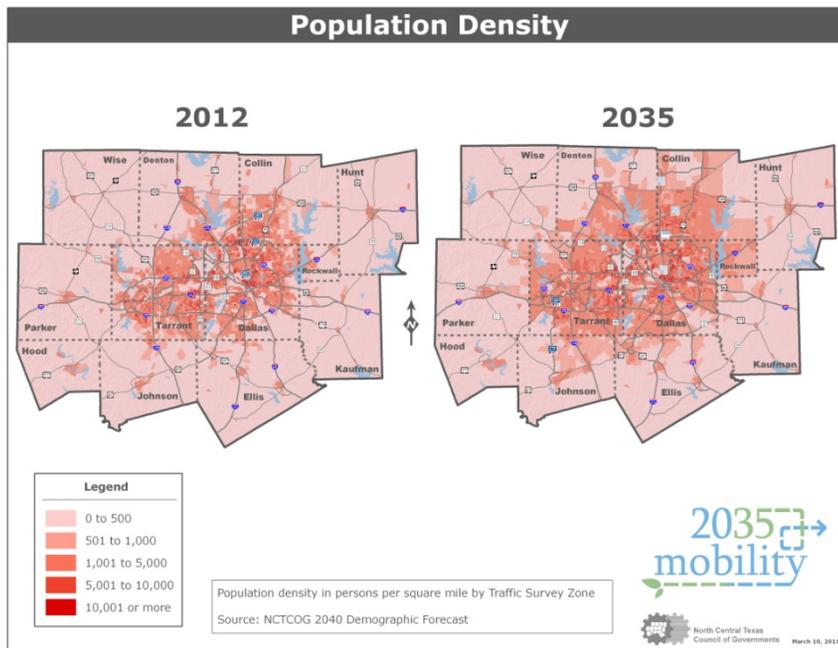


Exhibit 3.4: Increase in Population Density by County, 2012-2035

transportation planning process and to providing the best system to move people to and from jobs.

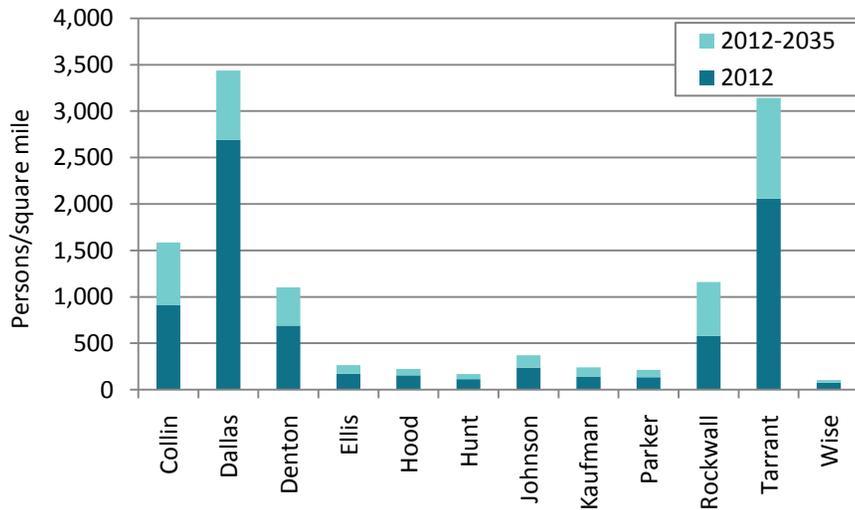


Exhibit 3.6: Change in Population Density in 12-county MPA, 2012-2035

Employment Forecast

Employment within the 12-county MPA is projected to increase 47 percent from 4,210,178 jobs in 2012 to 6,177,016 in 2035. During the same period, the average employment density is projected to increase from 446 to 654 jobs per square mile in the region. An increase of 36 percent in basic jobs, 45 percent in retail jobs, and 52 percent in service jobs is projected between 2012 and 2035.

Employment growth by county is shown in Exhibits 3.7, 3.8, and 3.9. The highest increase in the number of jobs is projected to occur in Dallas County at 707,504; a growth rate of 33 percent. Dallas County is followed by Tarrant County which is projected to have 545,498 additional jobs or a 50 percent increase. Rockwall County is projected to have the highest employment growth rate at a 108 percent increase followed by Kaufman County at a 92 percent employment growth rate.

Growth in the region’s employment plays an important role in forecasting population. Regions with job growth retain current residents and attract those moving for employment opportunities. Transportation planners use this information to forecast future revenue streams for transportation projects and

determine areas that will need additional infrastructure. The region’s employment forecasts show that employment opportunities will continue to grow, leading to long-term economic growth and vitality in North Central Texas.

County	2012 Employment	2035 Employment	Growth	Growth
Collin	380,184	628,349	248,165	65%
Dallas	2,146,783	2,854,287	707,504	33%
Denton	233,187	406,105	172,918	74%
Ellis	63,260	116,145	52,885	84%
Hood	21,035	37,036	16,001	76%
Hunt	48,140	78,163	30,023	62%
Johnson	70,283	132,917	62,634	89%
Kaufman	42,630	81,646	39,016	92%
Parker	49,360	91,660	42,300	86%
Rockwall	25,924	53,934	28,010	108%
Tarrant	1,098,965	1,644,463	545,498	50%
Wise	30,427	52,311	21,884	72%
Total	4,210,178	6,177,016	1,966,838	47%

Exhibit 3.7: Employment Growth by County, 2012-2035

North Central Texas Population Profile Changes

Planning for a demographically diverse region requires consideration for various transportation needs. Demographic trends indicate that the population will not have the same profile as it does today in terms of many factors such as race, ethnicity, income, and age. These are important elements that transportation planners must consider because they impact a variety of transportation needs. For example, an aging population requires planners to consider the enhanced safety and accessibility essential to those residents.

Historic Profile

Since the 1970s, both the overall and minority populations have increased dramatically in the region. Minority is defined as any person identified as African American, American Indian/Alaskan Native, Asian, Hawaiian/Pacific Islander, and Hispanic.

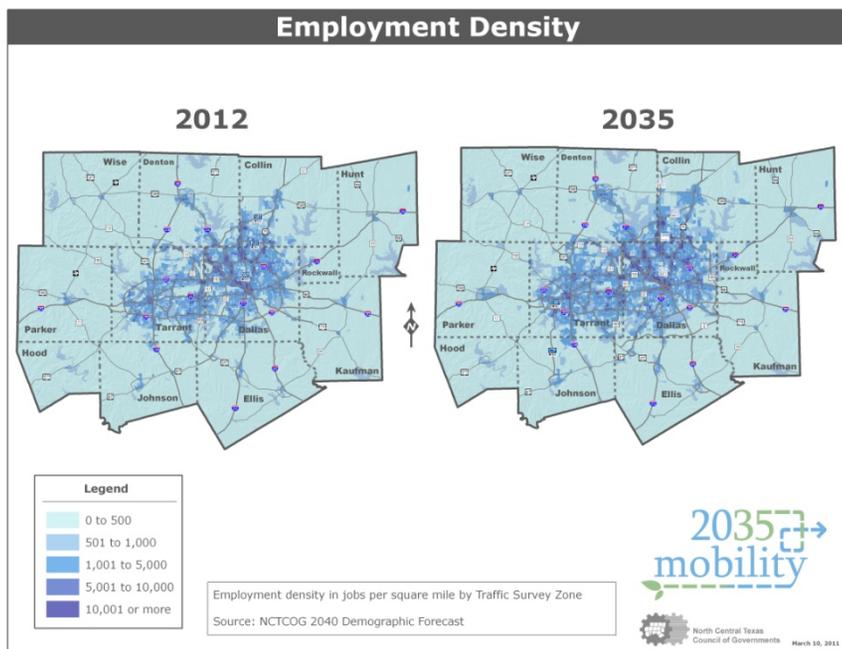


Exhibit 3.8: Employment Density in 12-county MPA, 2012 and 2035

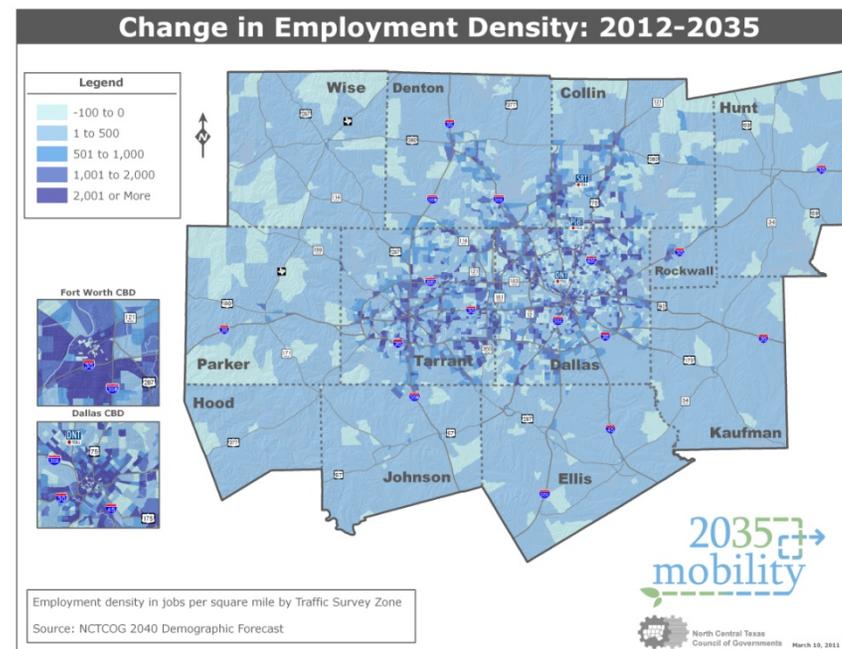
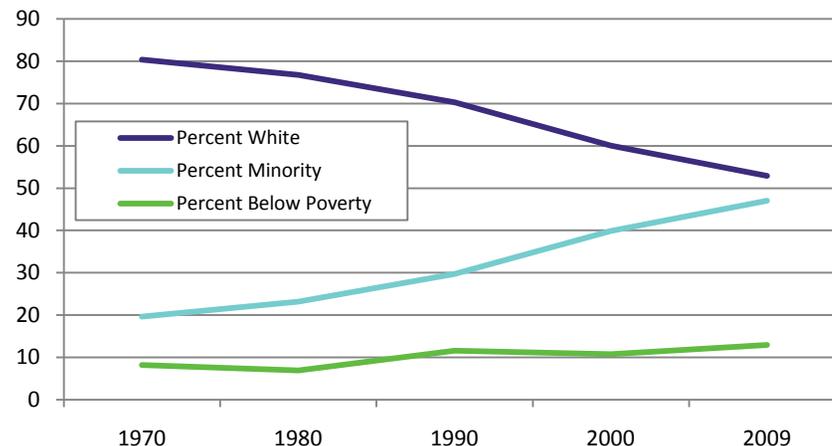


Exhibit 3.9: Change in Employment Density in 12-county MPA, 2012-2035

The overall population in the region has increased 150 percent from 2.5 million people in 1970 to 6.5 million in 2010. During the same period, the minority population has increased 500 percent from 500,000 in 1970 to 3.1 million in 2010.⁶ Exhibit 3.10 illustrates changes in the regional population profile over time.

Current Profile

During the last decade (2000 to 2010), the 12-county MPA's total population increased by 23 percent. At the same time, the minority population increased by 52 percent,⁷ of which the Hispanic population grew by 59 percent. Today, the region is demographically diverse with a total minority population of approximately 48 percent. Exhibit 3.11 illustrates the population profile of the North Central Texas region in 2010.

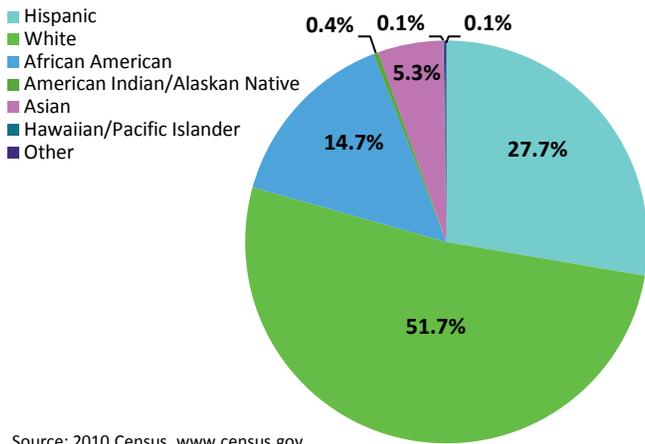


Source: www.nhgis.org

Exhibit 3.10: North Central Texas Population Change from 1970 to 2009

⁶ 1970-2000 data: Minnesota Population Center, National Historical Geographic Information System: Pre-release Version 0.1, Minneapolis, MN: University of Minnesota 2004, www.nhgis.org, 2009 data: 2010 Census www.census.gov

⁷ US Census Bureau, www.census.gov



Source: 2010 Census. www.census.gov

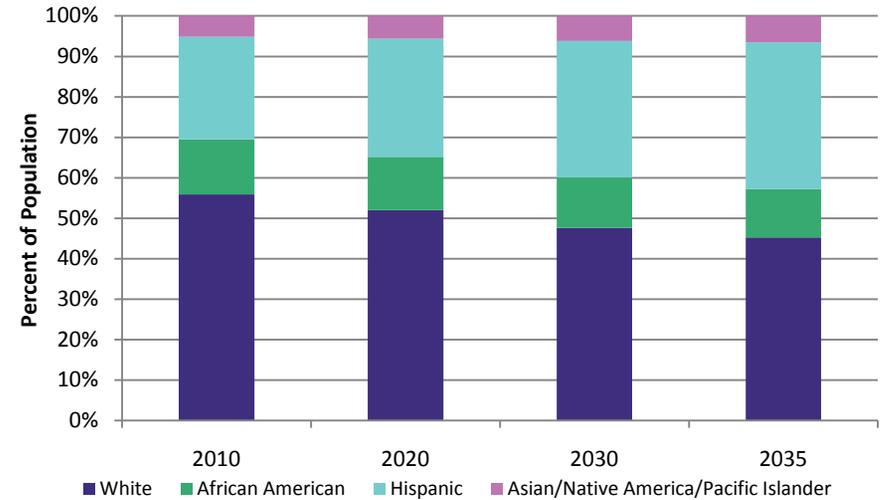
Exhibit 3.11: 2010 Population by Race and Ethnicity

Future Profile

Historically, the minority population has grown at a faster rate than the overall population. Based on current patterns in birth rates and migration, this trend is expected to continue into the future.⁸ According to forecasts from the Texas State Data Center, non-white populations will make up a majority of the region's overall population by the year 2020 while white-non-Hispanics will experience a population decrease. Of the major racial/ethnic groups, Hispanics are expected to capture more of the overall population while the African American and Asian populations are expected to remain relatively stable. Exhibit 3.12 represents how the demographic breakdown of the region is projected to change through 2035.

Changes in Language

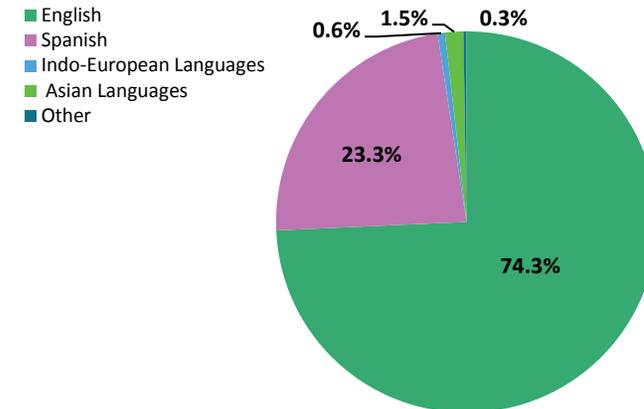
As North Central Texas continues to become a more diverse region, additional demographic changes will include the overall English proficiency of residents. The number of non-English speaking residents has increased over time. Persons who identify their ability to read, write, or speak English less-than-very-well are considered Limited English Proficient (LEP). According to 2007-2009 American Community Survey results, the largest LEP linguistic group in North Central Texas was Spanish speaking individuals at 23 percent of the region's total population.



Source: Texas State Data Center, February 2009

Exhibit 3.12: Percent of Total Population by Race/Ethnicity, 2010-2035

When all other languages are considered, approximately 26 percent of the total population has limited ability to read, write, or speak English. Exhibit 3.13 represents the linguistic distribution of the region.



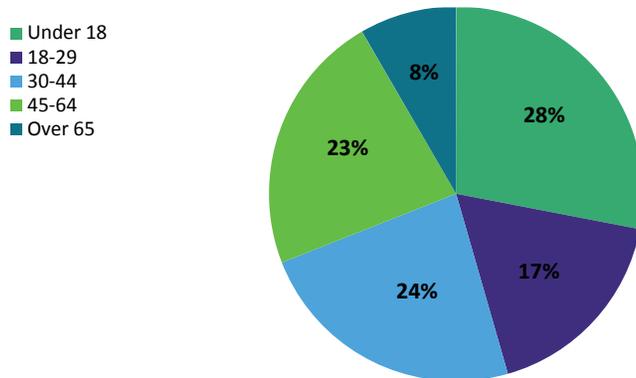
Source: 2007-2009 American Community Survey. www.census.gov

Exhibit 3.13: Languages Spoken in North Central Texas 12-county MPA, 2007-2009

⁸ Regional Choices for North Texas, Vision North Texas, 2008, www.visionnorthtexas.org

Changes in Age

Changes in age are important for planners to consider as all age groups represent different transportation needs. *Exhibit 3.14* represents the age profile of North Central Texans. The distribution of age groups has remained relatively stable from 1990 to 2010; however, the over 65 age group has been a consistently growing segment of the population. As people age, their travel behavior, modal usage, and housing location preferences and service needs may change.



Source: 2007-2009 American Community Survey. www.census.gov

Exhibit 3.14: North Central Texas 12-county Age Group Distribution, 2007-2009

NCTCOG strives to understand the current and future demographics of the region to provide an effective transportation system that meets the needs of a diverse region. Aspects from how to engage the public to how people travel are dependent on a solid understanding of the region's demographics. Current trends, historical census data, population projections, and economic factors are used to inform the decision-making process.

Nondiscrimination Efforts

NCTCOG and the Regional Transportation Council are committed to providing an equitable transportation system for all residents. Throughout the development of Mobility 2035, nondiscrimination and environmental justice principles were incorporated so that no person is excluded from participation in, denied benefits of, or discriminated against in planning efforts. NCTCOG seeks to understand the impacts of programs and activities on the region and environmental justice populations through outreach and analysis efforts. NCTCOG holds

nondiscrimination as a core principle in all efforts, including transportation planning.

The US Environmental Protection Agency defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies ... It will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.”⁹

ENVIRONMENTAL JUSTICE is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with regard to the development and implementation of plans, policies, and programs.

Several laws and regulations guide NCTCOG's nondiscrimination/environmental justice program. The first piece of nondiscrimination legislation that shapes NCTCOG's efforts is Title VI of the Civil Rights Act of 1964. Title VI stated that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal Financial Assistance.”

The idea of environmental justice can trace its roots back to the civil rights movement of the 1960s. Title VI of the Civil Rights Act of 1964 was the basis by which nondiscrimination policies were formed. Title VI held all agencies that receive federal financial assistance accountable for their actions and mandated that those agencies ensure their policies and practices were not discriminatory in nature.

The environmental justice movement, as it is known today, started in the early 1980s when low-income and minority populations began to protest the siting of

⁹ US EPA, www.epa.gov

toxic waste landfills in their neighborhoods. These efforts culminated in the signing of Executive Order 12898 in 1994 which mandated federal agencies incorporate environmental justice principles into their activities. This has evolved from protecting community human health to include social and economic health as well.

Under federal law, agencies must incorporate environmental justice into their activities. The three fundamental principles at the core of environmental justice are to:

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

NCTCOG seeks, at a minimum, to meet all state and federal regulations relating to nondiscrimination; however, it is the goal of the agency to go above and beyond basic requirements to create a transportation system that is beneficial to all residents of the region. The following goals guided the creation of Mobility 2035:

- Encourage community participation in the development of Mobility 2035, including traditionally underserved communities.
- Support data gathering and analysis of projects and programs to identify any potentially negative social, economic, health, or environmental impacts on communities.
- Seek to mitigate disproportionately high and adverse human health impacts when identified through analysis or public comment.

These goals are a reflection of NCTCOG's continual efforts to serve all members of the community throughout the transportation planning process.

Mobility 2035 Policies

Mobility 2035 supports the following nondiscrimination and public involvement policies:

EJ3-001: Evaluate the benefits and burdens of transportation policies, programs, and plans to prevent disparate impacts and improve the decision-making process, resulting in a more equitable system.

EJ3-002: Balance transportation investment across the region to provide equitable improvements.

PI3-001: Meet federal and state requirements to ensure all individuals have full and fair access to provide input on the transportation decision-making process.

PI3-002: Demonstrate explicit consideration and response to the public input received.

PI3-003: Use strategic outreach and communication efforts to seek out and consider the needs of those traditionally underserved by the transportation planning process.

PI3-004: Enhance visualization of transportation policies, programs, and projects.

PI3-005: Provide education to the public and encourage input and engagement from all residents on the transportation system and the transportation decision-making process.

Integrating Nondiscrimination Principles into the Planning Process

Nondiscrimination is an integral concern during the planning and project development process. NCTCOG strives to address the needs of protected populations and assess the impacts of activities throughout the span of a project from planning to implementation. Previous outreach efforts and analyses serve as the foundation of NCTCOG's decision-making process and guide further evaluations that address a multitude of social, environmental, and economic issues related to transportation planning.

NCTCOG understands that a one-size-fits-all transportation system does not exist; needs vary greatly from one group of users to another. For this reason, NCTCOG seeks to understand the needs of specific populations to develop a system that provides a high level of service to all populations. For example, minority populations (specifically Black and Hispanic populations) have historically had larger household sizes, lower incomes, and less vehicle ownership. Statistically Asians and

African Americans are more likely to use transit and Hispanics are more likely to carpool or walk.¹⁰

The North Central Texas Council of Governments does not plan specific projects based solely on the racial or ethnic makeup of a community. However, understanding how populations utilize the transportation system, coupled with the knowledge of demographics trends, planners are able to design a system that will accommodate current and future needs. The following discussion and analysis focuses on specific efforts to support nondiscrimination in all transportation planning programs, policies, and activities.

Identifying Protected Populations

Executive Order 12898 states that agencies must “collect, maintain and analyze information on the race, national origin, income level and other readily accessible and appropriate information surrounding facilities or sites expected to have substantial environmental or economic effect on surrounding populations.” The magnitude and scope of the recommendations proposed in this plan require population patterns of the entire region be evaluated.

The first step in the process is to identify where the region’s low-income and minority populations are located. These federally designated populations are referred to as environmental justice or protected populations and are displayed in *Exhibit 3.15*.

Additional groups are considered throughout the planning process in an effort to meet the requirements of Title VI including:

- Persons 65 years and older
- Persons with disabilities
- Female head of household (any female headed household with children present and no husband)

The Environmental Justice Index (EJI) is used by NCTCOG to aggregate low-income and minority populations for analysis efforts. Low-income and minority status are aggregated and analyzed together in an effort to examine the effects of recommendations in Mobility 2035 on the protected population as a whole. The EJI

has been refined to reflect the demographic and development patterns of the North Central Texas region. Three variables, including percent below poverty, percent minority, and persons per square mile, are used to identify block groups with dense minority and low-income populations. The results are a tool for planners to easily identify populations for further analysis. *Exhibit 3.16* displays the EJI for the North Central Texas 12-county Metropolitan Planning Area.

Population	Definition
Black/African American	A person having origins in any of the Black racial groups of Africa
American Indian/Alaskan Native	A person having origins in any of the original peoples of North and South America who maintain tribal affiliation or community attachment
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent
Native Hawaiian or Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands
Hispanic	A person of Mexican, Puerto Rican, Cuban, Central or South America, or other Hispanic origin.
Low-Income	A person whose household income is below the poverty line as determined by the US Department of Health and Human Services

Exhibit 3.15: Federally Designated Environmental Justice Population Definitions

Any block group with an EJI score above ten is considered an environmental justice protected block group for analysis purposes. This is used as the first filter in the environmental justice analysis to help determine if additional analysis needs to be conducted. Approximately 36 percent of all block groups have an EJI score above ten. This is reflective of the overall low-income and minority populations of the region which are 12 percent and 47 percent, respectively. All calculations are based on 2000 census data. *Exhibit 3.17* displays the number and percent of block groups that fall into each EJI category.

Identifying environmental justice populations is vital for system level analysis; however, this is only one step in the analysis process. Identifying individual populations allows planners to see how individual groups are impacted by plans, policies, and activities. The regional average of a specific population per block

¹⁰ TR News, Demographic Changes Driving Change; Ensuring Mobility for all Safely, Efficiently, Equitably, Edition 264, September-October 2009.

group is established as the threshold for identifying a block group as having considerable numbers of protected populations. Any block group over the regional average is considered protected. *Exhibit 3.18* shows the regional average for each protected population. Appendix B includes maps displaying the protected populations by block group that are above the regional average.

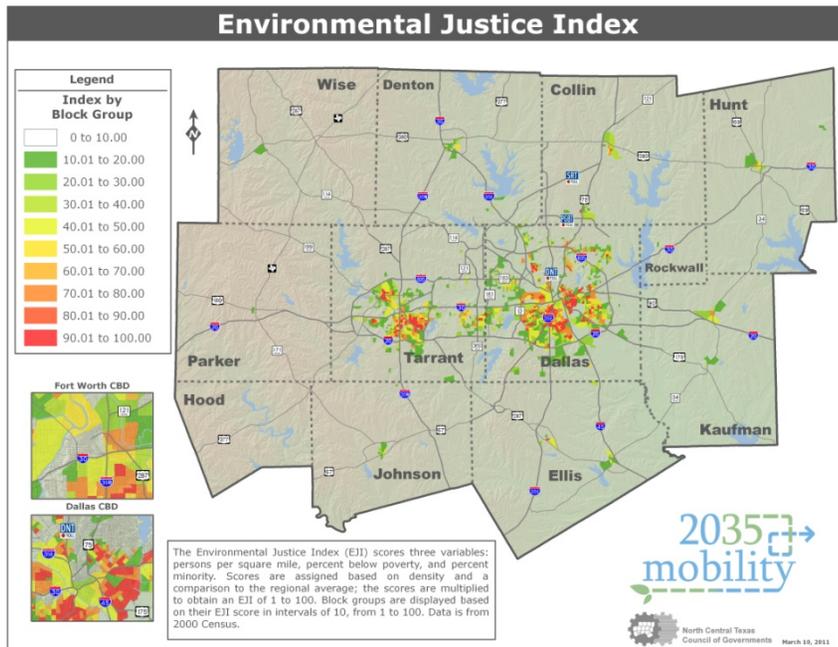


Exhibit 3.16: Environmental Justice Index for the 12-county Metropolitan Planning Area

Performance Indicators

Nondiscrimination principles are incorporated throughout the development of Mobility 2035; however, it is important to evaluate the final results to ensure that protected populations are not negatively impacted by the planned regional transportation system.

Mobility 2035 has identified \$101.1 billion in transportation projects spread over approximately 9,500 square miles. Because of the magnitude of projects to be analyzed, a qualitative assessment of each project is infeasible. For this reason, the travel demand model is used to perform an environmental justice analysis on the Mobility 2035 roadway and transit recommendations.

EJI Score	Number of Block Groups	Percent of Block Groups
0-10	2306	64%
11-20	298	8.3%
21-30	113	3.2%
31-40	140	3.9%
41-50	163	4.5%
51-60	17	0.5%
61-70	140	3.9%
71-80	52	1.5%
81-90	118	3.3%
91-100	232	6.5%

Exhibit 3.17: Number of Protected Block Groups by EJI Score

Population	Regional Average
African American	14.9%
American Indian/Alaskan Native	0.6%
Asian	3.3%
Native Hawaiian/ Pacific Islander	0.2%
Hispanic	22.3%
Below Poverty	11.9%

Exhibit 3.18: 2000 Regional Averages for Protected Populations¹¹

The goal of the transportation system is to allow people to reach their destinations in the most efficient and effective way. One of the goals of Mobility 2035 is to improve the availability of transportation options for people and goods. This is achieved through enhancing mobility and accessibility.

Mobility is the potential for movement or the ability to travel from one place to another. Examples of factors that impact mobility include road capacity, intelligent transportation systems, and design. Accessibility denotes how well the system provides access to locations and opportunities. Examples of factors that impact

¹¹ At the time Mobility 2035 was published, 2010 Census data did not contain poverty status. For consistency in the performance measure analysis of Mobility 2035, 2000 Census data was used to establish regional average until poverty status is made available.

accessibility include the cost in both time and dollars and the number of modal choices available to reach a location.¹²

Accessibility has a direct impact on a person’s quality of life; for this reason Mobility 2035 environmental justice performance indicators focus on accessibility versus mobility. The performance indicators used to evaluate the Mobility 2035 recommendations are shown in *Exhibit 3.19*. These performance indicators allow the assessment of impacts on accessibility to several quality of life indicators including work, education, medical care, and recreation, as shown in *Exhibits 3.21 through 3.25*.

Accessibility	Mobility
<ul style="list-style-type: none"> •Number of jobs accessible within 30 minutes by automobile* •Number of jobs accessible within 60 minutes by transit* •Average travel time to special generators (universities, hospitals, regional shopping centers) 	<ul style="list-style-type: none"> •Average level of congestion •Average travel time

*The travel time thresholds of 30 minutes by auto and 60 minutes by transit are based on regional travel patterns.

Exhibit 3.19: Mobility 2035 Environmental Justice Performance Indicators

Regional Environmental Justice Analysis

Nondiscrimination efforts are considered throughout the process from the long-range plan to the project implementation stage. Each level of analysis is performed to ensure no one population bears undue burdens of the transportation system.

Assessing the impacts at three different levels provides a greater understanding of how the project will impact a community on a macro and micro level. There are currently three levels of environmental justice analysis a project will go through, as shown in *Exhibit 3.20*.

Analysis	Regional Transportation Plan (Mobility 2035)	Regional Priced Facilities	NEPA
Scope	All projects proposed in Mobility 2035 on a regional level	All new priced facilities proposed in Mobility 2035 on a regional level	Project/corridor specific analysis
Results	Impacts on regional mobility and accessibility of proposed projects	Regional impacts on communities with the addition of all priced facilities	Localized impacts on a community due to the construction and operation of a project

Exhibit 3.20: Levels of Environmental Justice Analysis

Environmental Justice Methodology

Mobility 2035 recommendations were evaluated using the established performance indicators and the following four steps were used to complete the analysis:

Step 1. Identified Protected Populations: Traffic survey zones with an EJI score of greater than ten were identified as protected. In addition to the assessment of the EJI aggregated populations, individual populations were also analyzed. Traffic survey zones above the regional average for any single population identified in *Exhibit 3.18* were considered protected zones.

Step 2. Calculated Performance Indicators: Protected traffic survey zones were compared to non-protected traffic survey zones on the identified performance indicators. A detailed description of how the performance indicators were calculated can be found in Appendix B.

Step 3. Analyzed Network and Demographic Scenarios: Each of the five performance indicators were compared across several transportation network and demographic scenarios including:

- Current Network: Existing roadway and transit facilities with 2012 population
- 2035 Build Network: All Mobility 2035 recommended roadway and transit facilities with 2035 demographics
- 2035 No-build Network: Existing roadway and transit facilities with 2035 demographics

¹²Accessibility-VS. Mobility-Enhancing Strategies for Addressing Automobile Dependence in the US, Handy, 2002.

- 2035 Priced Facilities No-build Network:¹³ All Mobility 2035 recommended roadway and transit facilities excluding priced facilities and 2035 demographics (results detailed in the Mobility Options chapter)

Step 4. Comparison of Results: Compared results of the Build to No-build scenarios and Current to Build scenarios.

The current network forms the baseline for assessing the impacts of building the Mobility 2035 roadway and transit recommendations. In the Dallas-Fort Worth area, the majority of the current system was built prior to the signing of Executive Order 12898. Because an environmental justice analysis was not performed on those roadways, the potential impacts to protected populations were not examined.

Re-routing current facilities is not a realistic option; therefore, a comparison between the Current and Build scenarios is conducted to see the rate at which any disparities are being perpetuated in future plans. Conversely comparing the Build and No-build scenarios establishes the effectiveness of the transportation system at increasing job accessibility while controlling for population growth. The results are compared across the different scenarios to provide a complete picture of how changes in the transportation system impact mobility and accessibility in North Central Texas.

Environmental Justice Results

As part of NCTCOG’s commitment to provide a transportation system that is beneficial to all populations of the region, a system-level analysis was performed on the proposed 2035 network. The results of this analysis show that if built (2035 Build), the Mobility 2035 roadway and transit recommendations provide protected populations access to 21 percent more jobs by car and 92 percent more jobs by transit in the future when compared to the Current network. Both protected and non-protected populations experience a rise in the number of jobs accessible within 30 minutes by auto and 60 minutes by transit. *Exhibit 3.21* reflects the number of jobs accessible for both protected and non-protected populations between the three scenarios.

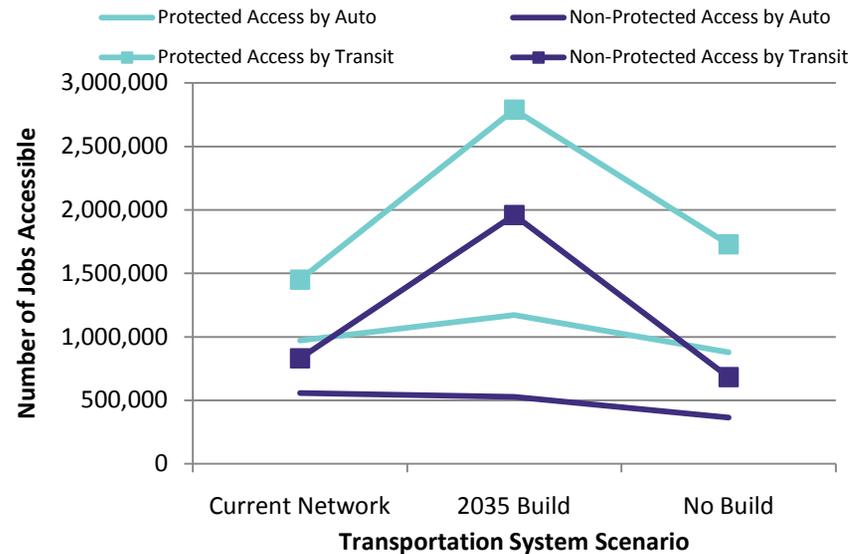


Exhibit 3.21: Job Access by Auto and Transit for Aggregate Protected Population Compared to Non-protected Populations for the Dallas-Fort Worth MPA

However, if the transportation system remains as it is today, the expected increase in population will cause congestion to worsen at a higher rate for protected populations. This will result in the protected populations experiencing a sharper decline in the number of jobs accessible than the non-protected populations.

When the Build and No-build scenarios are compared, the protected population and non-protected population both see an increase in access to jobs in the Build scenario and a decrease in access to jobs in the No-build scenario. Both groups experience a loss of mobility and accessibility from the Build to No-build scenario.

When comparing the impacts from the Current to No-build scenarios, the non-protected population sees a larger percent decline in access to jobs than the protected populations, with protected population experiencing an overall increase of 7 percent and the non-protected populations experiencing a 24 percent decrease. This can be attributed to current and future land uses and recommended transportation system improvements in the urbanized areas.

The decrease in access to jobs, specifically in the auto analysis, can be attributed to increased regional congestion. *Exhibit 3.22* displays congestion changes for protected and non-protected populations across the three scenarios. In the current

¹³ Priced Facilities No-build network excludes all priced facilities currently under construction and CDAs under contract for construction.

transportation system, the protected populations experience less localized congestion than the non-protected population. This trend will continue in the Build scenario; however, congestion for the protected population will outpace the non-protected population in the No-build scenario. This is a direct result of the population forecasts that indicate increased population density in the urban core where the concentration of protected populations is the greatest. Appendix B provides the detailed Regional Environmental Justice Analysis results which includes performance indicator outcomes for the aggregate and individual protected populations.

urbanized areas where the protected populations are primarily located. Therefore, overall congestion will decrease for those populations.

To determine accessibility to special generators, percent of populations within 30 minutes of a special generator was calculated. Results showed that over 90 percent of the protected population is 30 minutes from a hospital, university, or regional shopping center. This trend remains relatively constant across all scenarios while it decreases across all scenarios for the non-protected population as seen in *Exhibit 3.24*. While the transportation system cannot account for the freedom of choice for a specific university or hospital for its expertise, it does provide access to basic needs and services.

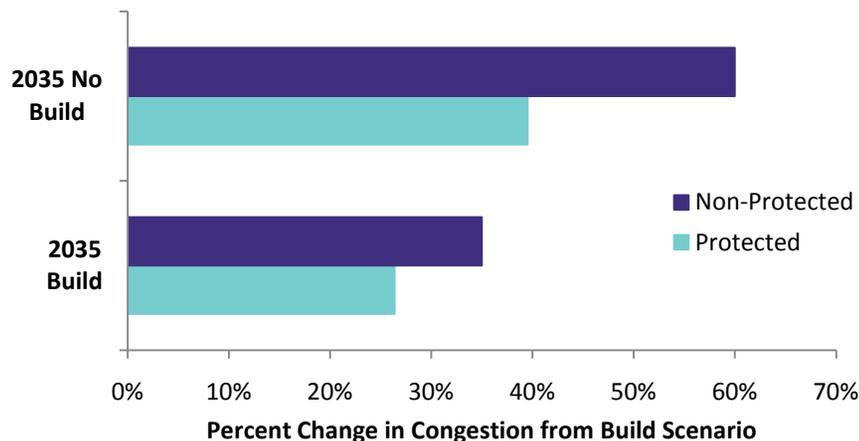


Exhibit 3.22: Localized Congestion Change across Scenarios for Protected and Non-protected Populations

While congestion increases for both the protected and non-protected populations in the Build and No-build scenarios, in both instances the non-protected population sees a much larger increase in localized congestion. With increased congestion, the length of time to travel a set distance increases. To relate the localized congestion displayed above to everyday travel, the average trip time and length for each scenario was determined. An average mile per hour was calculated to determine the time it would take both protected and non-protected populations to travel 20 miles across all three scenarios. Twenty miles was used as the threshold because it represents an average commute length in the Dallas-Fort Worth area.

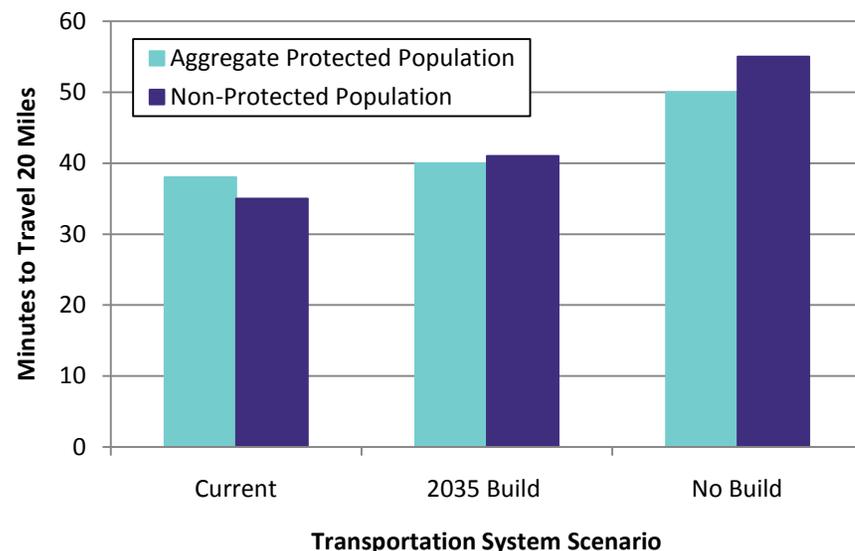


Exhibit 3.23: Average Time in Minutes to Travel 20 Miles

The results in *Exhibit 3.23* are a direct reflection of how future transportation investments will be allocated. A large portion of planned projects are located in

To assess the impacts of tolled and managed lane facilities recommended in Mobility 2035, the Priced Facilities No-build analysis was conducted. Results showed increased mobility and accessibility for protected populations with the addition of these priced facilities. The results and discussion of this analysis can be found in the Mobility Options chapter.

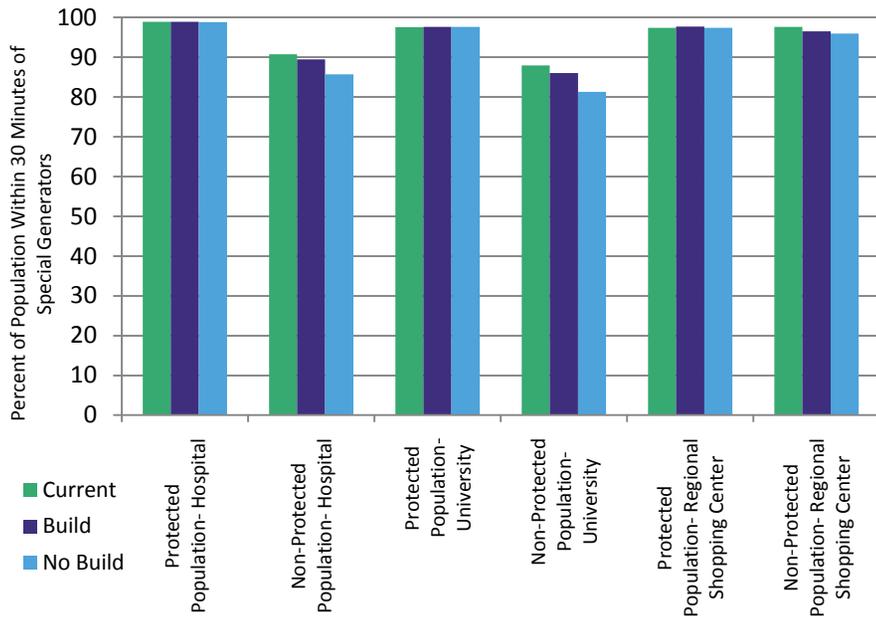


Exhibit 3.24: Percent of Population within 30 Minutes of a Special Generator (Hospitals, Universities, Regional Shopping Centers)

Summary

As a whole, the Mobility 2035 roadway and transit recommendations do not have disparate impacts on protected populations. Overall mobility and accessibility increase for the protected populations in the Build scenario. *Exhibit 3.25* illustrates the overall results of the three main performance indicators for the EJI Aggregated Population compared to the non-protected population. Appendix B contains the complete methodology and results for the environmental justice analysis.

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,691,315	2,068,901	2,068,901	
	Non-protected	4,960,572	7,764,477	7,764,477	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	964,155	1,179,474	878,153	34.3
	Non-protected	549,205	525,644	364,362	44.3
	<i>Difference</i>	<i>414,950</i>	<i>653,830</i>	<i>513,790</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,454,972	2,991,784	1,729,265	73.0
	Non-protected	834,165	2,182,494	682,122	220.0
	<i>Difference</i>	<i>620,807</i>	<i>809,290</i>	<i>1,047,143</i>	
Percent of Lane Miles Congested	Protected	0.43	0.54	0.60	-9.50
	Non-protected	0.39	0.53	0.64	-17.1
	<i>Difference</i>	<i>0.04</i>	<i>0.01</i>	<i>-0.04</i>	

Exhibit 3.25: Mobility 2035 Environmental Justice Analysis Performance Results for EJI Aggregated Protected Populations Compared to Non-protected Populations

Public Involvement

Introduction

A proactive public participation process is vital to ensuring that the transportation planning process fosters meaningful involvement by all users of the system, including the business community, community groups, environmental organizations, freight operators, and the traveling public. Informing stakeholders of critical issues facing the region and providing opportunities to contribute ideas and offer input is important to developing a plan that represents a wide variety of interests and mobility needs.

The overall objective of the North Central Texas Council of Governments' public participation plan is that it is proactive, provides complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. While federal laws and regulations provide some requirements for public involvement, NCTCOG strives to go beyond these requirements and provide a comprehensive program to ensure all residents of the region are provided an opportunity to participate in the decision-making process.

Public Participation Plan

The NCTCOG 2010 Transportation Public Participation Plan guides how and when public involvement will be carried out on various decisions made by the Regional Transportation Council.

Through the Language Assistance Plan, NCTCOG seeks to ensure that all residents have access to provide input on transportation decisions regardless of their ability to read, write, or understand English. The Language Assistance Plan includes a four-factor analysis to identify LEP populations and determine how these individuals are served or are likely to be served by NCTCOG Transportation Department programs. To better serve the LEP population, meeting notices and several key documents are translated into Spanish. Reasonable effort is made to accommodate language translation requests if provided sufficient notice.

The Public Participation Plan addresses the following:

- Public involvement requirements
- Timelines for public comment on various documents
- Environmental justice
- Public notifications
- Public participation and coordination procedures for environmental documents
- Provisions for holding public meetings with abbreviated comment periods of no less than 72 hours and longer
- Title VI complaint procedures
- Language Assistance Plan

Public Involvement Strategies

Public meetings are held throughout the region in varying times and locations to request input on upcoming decisions of the RTC and inform the public of other planning activities. The NCTCOG Transportation Department maintains a database of individuals and groups wishing to receive notice of public meetings. Notice is sent to these individuals before every meeting and meetings are also advertised in the Texas Register and in local and minority newspapers. The Transportation Department also publishes monthly and quarterly newsletters, various technical brochures, and required planning documents each year which are made available to the public in both print and online formats.

Providing information through the Internet is an important strategy and the Website is updated on a regular basis to ensure accurate and timely information is available. As needed, surveys are conducted to determine public awareness and/or sentiment with regard to certain planning issues. In addition, communication with the media serves as a strategy for disseminating information to the public via media releases or personal contact with reporters.



The Transportation Department also participates in community events to educate the public on transportation and air quality initiatives. Recently, the Transportation Department has joined social media networks in an effort to further expand opportunities to provide education and a forum to receive public comments.



Finally, visualization tools like animations, maps, renderings, photos, and others are used when possible online, in presentations, and in publications to increase understanding among all audiences. Visual elements can also be especially beneficial for LEP persons.

Public Involvement for Mobility 2035

A variety of strategies were used to encourage public participation during the development of Mobility 2035. Information such as financial scenarios and goals, involvement opportunities, and overall development was featured in publications, on the NCTCOG Website, within social media, and in e-mails sent to individuals who have expressed an interest in NCTCOG information. NCTCOG held several public meetings and gave presentations to numerous community groups; a list of meeting dates and locations can be found in Appendix B.

During some public meetings, surveys, also available online, were conducted to gather input on the goals and financial scenarios for Mobility 2035. In compliance with the Public Participation Plan, public meetings were held 60 days and 30 days prior to Regional Transportation Council approval of Mobility 2035. A listing of public meetings held and community events at which development of Mobility 2035 was discussed is included in Appendix B. A concerted effort was made to hold at least one public meeting in each of the 12 counties that make up the Metropolitan Planning Area. All public meeting notices and comments received during the meetings associated with Mobility 2035 and the subsequent



2010 EPA Earthfest

Source: NCTCOG

air quality conformity determination, as well as related comments received through other means, are included in the [2011 Transportation Conformity](#). A listing of comments and responses related to Mobility 2035 are included in Appendix B.

Tribal Coordination

The North Central Texas Council of Governments recognizes the unique government-to-government relationship that the Federal Highway Administration has with Indian Tribal Governments. *Exhibit 3.26* displays all the federally recognized tribes that have an interest in the North Central Texas region. NCTCOG coordinates with the Federal Highway Administration to reach out to Indian Tribal Governments to allow them the opportunity to participate in the transportation planning process. Tribal contacts receive all public meeting notices, as well as electronic copies of our Mobility Matters newsletter, to keep them involved in the transportation decision-making process and informed about transportation planning efforts and ongoing opportunities to be involved and provide input.

American Indian Tribal Interests in Dallas-Fort Worth Metropolitan Planning Area		
Absentee-Shawnee Tribe of Oklahoma	Apache Tribe of Oklahoma	Caddo Nation of Oklahoma
Choctaw Nation of Oklahoma	Comanche Nation of Oklahoma	Kialegee Tribal Town
Kickapoo Traditional Tribe of Texas	Kiowa Indian Tribe of Oklahoma	Mescalero Apache Tribe
Muscogee (Creek) Nation of Oklahoma	Poarch Band of Creek Indians	Pokagon Band of Potawatomi Indians of Michigan
Quapaw Tribe of Indians	The Delaware Nation	Thlopthlocco Tribal Town
Tonkawa Tribe of Indians of Oklahoma	Wichita and Affiliated Tribes	

Exhibit 3.26: Dallas-Fort Worth MPA Regional Tribal Interests

Summary

A transportation system that does not provide enhanced mobility and accessibility for all residents of the region is ineffective at improving the quality of life for residents and ensuring the economic vitality of the region. For this reason, the RTC uses several approaches to ensure the social considerations of Mobility 2035.

This multi-step process includes actively seeking the public's participation in the development of recommendations provided in Mobility 2035 and a thorough analysis of those recommendation's impacts on protected populations.

This process has guided recommendations that contribute to a quality of life for all residents and provides access to jobs and reduces congestion.

Appendix B: Social Considerations

Policies

MTP Reference #	Environmental Justice
EJ3-001	Evaluate the benefits and burdens of transportation policies, programs, and plans to prevent disparate impacts and improve the decision-making process, resulting in a more equitable system.
EJ3-002	Balance transportation investment across the region to provide equitable improvements.

MTP Reference #	Public Involvement
PI3-001	Meet federal and state requirements to ensure all individuals have full and fair access to provide input on the transportation decision-making process.
PI3-002	Demonstrate explicit consideration and response to public input received.
PI3-003	Use strategic outreach and communication efforts to seek out and consider the needs of those traditionally underserved by the transportation planning process.
PI3-004	Enhance visualization of transportation policies, programs, and projects.
PI3-005	Provide education to the public and encourage input and engagement from all residents on the transportation system and the transportation decision-making process.

Identifying Populations

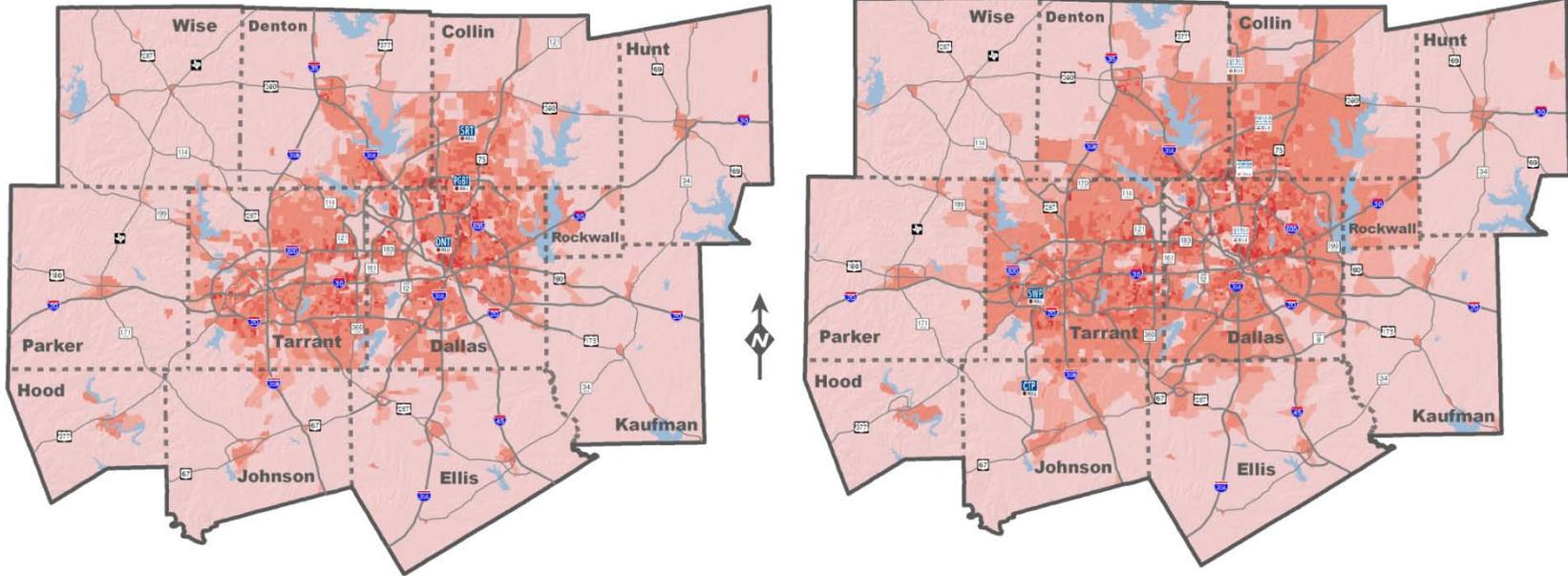
NCTCOG collects and analyzes demographic data in an effort to better understand regional characteristics. While only the federally mandated low-income and minority populations were used for the analysis of Mobility 2035, additional characteristics are mapped to enhance the decision-making process. Maps of select demographic groups in the region that constitute the federally defined protected populations and additional populations that NCTCOG considers as part of Title VI initiatives are provided in this appendix.

Maps

Population Density

2012

2035

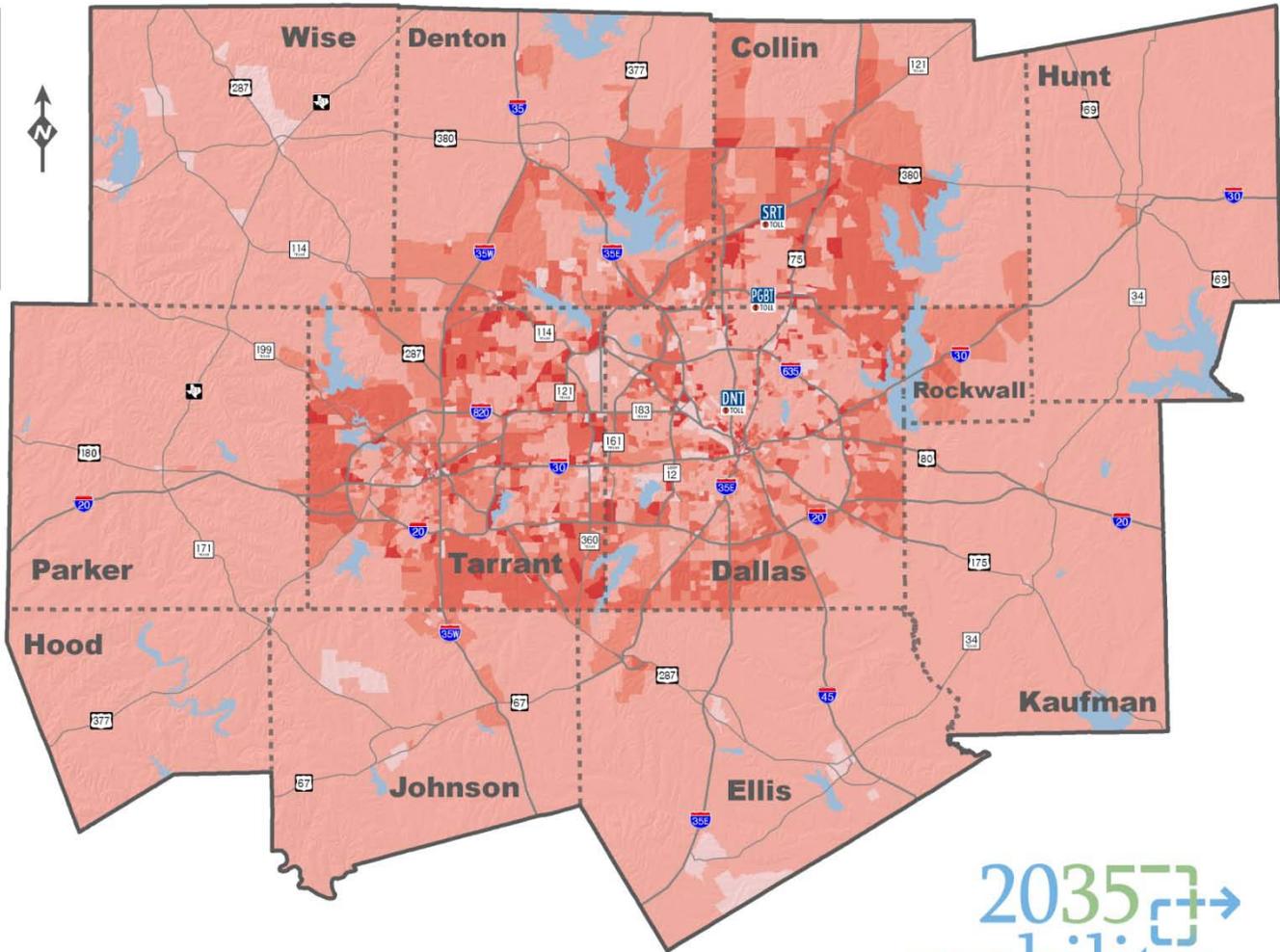
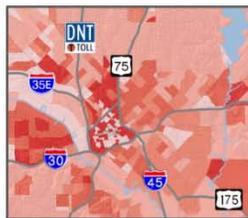
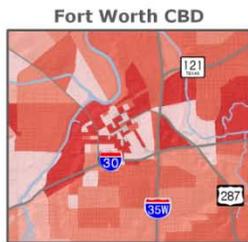


Legend	
	0 to 500
	501 to 1,000
	1,001 to 5,000
	5,001 to 10,000
	10,001 or more

Population density in persons per square mile by Traffic Survey Zone
 Source: NCTCOG 2040 Demographic Forecast



Change in Population Density: 2012-2035



Population density in persons per square mile by Traffic Survey Zone
 Source: NCTCOG 2040 Demographic Forecast

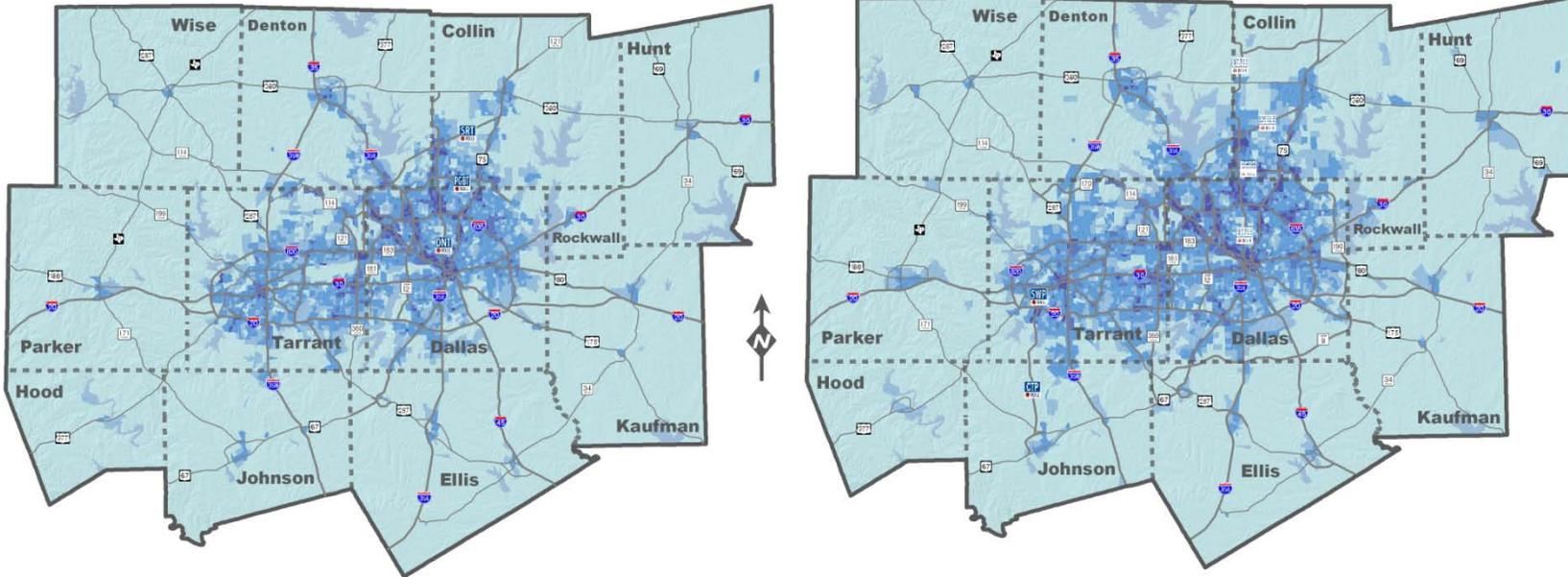


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Employment Density

2012

2035

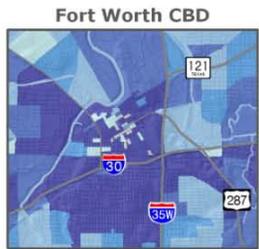
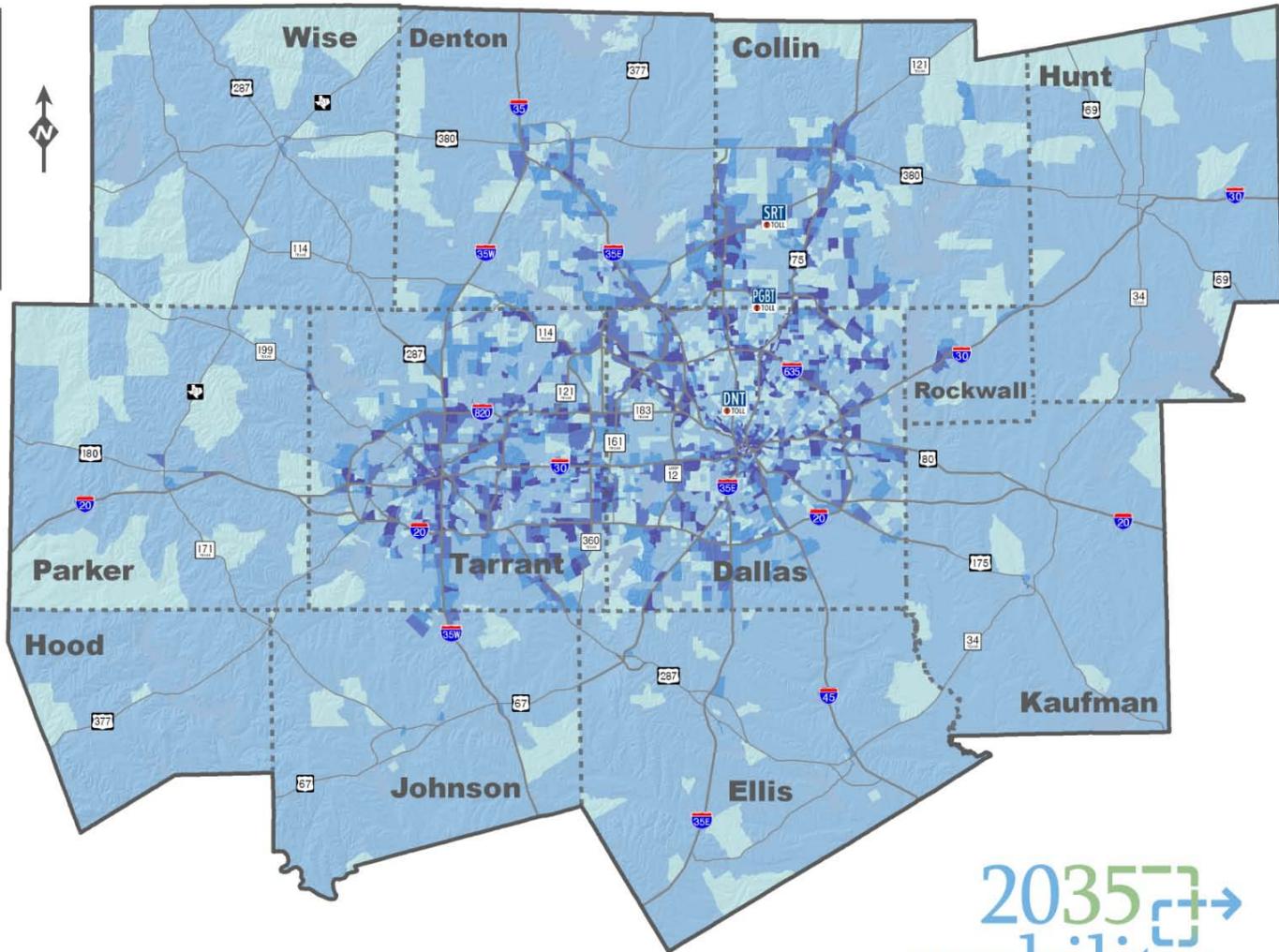


Legend	
	0 to 500
	501 to 1,000
	1,001 to 5,000
	5,001 to 10,000
	10,001 or more

Employment density in jobs per square mile by Traffic Survey Zone
 Source: NCTCOG 2040 Demographic Forecast



Change in Employment Density: 2012-2035



Employment density in jobs per square mile by Traffic Survey Zone

Source: NCTCOG 2040 Demographic Forecast

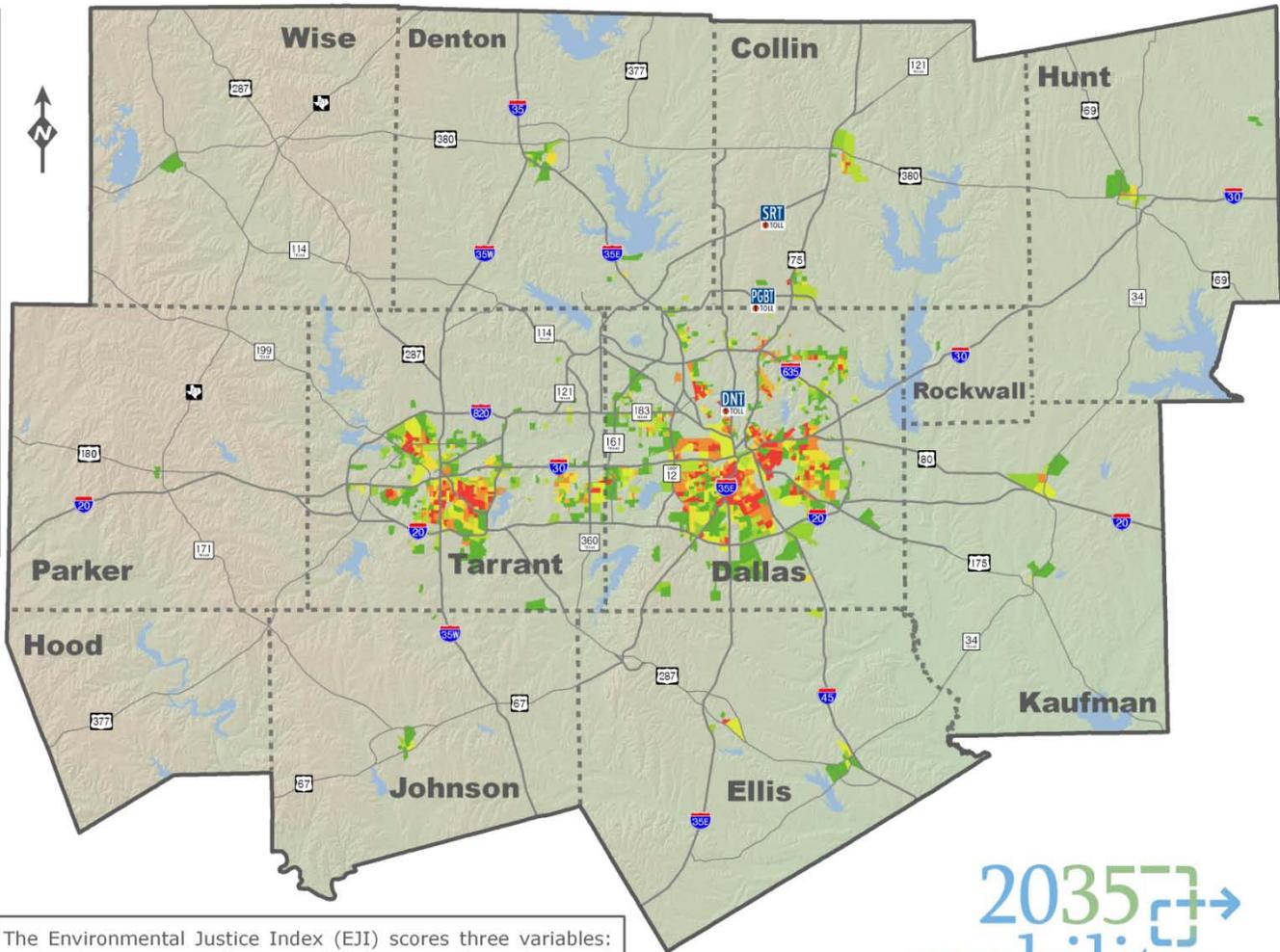
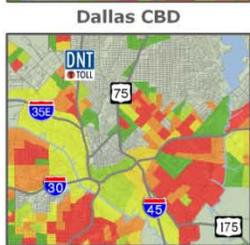


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Additional Maps

Environmental Justice Index



The Environmental Justice Index (EJI) scores three variables: persons per square mile, percent below poverty, and percent minority. Scores are assigned based on density and a comparison to the regional average; the scores are multiplied to obtain an EJI of 1 to 100. Block groups are displayed based on their EJI score in intervals of 10, from 1 to 100. Data is from 2000 Census.

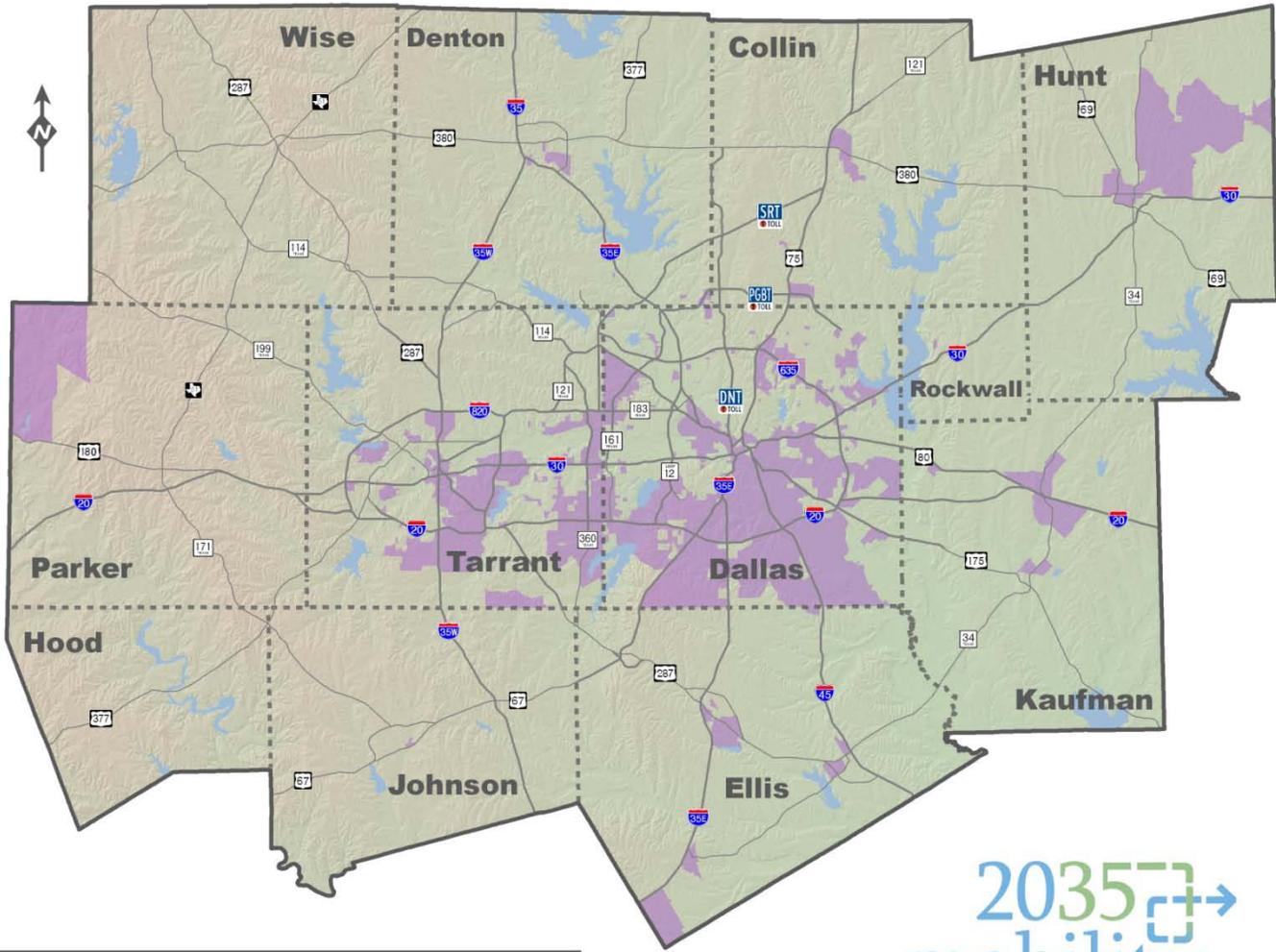


African American Population

Legend

Block Group

Above Regional Average of 14.99%



Black or African American is a person having origins in any of the black racial groups of Africa. Individuals who are identified as Black/African Americans and Hispanics are included in the total number of Black/African American persons. The regional average of Black/African Americans per block group is 14.99 percent. Data is from Census 2000 Summary File 1.

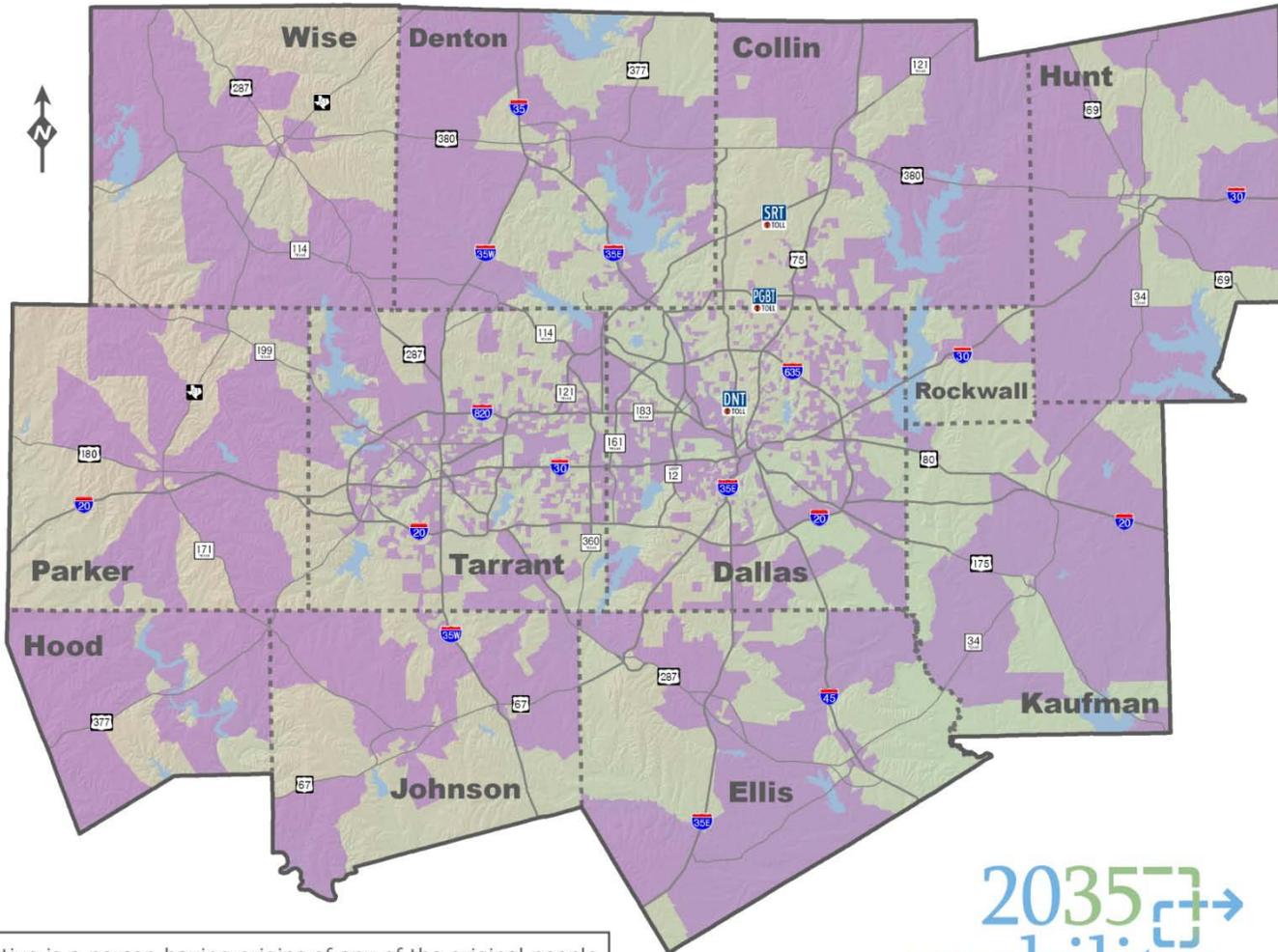


American Indian/Alaskan Native Population

Legend

Block Group

 Above Regional Average of 0.57%



American Indian/Alaskan Native is a person having origins of any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition. Individuals who are identified as American Indian/Alaskan Native and Hispanic are included in the total number of American Indian/Alaskan Native persons. The regional average of American Indian/Alaskan Native persons per block group is 0.57 percent. Data is from Census 2000 Summary File 1.

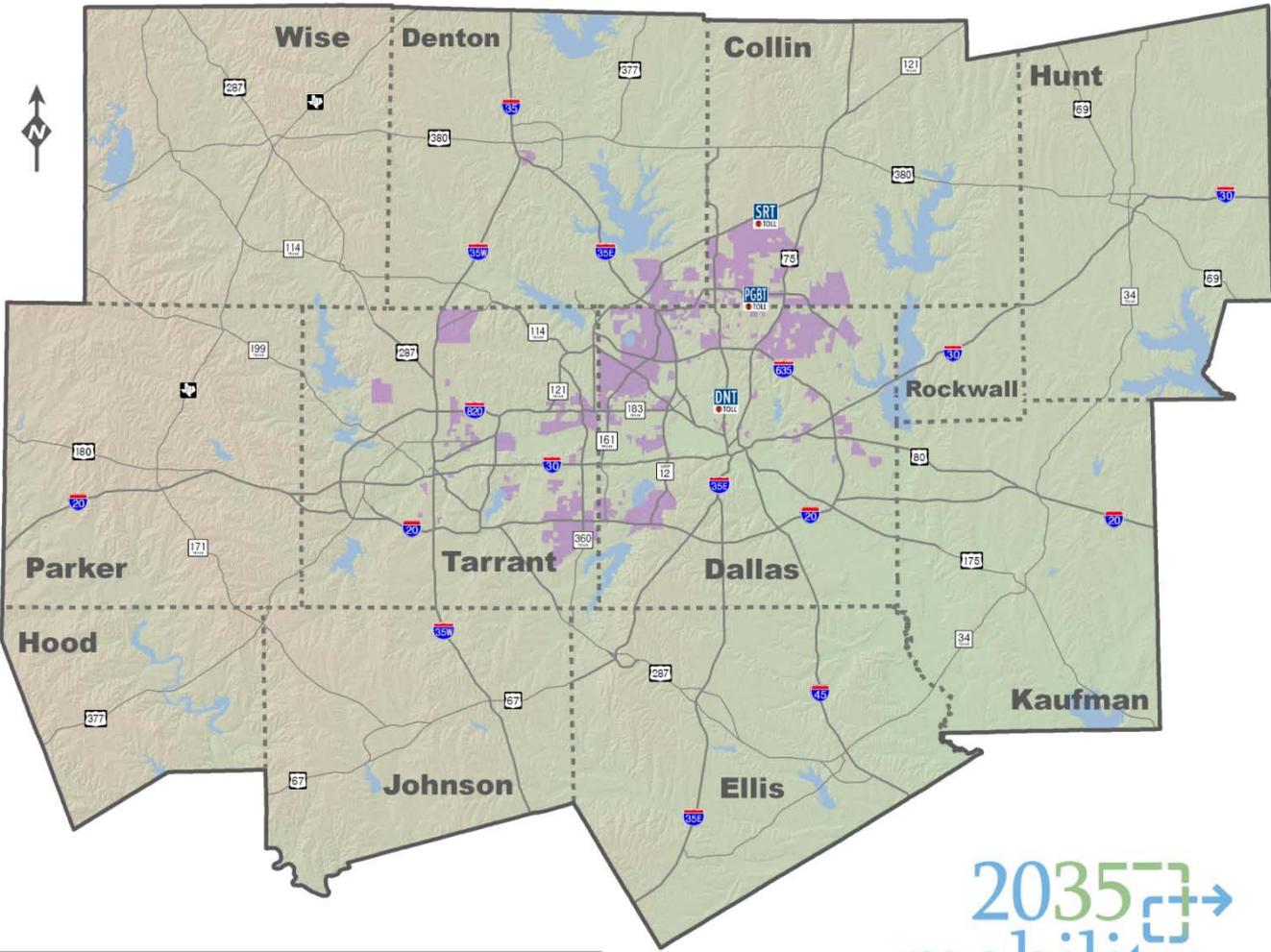


Asian Population

Legend

Block Group

Above Regional Average of 3.29%



Asian is classified as a person having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. Individuals who are identified as Asian and Hispanic are included in total number of Asian persons. The regional average of Asians per block group is 3.29 percent. Data is from Census 2000 Summary File 1.



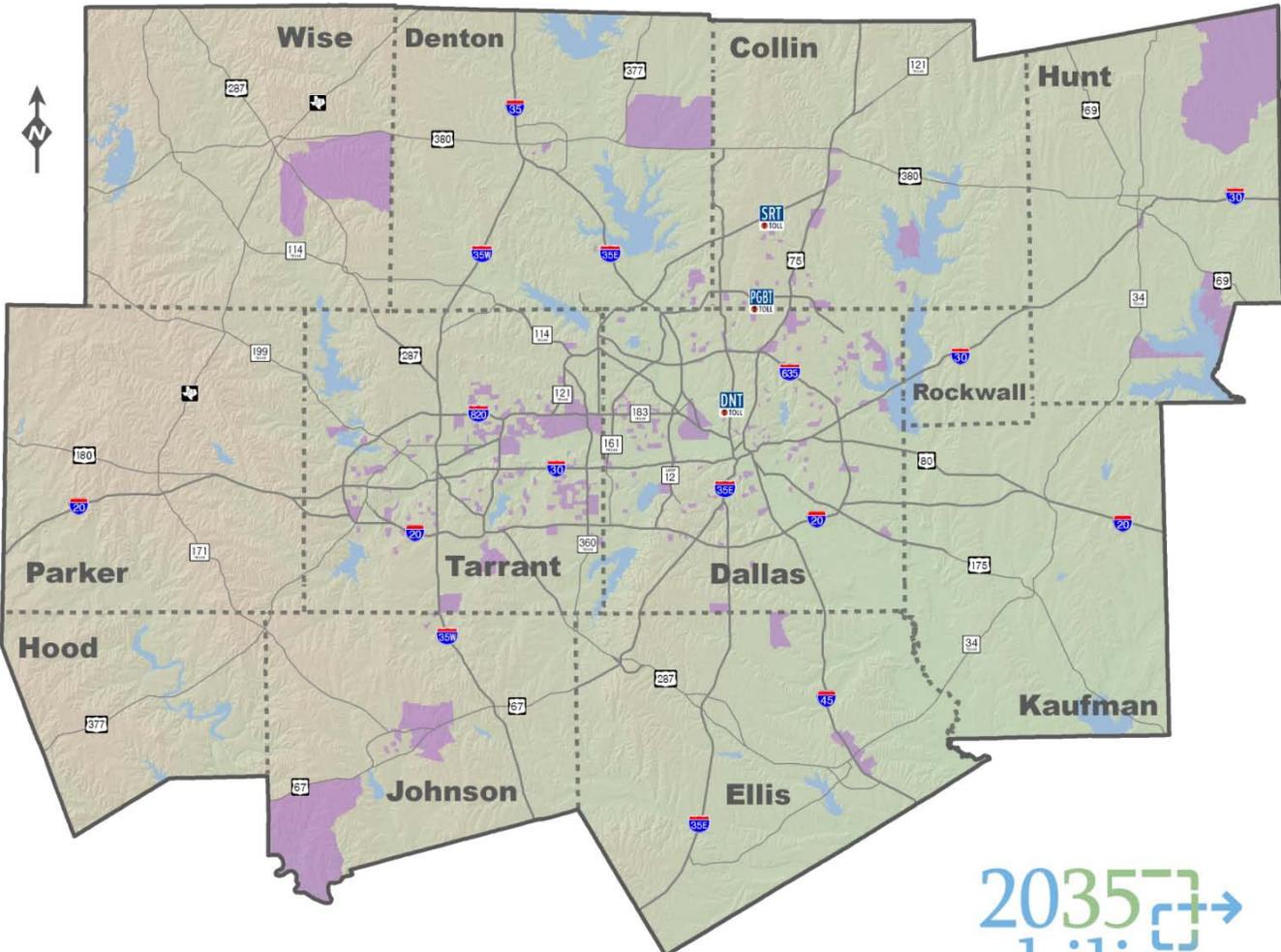
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Hawaiian/Pacific Islander Population

Legend

Block Group

- Above Regional Average of 0.22%



Hawaiian/Pacific Islander is a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. Individuals who are identified as Hawaiian/Pacific Islander and Hispanic are included in the total number of Hawaiian/Pacific Islander persons. The regional average of Hawaiian/Pacific Islanders per block group is 0.22 percent. Data is from Census 2000 Summary File 1.

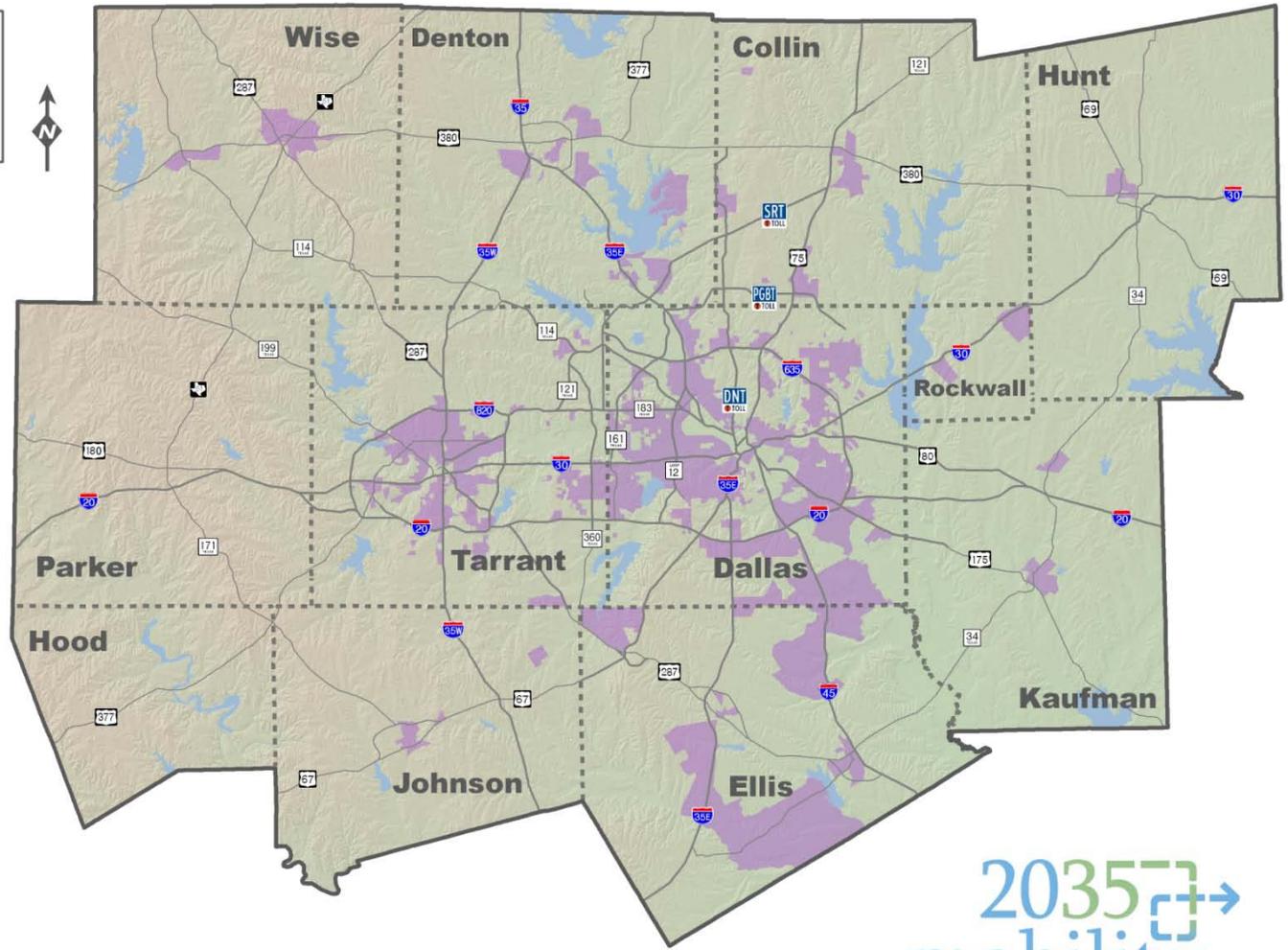
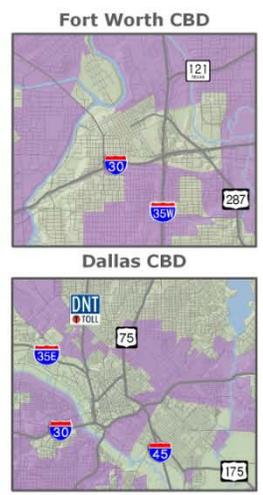


Hispanic Population

Legend

Block Group

 Above Regional Average of 22.28%



Hispanic is classified as a person of Mexican, Puerto Rican, Cuban, Central American, or other Spanish culture or origin regardless of race. The regional average of Hispanics per block group is 22.28 percent. Data is from Census 2000 Summary File 1.

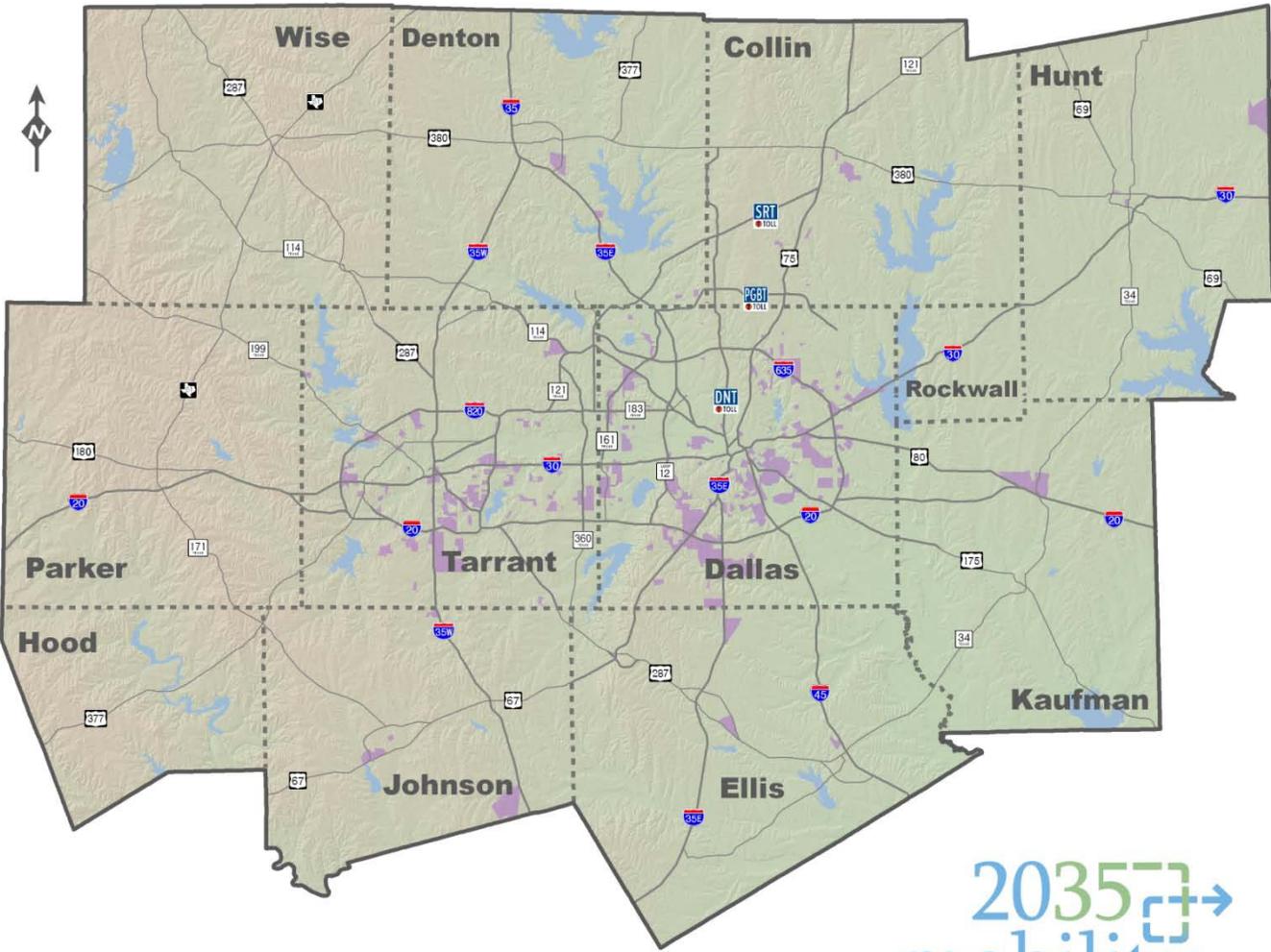


Female Head of Household Population

Legend

Block Group

 Above Regional Average of 4.68%



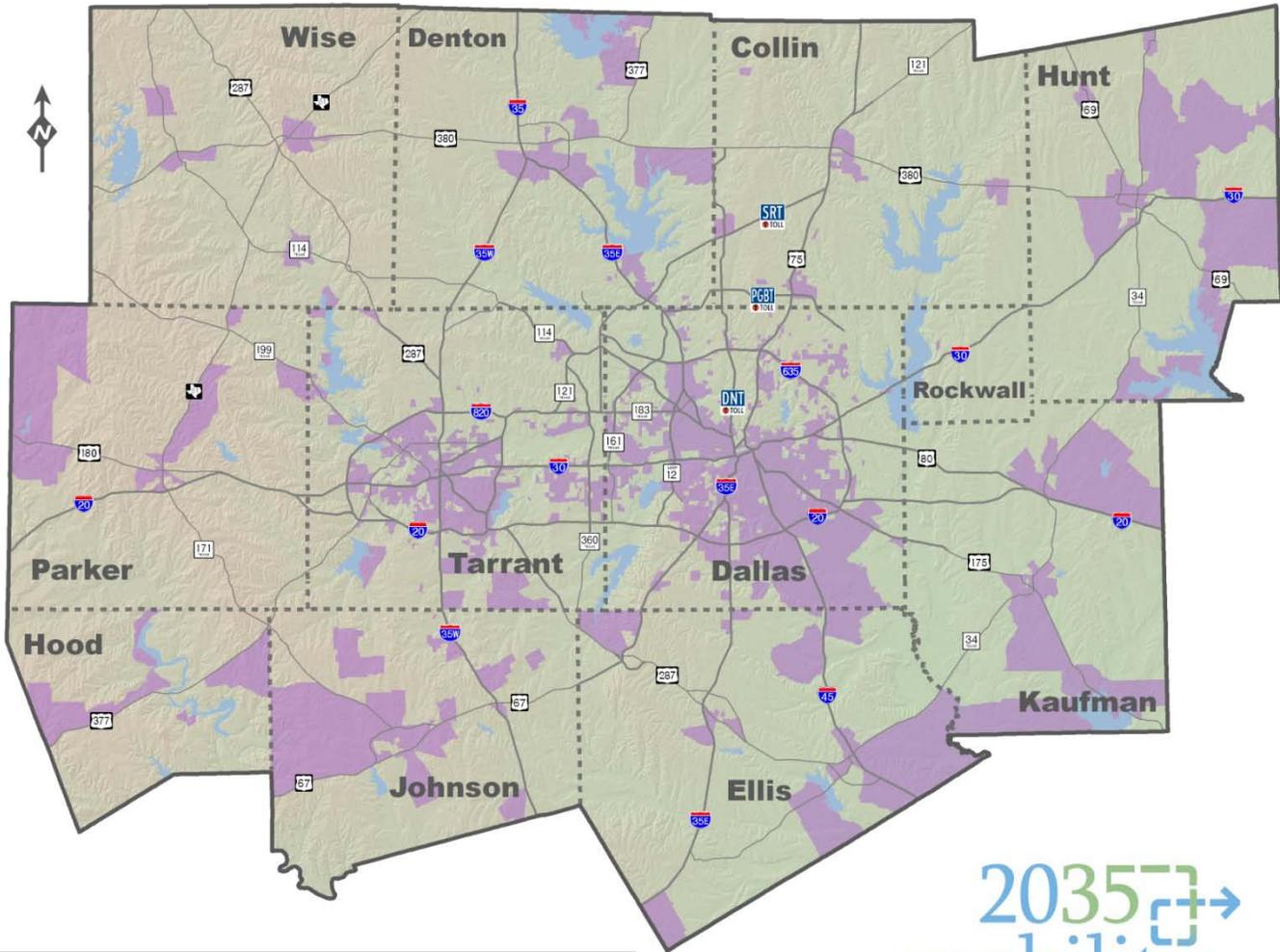
Female Head of Household is any household with children under 18 years old and no husband present. Total number of households was used to determine the regional average. The regional average of Female Head of Household per block group is 4.68 percent. Data is from Census 2000 Summary File 3.



Low Income Population

Legend

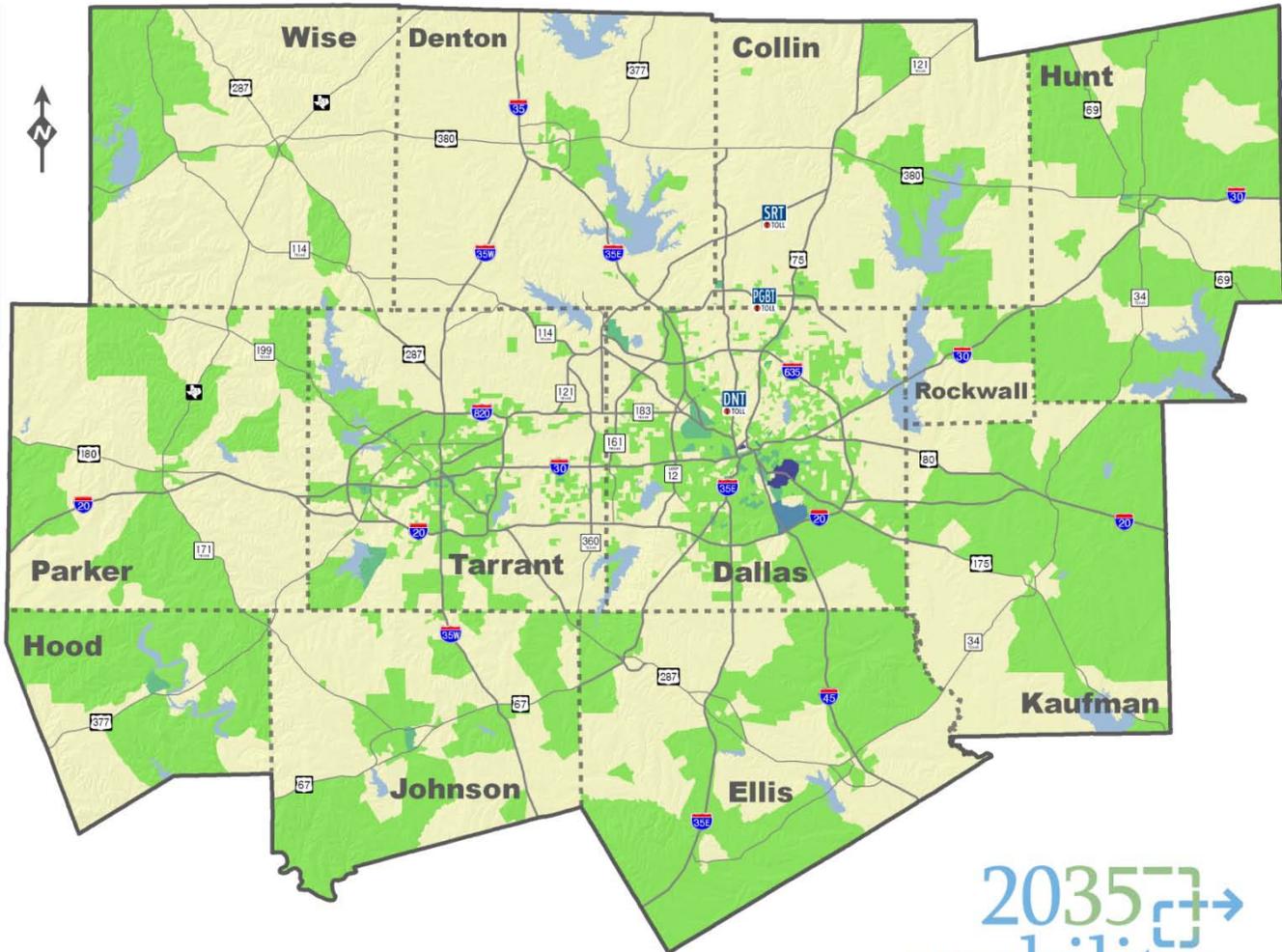
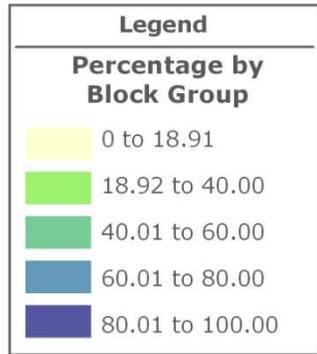
Block Group
 Above Regional
 Average of 11.86%



Low Income Population is any person whose household income is at or below the Department of Health and Human Services poverty guidelines. Total population for whom poverty status was surveyed was used to determine the regional average of persons below the poverty line. The regional average of Low Income Population per block group is 11.86 percent. Data is from Census 2000 Summary File 3.



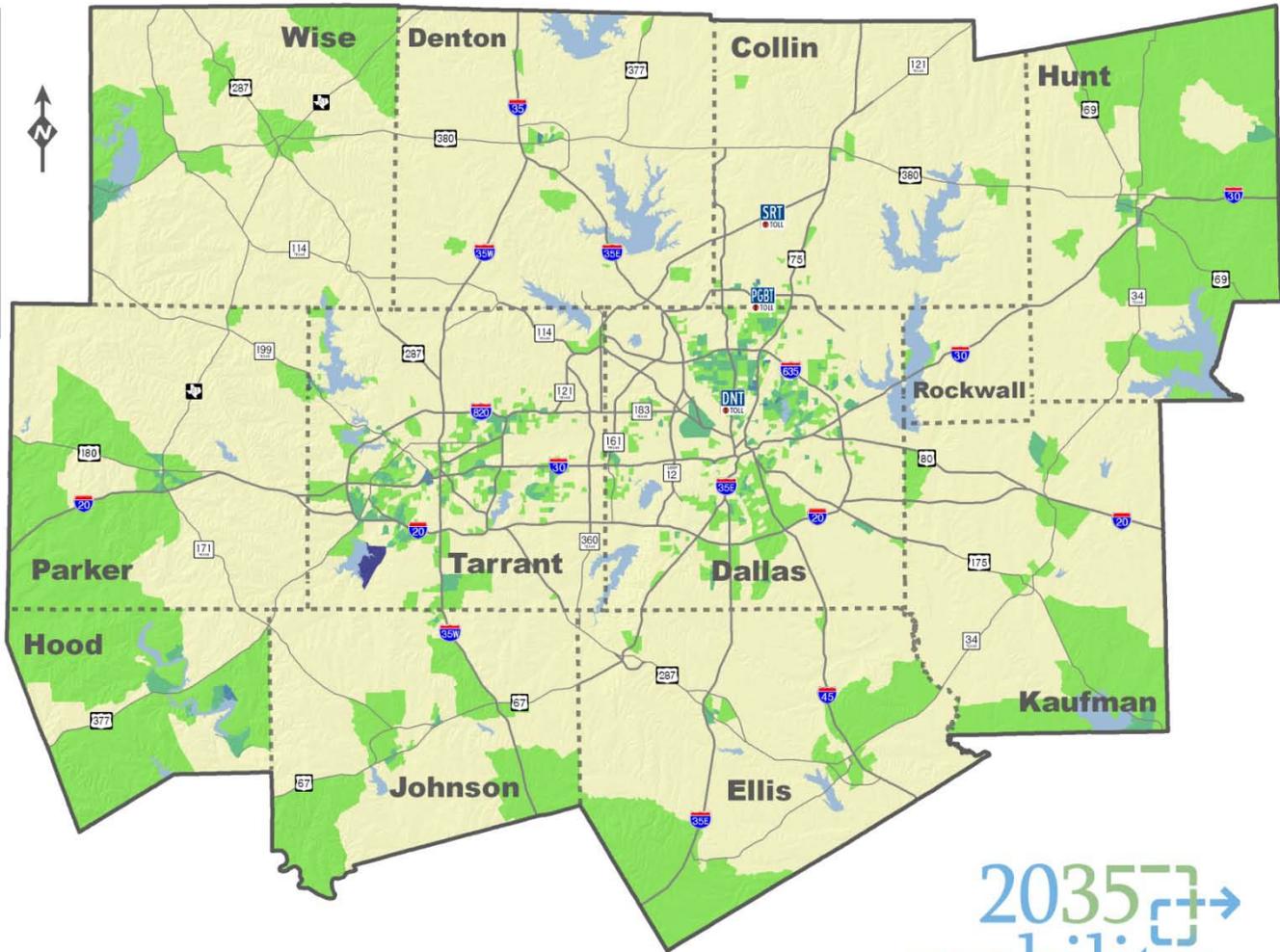
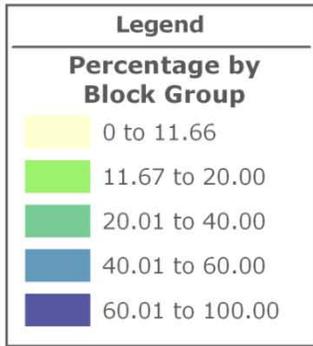
Persons with Disabilities



Persons with Disabilities is any civilian, non-institutionalized individual over 5 years old with at least one disability. The total population of civilian, non-institutionalized individuals over 5 years old was used to determine regional average. The regional average of Persons with Disabilities per block group is 18.91 percent. Data is from Census 2000 Summary File 1.



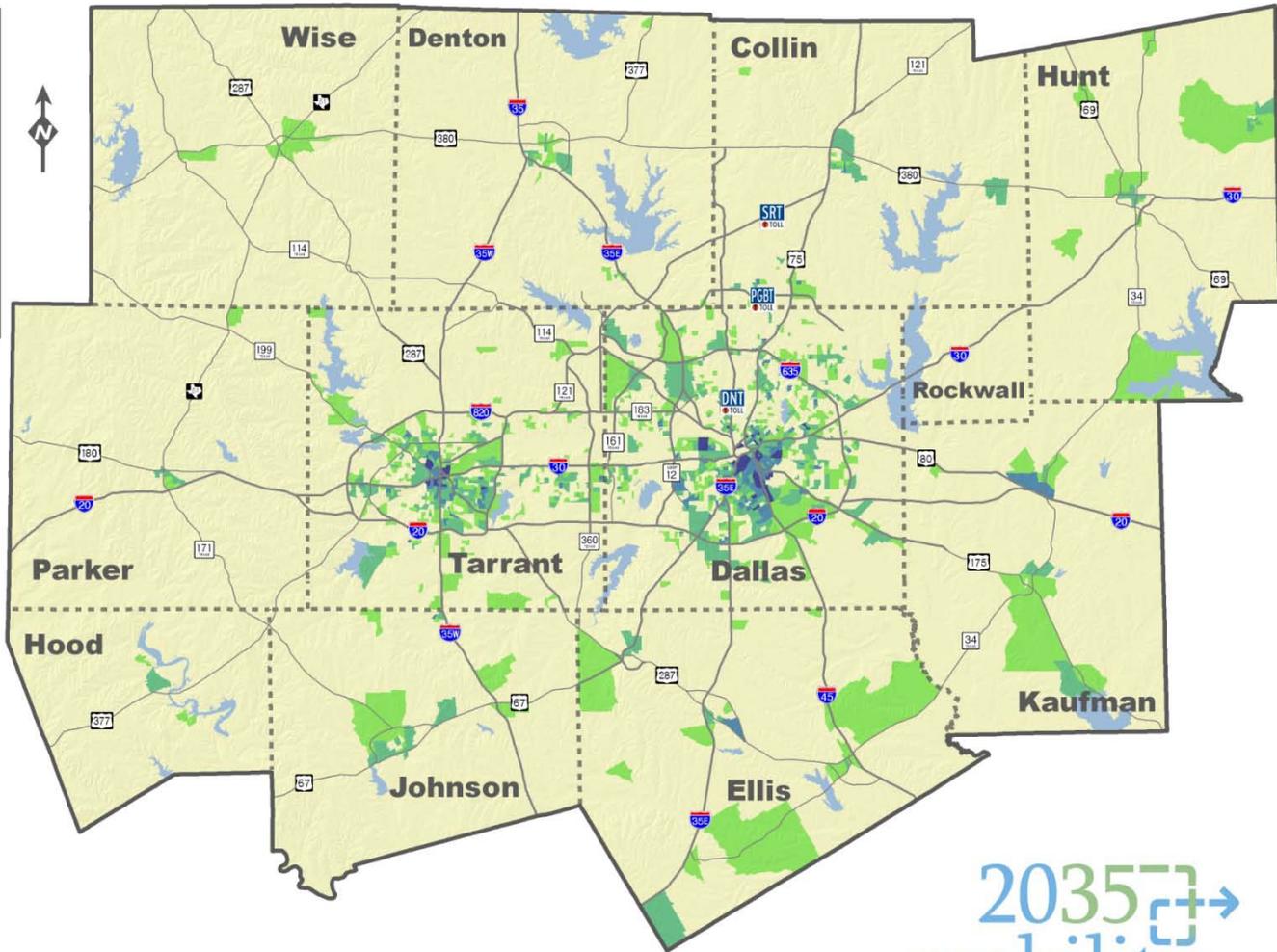
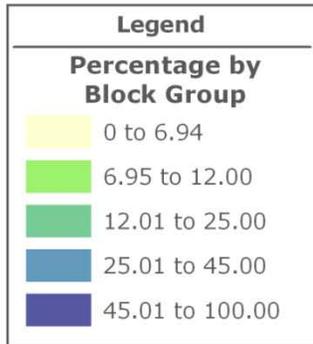
Population Over 65 Years of Age



Persons Over 65 is any person over 65 years old. The regional average of Persons Over 65 per block group is 11.66 percent. Data is from Census 2000 Summary File 1.



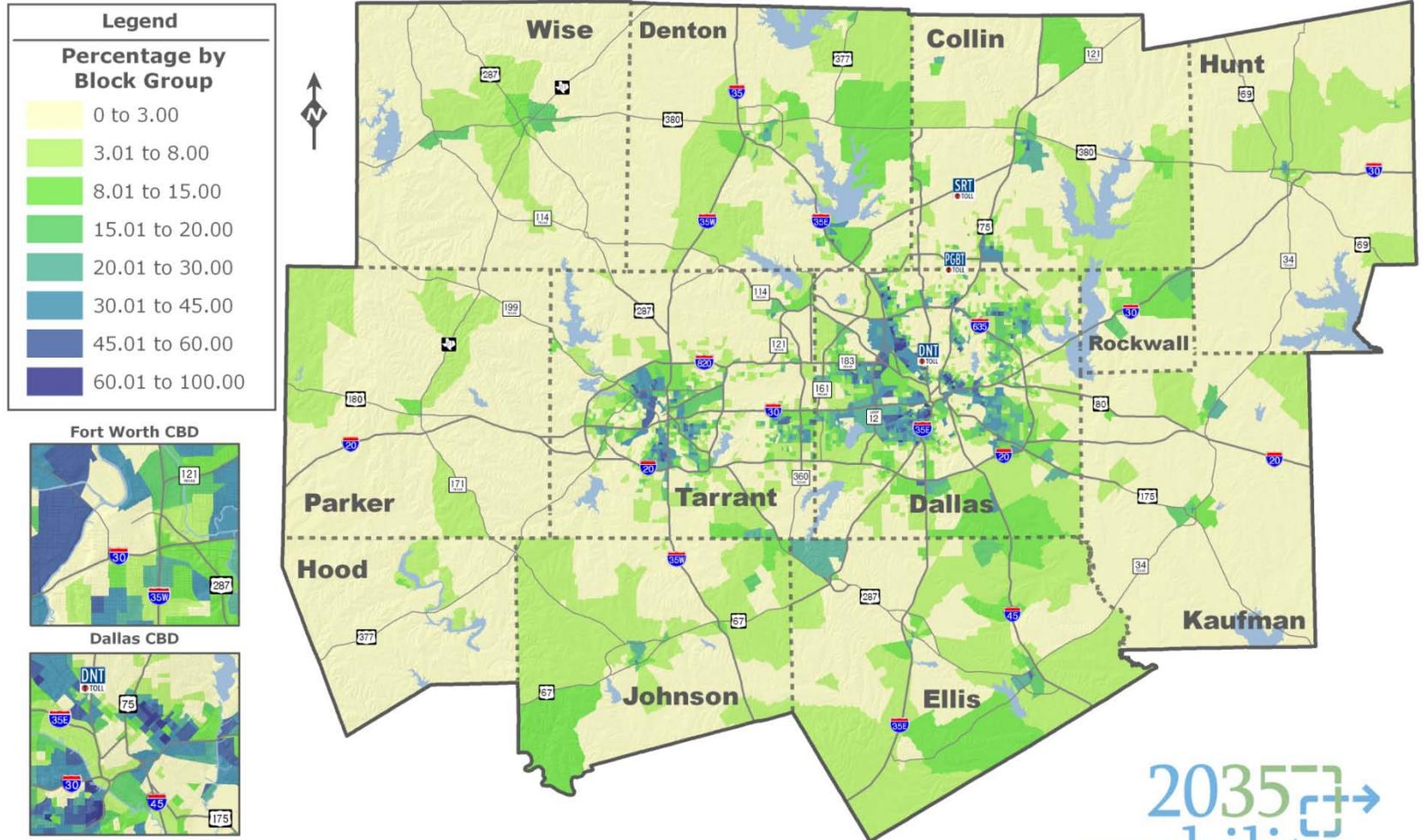
Zero Car Households



Zero Car Households is the number of housing units that have no vehicle available. The regional average of Zero Car Households per block group is 6.93 percent. Data is from Census 2000 Summary File 3.



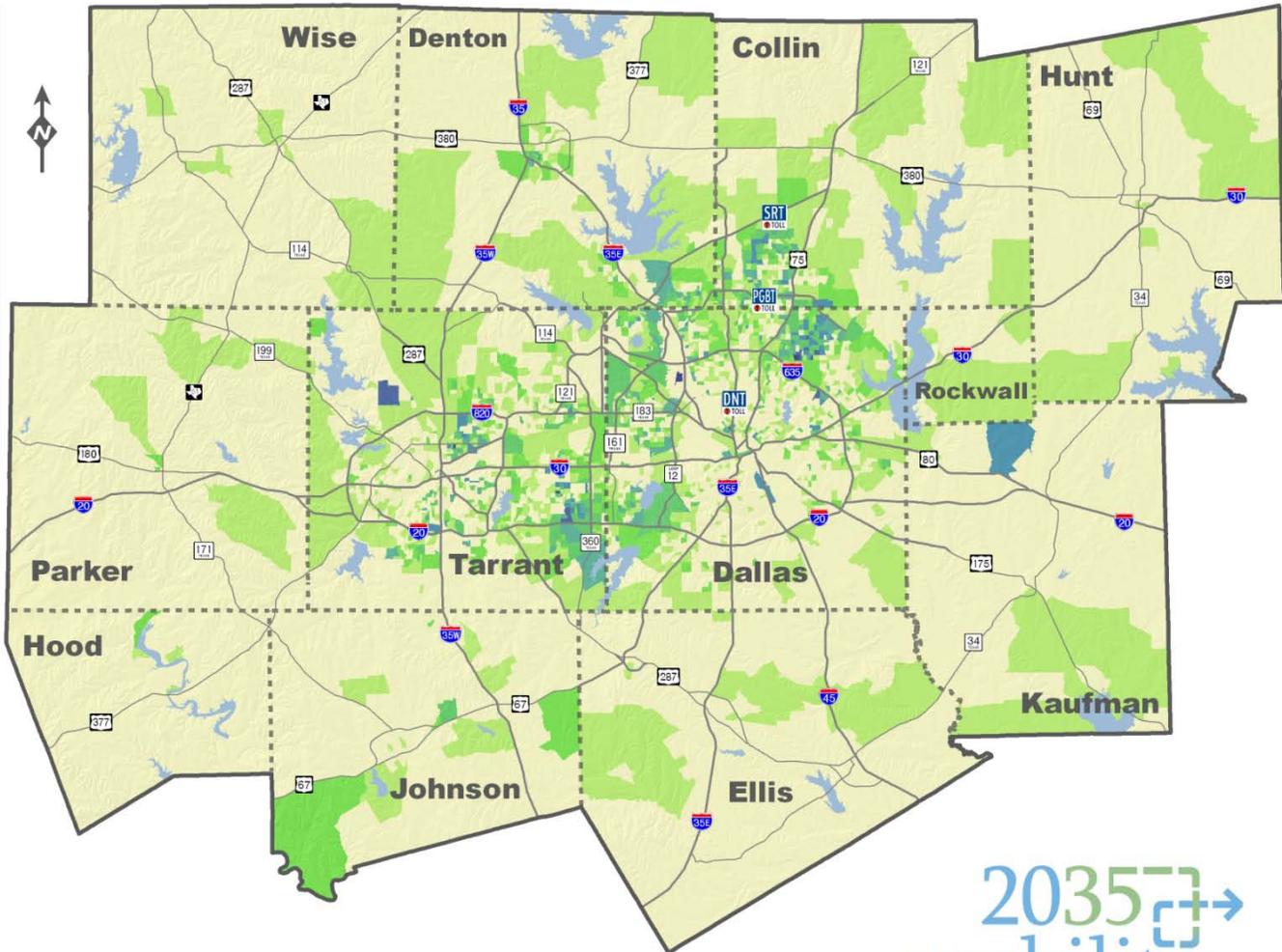
Limited English Proficiency: Spanish



Spanish Language Limited English Proficient (LEP) are individuals who speak Spanish as their primary language and have a limited ability to read, speak, write, or understand English. Individuals who answered their ability to read, speak, write, or understand English as "well", "not well", or "not at all" are considered LEP. The regional average of Spanish LEP persons per block group is 10.50 percent. Data is provided from Census 2000 Summary File 3.



Limited English Proficiency: Asian Languages



Asian Languages Limited English Proficient (LEP) are individuals who speak an Asian language as their primary language and have a limited ability to read, speak, write, or understand English. Individuals who answered their ability to read, speak, write, or understand English as "well", "not well", or "not at all" are considered LEP. Asian languages include Chinese, Japanese, Korean, Mon-Khmer, Cambodian, Hmong, Thai, Laotian, Vietnamese, Tagalog, and other Pacific Island and Asian languages. The regional average of Asian LEP persons per block group is 1.28 percent. Data is provided from Census 2000 Summary File 3.



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Environmental Justice Analysis Methodology

The analysis included the review of key system performance measures, such as number of jobs accessible within 30 minutes by automobile or 60 minutes by transit and the overall roadway level of service, for areas determined to have significant populations of protected class populations versus unprotected class populations.

Accessibility Indicators

The performance measures related to accessibility to jobs, either by car or by transit, were computed based on the travel times forecasted for roadway and transit networks associated to specific years or scenarios (Build and No-build).

The first step of the analysis consists in classifying each zone as below or above the regional average; a zone with a percentage of protected class population greater than the regional average is considered as protected. After this classification is performed, the numbers of jobs accessible must be calculated for each of the travel forecasting zones; accessible is defined as within 30 minutes for auto and within 60 minutes for transit. This calculation is done based on forecasted travel times from the centroid of each zone to the centroids of the remaining zones using the information indicated below.

For auto: AM shortest path time plus the time spent at trip end points going to and from the vehicle.¹

For transit: Minimum of the sum of the Initial Wait Time, Transfer Wait Time, Transfer Time, Access Time, Egress Time, Drive Time, and Dwell Time from the Bus, Rail, and Bus-Rail matrices for Peak Park-and-Ride and No Park-and-Ride.²

For each TSZ it will be necessary to identify all the TSZs that are located within 30 minutes for auto and 60 minutes for transit. Once these TSZs are identified, the total employment accessible by auto and by transit must be summed and saved as attributes of each TSZ. Finally, the regional average number of jobs accessible to protected zones, for auto and transit, can be computed as weighted averages based on population using the following formulas:

¹ [TerminalPKTIME] of the PK_HOV.mtx file

² Min([Initial Wait Time] + [Transfer Wait Time] + [Transfer Time] + [Access Time] + [Egress Time] + [Drive Time] + [Dwelling Time]) from BPKPR.mtx, BPKNOPRnew.mtx, RPKPR.mtx, BPKNOPR.mtx, BRPKNOPRnew.mtx, and RPKNOPR.mtx

$$Jobs\ for\ auto_{Regional\ average} = \frac{\sum_{i=1}^n Jobs\ within\ 30\ min_i \times Population_i \times \phi_i}{\sum_{i=1}^n Population_i \times \phi_i}$$

$$Jobs\ for\ transit_{Regional\ average} = \frac{\sum_{i=1}^n Jobs\ within\ 60\ min_i \times Population_i \times \phi_i}{\sum_{i=1}^n Population_i \times \phi_i}$$

Where:

i = Index used to represent a travel forecasting zone.

ϕ = Parameter equal to 1 for protected zones, otherwise it is equal to zero.

The job accessibility values for the unprotected zones can be calculated using similar formulas to those previously described, but inverting the value of the parameter ϕ so that it is equal to 1 for those zones that have a performance measure lower than the regional average.

Congestion Level

The congestion level is calculated for each protected group based on attributes of the links of the roadway networks. In this case, the first step consists of identifying if a link is located in a protected or unprotected zone. The regional congestion value for protected zones is then calculated using the formula presented below.

Congestion Level =

Where:

$$\frac{\sum_{i=1}^n (Max(AMHRVOC_{AB_i}, PMHRVOC_{AB_i}) + Max(AMHRVOC_{BA_i}, PMHRVOC_{BA_i})) * MODEL_LENGTH_i \times \phi_i}{\sum_{i=1}^n (MODEL_LENGTH_i \times \phi_i \times \beta_i)}$$

I = Index used to represent a roadway link where FUNCL = {1, 2, 3, 6, 7, 8}.

AMHRVOC_AB/BA = Peak Hour Volume Capacity Ratio in the AB or BA direction of a link during the AM peak period, respectively.

PMHRVOC_AB/BA = Peak Hour Volume Capacity Ratio in the AB or BA direction of a link during the PM peak period, respectively.

Model_Length = Length of the link in miles.

\emptyset = Parameter equal to 1 for links located in protected zones; otherwise it is equal to zero.

β = Number of directions (AB, BA) on the link. 2 if DIR = 0; 1 otherwise.

For unprotected zones, a similar formula to the one previously shown is used and the value of the \emptyset parameter is inverted accordingly.

Average Travel Time to Special Generators

Population Accessible to Special Generators by Car (Hospitals, Regional Shopping Centers, Universities)

The Population Accessible to Hospital, Regional Shopping Mall, and University Special Generators is the number of people within 30 minutes of auto travel time in the off-peak period from protected zones to hospital, regional shopping mall, and university special generators.

This calculation incorporates the parameter \emptyset so only travel to protected zones is included; for unprotected zones, a similar formula to the one previously shown is used and the value of the \emptyset parameter is inverted accordingly. The formula for Population Accessible to Hospital, Regional Shopping Mall, and University Special Generators is shown below:

$$Population\ Accby\ autoto\ SG_{30min} = \sum_{i=1}^n \beta_i \times Population_i \times \phi_i$$

Where:

i = Index used to represent a travel forecasting zone.

β_i = Parameter for zone i which is 1 if the zone is within 30 minutes auto travel time in off-peak period by a Special Generator, and 0 otherwise. Access to special generator types of Hospital, Regional Shopping Mall, and University Special Generators are calculated separately.

\emptyset = Parameter equal to 1 for protected zones, otherwise it is equal to zero.

Average Travel Length (Time and Distance)

Average Trip Time by Car (Minutes)

The Average Trip Time is the ratio of the product of trips and time to trips from protected zones to all zones. The value is calculated using home-based work trips and the shortest path travel time in the AM peak period. The calculation of Average Trip Time incorporates the parameter \emptyset so only travel to protected zones is included; for unprotected zones, a similar formula to the one previously shown is used and the value of the \emptyset parameter is inverted accordingly. The formula for Average Trip Time is the following:

$$\frac{\sum_{i=1}^n ([HBW]_i * [PKTIME_AB / PKTIME_BA]_i \times \phi_i)}{\sum_{i=1}^n ([HBW]_i \times \phi_i)}$$

Where:

i = Index used to represent a travel forecasting zone.

[HBW] = Home-based work trips taken from core [HBW] in matrix PADIST.MTX.

PKTIME_AB / PKTIME_BA = Shortest path travel time in AM peak period; core in PK_HOV.MTX. This core is used in order to be similar to the values that appear in the Trip Distribution portion of the performance report; Terminal Time is not incorporated.

\emptyset = Parameter equal to 1 for protected zones, otherwise it is equal to zero.

Average Trip Length by Car (Mile)

The Average Trip Length is the ratio of the product of trips and length to trips from protected zones to all zones. The value is calculated using home-based work trips and the shortest path travel length in the AM peak period.

The calculation of Average Trip Length incorporates the parameter \emptyset so only travel to protected zones is included; for unprotected zones, a similar formula to the one

previously shown is used and the value of the ϕ parameter is inverted accordingly. The formula for Average Trip Length is the following:

$$\frac{\sum_{i=1}^n ([HBW]_i * [MODEL_LENGTH(Skim)]_i \times \phi_i)}{\sum_{i=1}^n ([HBW]_i \times \phi_i)}$$

Where:

i = Index used to represent a travel forecasting zone.

[HBW] = Home-based work trips taken from core [HBW] in matrix PADIST.MTX.

[MODEL_LENGTH(Skim)] = Shortest path travel length in AM peak period; core in matrix PK_HOV.MTX.

ϕ = Parameter equal to 1 for protected zones, otherwise it is equal to zero.

Environmental Justice Analysis Results

The following tables represent the results of the key performance measures for the aggregate protected and individual populations.

How to Read the Results:

Definitions

Total: The total population for the region for each demographic scenario.

Protected: The total population for the specific EJ group used for the analysis. In the aggregate chart this represents all minority and low-income persons. For each subsequent chart the specific population is singled out for comparison.

Non-protected: The total population less the protected population being analyzed. In the aggregate table the non-protected population is the total population less all minority and low-income persons. For each subsequent chart the non-protected population will include the total population less the total population of the specific population being singled out for comparison. For this reason protected populations

are included in the non-protected category. For example, for the low-income analysis, the non-protected population in the total population less the low-income population; minority populations are considered non-protected for this analysis.

Current Network: This scenario uses the 2012 network and demographic projection. This year was used to be consistent with the current network definition used for conformity determination. This analysis is performed to provide a base year to determine how the recommendations in Mobility 2035 impact the community.

2035 Build: This scenario uses 2035 demographic projections and assumes that all of the recommendations in Mobility 2035 are built. This analysis is performed to determine the impacts of building the recommendations in Mobility 2035 on the community.

2035 No-build: This scenario uses the 2035 demographic projections and assumes that no recommendations in Mobility 2035 are built. This analysis is performed to determine the impacts of not building the recommendations in Mobility 2035 on the community.

Number of Jobs Accessible Within 30 Minutes by Auto: The regional average number of jobs within a 30-minute travel contour from zones identified as protected or non-protected.

Number of Jobs Accessible Within 60 Minutes by Auto: The regional average number of jobs within a 60-minute travel contour from zones identified as protected or non-protected.

Congestion: This is the average percent lane miles congested for zones identified as protected and non-protected.

Difference: The difference of the average number of jobs accessible for protected and non-protected populations or the difference between the percent lane miles congested.

Percent Change: This is the percent change in the number of jobs available within the given travel contours between the Build and No-build scenario or percent change in congestion.

How to Read the Chart:

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,691,315	2,068,901	2,068,901	
	Non-protected	4,960,572	7,764,477	7,764,477	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	971,478	1,170,663	878,153	33.3%
	Non-protected	556,937	526,696	364,362	44.5%
	<i>Difference</i>	<i>414,541</i>	<i>643,967</i>	<i>513,790</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,449,596	2,790,727	1,729,265	61.4%
	Non-protected	830,392	1,960,364	682,122	187.4%
	<i>Difference</i>	<i>619,204</i>	<i>830,363</i>	<i>1,047,143</i>	
Percent of Lane Miles Congested	Protected	0.43	0.54	0.60	-9.5%
	Non-Protected	0.40	0.53	0.63	-15.7%
	<i>Difference</i>	<i>0.03</i>	<i>0.01</i>	<i>-0.03</i>	

This represents the percent more jobs available in the 2035 Build scenario than the No-build scenario for both the protected and non-protected populations. Here the protected population has access to 34.3% more jobs in the Build scenario than the No-build scenario.

This represents the percent change in congestion levels in the Build and No-build scenarios. A negative number indicates a reduction in congestion. Here the protected population will experience 9.5% more congestion in the No-build scenario than in the Build scenario.

Access to Jobs and Congestion

Performance Results for Aggregate Environmental Justice Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,691,315	2,068,901	2,068,901	
	Non-protected	4,960,572	7,764,477	7,764,477	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	971,478	1,170,663	878,153	33.3%
	Non-protected	556,937	526,696	364,362	44.5%
	<i>Difference</i>	<i>414,541</i>	<i>643,967</i>	<i>513,790</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,449,596	2,790,727	1,729,265	61.4%
	Non-protected	830,392	1,960,364	682,122	187.4%
	<i>Difference</i>	<i>619,204</i>	<i>830,363</i>	<i>1,047,143</i>	
Percent of Lane Miles Congested	Protected	0.43	0.54	0.60	-9.5%
	Non-protected	0.40	0.53	0.63	-15.7%
	<i>Difference</i>	<i>0.03</i>	<i>0.01</i>	<i>-0.03</i>	

A negative percent change indicates a reduction in congestion.

Performance Results for Low-income Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,843,117	2,485,163	2,485,163	
	Non-protected	4,808,770	7,348,215	7,348,215	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	841,112	963,835	721,907	33.5%
	Non-protected	593,818	560,166	388,099	44.3%
	<i>Difference</i>	<i>247,294</i>	<i>403,669</i>	<i>333,808</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,279,548	2,498,798	1,432,666	74.4%
	Non-protected	876,021	2,012,056	723,113	178.2%
	<i>Difference</i>	<i>40,3527</i>	<i>846,742</i>	<i>709,553</i>	
Percent of Lane Miles Congested	Protected	0.38	0.50	0.59	-14.6%
	Non-protected	0.40	0.55	0.65	-15.4%
	<i>Difference</i>	<i>-0.02</i>	<i>-0.05</i>	<i>-0.06</i>	

A negative percent change indicates a reduction in congestion.

Performance Results for African American Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,487,428	2,012,470	2,012,470	
	Non-protected	5,164,459	7,820,908	7820908	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	805,696	949,383	708,872	33.9%
	Non-protected	521,050	588,282	411,629	42.9%
	<i>Difference</i>	<i>184,646</i>	<i>361,101</i>	<i>297,243</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,259,564	2,655,008	1,403,348	89.2%
	Non-protected	909,569	2,001,279	773,542	158.7%
	<i>Difference</i>	<i>349,995</i>	<i>653,729</i>	<i>629,806</i>	
Percent of Lane Miles Congested	Protected	0.40	0.51	0.59	-13.5%
	Non-protected	0.40	0.54	0.64	-16.4%
	<i>Difference</i>	<i>0.00</i>	<i>-0.02</i>	<i>-0.05</i>	

A negative percent change indicates a reduction in congestion.

Performance Results for American Indian/Alaskan Native Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	2,705,283	4,177,524	4,177,524	
	Non-protected	3,946,604	5,655,854	5,655,854	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	588,936	579,582	398,344	44.7%
	Non-protected	712,654	725,412	527,206	37.6%
	<i>Difference</i>	<i>-123,718</i>	<i>-148,830</i>	<i>-128,862</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	905,328	1,928,261	785,887	145.4%
	Non-protected	1,044,385	2,287,821	988,522	131.4%
	<i>Difference</i>	<i>-139,057</i>	<i>-359,560</i>	<i>-202,635</i>	
Percent of Lane Miles Congested	Protected	0.37	0.50	0.60	-15.9%
	Non-protected	0.43	0.57	0.66	-13.6%
	<i>Difference</i>	<i>-0.06</i>	<i>-0.07</i>	<i>-0.06</i>	

A negative percent change indicates a reduction in congestion.

Performance Results for Asian Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	2,283,699	2,987,359	2,987,359	
	Non-protected	4,368,188	6,846,019	6,846,019	
	<i>Total</i>	<i>6,651,887</i>	<i>9,833,378</i>	<i>9,833,378</i>	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	835,920	892,117	618,509	44.2%
	Non-protected	571,590	561,850	408,732	37.5%
	<i>Difference</i>	<i>264,330</i>	<i>330,267</i>	<i>209,777</i>	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,206,956	2,572,975	1,238,282	107.8%
	Non-protected	873,272	1,943,983	755,885	157.2%
	<i>Difference</i>	<i>333,684</i>	<i>628,992</i>	<i>482,397</i>	
Percent of Lane Miles Congested	Protected	0.54	0.67	0.74	-9.7%
	Non-protected	0.37	0.51	0.61	-16.9%
	<i>Difference</i>	<i>0.17</i>	<i>0.16</i>	<i>0.13</i>	

A negative percent change indicates a reduction in congestion.

Performance Results for Hawaiian/Pacific Islander Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	505,407	657,164	657,164	
	Non-protected	6,146,480	9,176,214	9,176,214	
	<i>Total</i>	6,651,887	9,833,378	9,833,378	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	715,524	808,384	521,146	55.1%
	Non-protected	657,966	651,714	468,975	39.0%
	<i>Difference</i>	5,7558	156,670	52,171	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	975,444	2,108,425	884,043	138.5%
	Non-protected	972,268	2,309,469	877,430	163.2%
	<i>Difference</i>	3,176	-201,044	6,613	
Percent of Lane Miles Congested	Protected	0.37	0.50	0.56	-10.7%
	Non-protected	0.40	0.53	0.64	-16.6%
	<i>Difference</i>	-0.03	-0.03	-0.08	

A negative percent change indicates a reduction in congestion.

Performance Results for Hispanic Populations

Performance Measure	Population	Current Network	2035 Build	No-build	Percent Change (Build vs No-build)
	Protected	1,520,971	1,953,782	1,953,782	
	Non-protected	5,130,916	7,879,596	7,979,596	
	<i>Total</i>	6,651,887	9,833,378	9,833,378	
Number of Jobs Accessible within 30 Minutes by Auto	Protected	950,488	1,085,956	796,530	36.3%
	Non-protected	576,922	557,108	392,107	42.1%
	<i>Difference</i>	373,566	528,848	404,423	
Number of Jobs Accessible within 60 Minutes by Transit	Protected	1,338,447	2,701,555	1,522,333	77.5%
	Non-protected	883,888	1,994,606	748,730	166.4%
	<i>Difference</i>	454,589	706,949	773,603	
Percent of Lane Miles Congested	Protected	0.43	0.53	0.62	-14.0%
	Non-protected	0.40	0.54	0.64	-15.6%
	<i>Difference</i>	0.03	-0.01	-0.02	

A negative percent change indicates a reduction in congestion.

Public Participation Requirements

Requirement	NCTCOG Response
1. Provide adequate public notice of public participation activities and time for public review and comment.	Public meeting notices are sent to selected newspapers to ensure regional coverage. Translated notices are also sent to non-English newspapers. Notification is sent to local libraries, city halls, county courthouses, chambers of commerce (including minority chambers), and the Texas Register . In addition, NCTCOG maintains a comprehensive mailing list containing the names of individuals and organizations that wish to be notified of all public meetings, as well as stakeholders identified in 23 CFR 450.134 (a).
2. Provide timely information on transportation issues and processes.	Information is disseminated through NCTCOG's publications, reports, public meetings and other outreach events, the NCTCOG Website, local newspapers, and open meetings.
3. Employ visualization techniques to describe MTPs and TIPs.	To the maximum extent possible, NCTCOG employs visualization techniques such as maps, charts, graphs, photos, and computer simulation in its public involvement activities.
4. Make public information available in electronically accessible formats such as the World Wide Web.	Reports, plans, publications, recent presentations, and other information are available on the NCTCOG Website. Public comments may also be submitted on the NCTCOG Transportation Department Website and via e-mail. Interested parties may subscribe to receive topic-specific e-mail correspondence. Additional Web-related communication tools are evaluated continuously for implementation.
5. Hold public meetings at convenient and accessible locations and times.	Public meetings are held in diverse locations throughout the region, accessible to individuals with disabilities, preferably near transit lines or routes, at both day and evening times. Public meeting materials and summaries are archived online and hard copies can be mailed upon request.
6. Demonstrate explicit consideration and response to public input received during development of the MTP and TIP.	Public meetings are held during development of the TIP and MTP, as well as upon proposal of revisions/updates to these documents. All public comments are reviewed and considered by the RTC and standing technical, policy, and strategic committees. Public comments received on the TIP and the MTP are included in documentation of the TIP and the MTP or via reference to the Air Quality Conformity documentation.
7. Seek out and consider the needs of those traditionally underserved including, but not limited to, low-income and minority households.	A comprehensive mailing list is maintained. Public meetings are held in diverse locations throughout the region, accessible to individuals with disabilities, preferably near transit lines or routes, at both day and evening times.
8. Provide additional opportunity for public comment if final MTP or TIP differs significantly from version made available for public review.	If the TIP or MTP requires significant revisions, additional public meetings are held.
9. Coordinate with statewide transportation planning public involvement process.	When possible, public meetings are coordinated with the Texas Department of Transportation.
10. Periodic review of the Public Participation Plan.	NCTCOG regularly reviews its Transportation Public Participation Plan. If modified in a more restrictive fashion, a 45-day comment period is held following the meeting.

Mobility 2035 Public Meeting Locations

Date	Location	Meeting Type/Activity
December 7, 2009	Denton Central Fire Station	Workshop, Financial Scenario Survey
December 8, 2009	Waxahachie City Hall	Workshop, Financial Scenario Survey
December 15, 2009	Forney Justice Center	Workshop, Financial Scenario Survey
December 16, 2009	NCTCOG Office, Arlington	Workshop, Financial Scenario Survey
December 16, 2009	Weatherford Public Works Building	Workshop, Financial Scenario Survey
December 16, 2009	Burleson City Hall	Workshop, Financial Scenario Survey
February 8, 2010	Fort Worth Intermodal Transportation Center	Public Meeting, Mobility 2035 Goals Survey
February 9, 2010	Lewisville City Hall	Public Meeting, Mobility 2035 Goals Survey
February 10, 2010	Dallas Hampton-Illinois Branch Library	Public Meeting, Mobility 2035 Goals Survey
March 8, 2010	Allen City Hall	Public Meeting
March 9, 2010	Irving City Hall	Public Meeting
March 10, 2010	Ella Mae Shamblee Library, Fort Worth	Public Meeting
April 17, 2010	Live Green Plano Expo	Community Event, Transportation Improvement Survey
April 18, 2010	Oak Cliff Earth Day, Dallas	Community Event, Transportation Improvement Survey
April 20, 2010	Fletcher Warran Civic Center, Greenville	Hunt County Transportation Listening Session
April 22, 2010	Dallas EarthFest	Community Event, Transportation Improvement Survey
April 24, 2010	Coppell Earthfest	Community Event, Transportation Improvement Survey
May 24, 2010	Downtown Carrollton Summit	Community Event, Transportation Improvement Survey
June 19, 2010	Wild About Flower Mound	Community Event, Transportation Improvement Survey
July 19, 2010	Grapevine City Hall	Public Meeting
July 20, 2010	Center for Community Cooperation, Dallas	Public Meeting
July 21, 2010	Granbury Resort Conference Center	Public Meeting
December 13, 2010	Fort Worth Intermodal Transportation Center	Public Meeting
December 15, 2010	NCTCOG Office, Arlington	Public Meeting
December 16, 2010	Farmers Branch Recreation Center	Public Meeting
January 6, 2011	Decatur City Hall	Public Meeting 60 Days Prior to RTC Approval
January 11, 2011	Richardson Civic Center	Public Meeting 60 Days Prior to RTC Approval
January 12, 2011	Hurst City Hall	Public Meeting 60 Days Prior to RTC Approval
February 8, 2011	Southside Community Center, Fort Worth	Public Meeting 30 Days Prior to RTC Approval
February 15, 2011	Rockwall County Courthouse	Public Meeting 30 Days Prior to RTC Approval

Date	Location	Meeting Type/Activity
February 6, 2011	Urban League of Greater Dallas	Public Meeting 30 Days Prior to RTC Approval
March 14, 2011	Fort Worth Intermodal Transportation Center	Public Meeting
March 15, 2011	Mesquite Arts Center	Public Meeting
March 15, 2011	Emily Fowler Central Library, Denton	Public Meeting

Mobility 2035 Public Comments by Topic

Bike and Pedestrian

Comment	NCTCOG Response
NTTA is ignoring bicycle/pedestrian needs and the toll roads are creating barriers.	<p>Incorporating the needs of bicyclists and pedestrians is a regionally supported strategy to improve the availability of transportation options in the Dallas-Fort Worth area. Mobility 2035 includes Regional Veloweb recommendations that when built out will provide additional bicycle and pedestrian facilities and expand transportation options. The RTC and NCTCOG work with local governments and transportation agencies such as NTTA to encourage the evaluation and implementation of bicycle/pedestrian needs during project planning and construction of regional free and toll road facilities.</p> <p>Improving safety is critical to increasing the availability and use of bicycle and pedestrian facilities. Mobility 2035 recommends a number of bicycle and pedestrian programs and projects such as the Safety Countermeasures, Pedestrian Facilities, and Safe Routes to School Program to improve safety on these facilities.</p> <p>For information on bicycle and pedestrian programs and projects in the Dallas-Fort Worth Metropolitan Planning Area see the Mobility Options chapter and Appendix E.</p>
If two cents of the gasoline tax increase were set aside for bicycle/pedestrian projects, that would be very beneficial.	
I live in Carrollton around the Josey/Frankfort intersection and am very lucky to have a green belt pretty much in my back yard. Currently I ride my bike in the more deserted sections, but the one right behind my house is not deserted, it's a wonderful "people" place, where bikes really don't need to mix. I have several convenience stores, a grocery store, and other shopping areas that are within biking (and walking) distance to my house, but I don't feel the area is set up for bicycles or pedestrians. There are sidewalks, but no protected areas. Road crossing is hazardous. There are several bus stops that could house multi-use protected areas. I would like to suggest increasing biking and pedestrian safety by adding protected areas at bus stops and increase (and encourage) biking safety by adding better road crossings. I would like to see biking encouraged and supported in my area in general. I think building infrastructure and support for biking is very good use of transportation funds.	
The City of Arlington is proposing to implement a \$200 million bicycle lane plan. To do so, some four-lane roads would become two-lane roads with a turn lane. This will increase congestion. There is not sufficient justification for this plan.	

Funding

Comment	NCTCOG Response
When generating project cost estimates for Mobility 2035, do you consider maintenance costs?	<p>Federal regulations require Metropolitan Transportation Plans to be constrained to financial resources that are reasonably expected to be available over the life of the plan. As a result, a series of assumptions must be made to forecast future revenue. The financial assumptions used in Mobility 2035 were developed and approved by the Regional Transportation Council. The Financial Reality chapter outlines the financial assumptions used in Mobility 2035.</p> <p>The Regional Transportation Council strives to distribute federal and state funds equitably throughout the Metropolitan Planning Area. This distribution is based on an evaluation of lane miles, vehicle miles of travel, population, and size. The funds are allocated to the eastern (TxDOT Dallas and Paris Districts) and western (TxDOT Fort Worth District) portions of the MPA based on this analysis. The current distribution falls along a 69/31 split with the eastern portion of the MPA receiving the larger share based on the previously mentioned factors.</p> <p>Federal regulations also require Metropolitan Transportation Plans to contain total project costs which includes all phases of the project development process from engineering to construction to maintenance. As projects are developed and refined, a thorough accounting is done for all aspects of the project.</p>
How do you determine financial assumptions?	
I would like to know when in building public roads does life-cycle budgeting get considered. If so, how much do initial costs versus overall life or project costs determine how roads are constructed?	
In the Mobility 2035 presentation, one of the slides said, "Costs for public funded roadways maintain the regional 69/31 split." What does that mean?	
New funding for transportation is going to be very difficult to find. Reallocation of existing funds may be the best solution. There is an interesting concept being considered in San Antonio. Leaders are considering using Low Income Repair, Retrofit and Accelerated Retirement Program (LIRAP) funds for transit. What are the benefits and disadvantages of such a reallocation?	

Process and General Comments

Comment	NCTCOG Response
Is Mobility 2035 expected to be approved by the RTC in March?	<p>The Regional Transportation Council locally adopted Mobility 2035 on March 10, 2011. The Air Quality Conformity Determination of Mobility 2035 is expected to be approved by the US Department of Transportation in June 2011.</p> <p>Public meetings provide an opportunity to inform stakeholders of the Mobility 2035 development process and recommendations. Public input from a variety of interests that represent many different mobility needs is sought through the public involvement process for Mobility 2035. Public comments specific to Mobility 2035 are considered by staff and the Regional Transportation Council before finalizing recommendations. Depending on the public comment, different strategies are used to</p>
We are working on environmental assessments (EA) on several projects and the EAs will be affected by the 2035 plan. Is the 2035 plan still scheduled to be approved by June 2011?	
What impact did public meetings have on Mobility 2035 recommendations?	
Is there a proposed project listing for the new MTP being developed via the Mobility 2035 planning efforts? I did not see one on your Website.	
Is there a proposed project listing for the new MTP?	
The readability of Mobility 2035 is an improvement over the previous MTP.	

Comment	NCTCOG Response
Great looking document.	<p>address them including, but not limited to, including additional language in documents, producing additional reports, enhancing outreach efforts on certain topics, and incorporating public input into planning decisions made at the staff and RTC level.</p> <p>Mobility 2035 project recommendations are included in several appendices including Appendix C, D, E, and G. The roadway project listing is included in Appendix E and are detailed further in the fact sheets which are included as Appendix G.</p>

Public Transportation

Comment	NCTCOG Response
Is high-speed rail from Fort Worth to Wichita Falls to Lawton to Oklahoma City still being considered? It was shown at a MY-35 public hearing.	<p>Portions of the Dallas-Fort Worth MPA are serviced by three major transit authorities – Dallas Area Rapid Transit, Denton County Transportation Authority, and The Fort Worth Transportation Authority. These transit authorities are comprised of member cities, who contribute financially in the form of dedicated sales taxes, to receive public transportation benefits. Because a city must contribute financially to receive benefits and many cities have reached their sales tax cap, large portions of the MPA are not serviced by public transportation. The Public Transportation section of the Mobility Options chapter provides information on the transit authorities and their member cities.</p> <p>The funding that has been identified in Mobility 2035 to implement public transportation projects comes directly from the sales taxes that are collected in the transit authority service areas, from sources that are dedicated to public transportation and are not eligible to be spent on other modes, or from innovative public transportation funding initiatives.</p> <p>The public transportation needs of the Dallas-Fort Worth Metropolitan Area vary greatly and a number of modal options ranging from bus service to commuter rail to high speed rail are recommended to accommodate these needs.</p> <ul style="list-style-type: none"> ▪ Bus service is often one of the first types of public transportation introduced to an area due to its low cost and flexibility. Mobility 2035 assumes a well developed bus system, but does not recommend specific routes. The region’s transit authorities are responsible for determining specific route information to meet transportation needs. ▪ Street cars and trolleys are another example of public transportation. These
What is the nearest location for Wise County residents to get on commuter rail?	
The Town of Prosper would like to see the Frisco Passenger Rail Line extended north of US 380 into Prosper.	
Regional rail has been planned for 15 to 20 years. Many people do not understand that other metropolitan areas, like New York and Chicago, have a population density of about 30,000 people per square mile. In the Dallas-Fort Worth area, it’s about 3,000 people per square mile. Regional rail construction, maintenance, and operation will cost a total of \$35 billion. Eighty-five percent of the cost will be subsidized by taxes, but less than seven percent of the population will ride transit five days a week. Transit systems need to be maintained, and cities cannot afford that cost.	
All Tarrant County taxpayers contribute to the tax increment finance. It would not be fair for those funds to be used for something just in Fort Worth like the modern streetcar project.	
I am concerned about increasing the vehicle registration fee. Vehicle registration fees should not be used for rail funding because those fees are more directly related to roadway use. To preclude the revenue from being used for roadway improvements requires an individual who drives a car to pay for someone else to ride transit. Based on plans for the Southwest-to-Northeast passenger rail corridor, it appears that there will be only 4,000 to 5,000 parking spaces. The cost of the project is \$500 million; therefore, the cost per user is extremely expensive. It would be better to invest that money in roads and the cost per user of rail versus highway should be presented. Vehicles present a much more efficient transportation option.	

Comment	NCTCOG Response
<p>NCTCOG staff was thanked for their leadership in promoting transportation alternatives and higher-density, walkable urban centers. Staff was then asked for clarification on why the modern streetcar project in Fort Worth was not included in Mobility 2035.</p>	<p>modes serve a dedicated area and are often seen as a means to spur economic development. During the development of Mobility 2035 the city of Fort Worth was considering a modern streetcar project. This project was not included in the final recommendations of Mobility 2035 because of the decision by the Fort Worth City Council to not pursue funding for the project.</p>
<p>Has anyone studied buses? It might be more logical to have buses before rail.</p>	<ul style="list-style-type: none"> ▪ Implementing passenger rail continues to be a priority for the Regional Transportation Council; however, due to funding constraints, additional facilities were not considered during the development of Mobility 2035. Additional facilities will be evaluated in future planning efforts. ▪ High/higher speed rail has garnered a lot of attention recently as it has become a national focus. Mobility 2035 supports the development of high/higher speed rail in the region and includes allowances for high-speed rail connections in the Dallas-Fort Worth area as the national high-speed rail system is further developed. It should be noted that Mobility 2035 does not recommend specific alignments for high/higher speed rail in the Metropolitan Planning Area.
<p>The modern streetcar project for Fort Worth should remain in the long-term regional transportation plan. The City Council was split on the decision to move forward with Phase 3 of the study with a 5-4 majority deciding to halt the study. The main comments from the majority included concerns about timing, costs, and the current fiscal situation faced by the city. The Mayor and others in the majority clearly stated that the vote was not against Fort Worth getting a streetcar system, just that the timing was not right. Removing the project from the plan would distant these comments into a statement that Fort Worth won't be interested in pursuing a modern streetcar within the next 25 years. That is inconsistent with the Council discussion and the transcripts from the Council meeting will confirm that. The project is included in the City's Comprehensive Plan and is an important tool as Fort Worth works toward creating the walkable, higher density urban centers with a variety of transportation options, promoted so strongly by NCTCOG.</p>	<p>The RTC has made public transportation a high priority for the region. The RTC continues to work and coordinate efforts with the region's public transportation providers to maximize public transportation in the region. The RTC has long recognized that the region will not be able to solve its congestion problems by simply building more roads. Public transportation provides a way to move large amounts of people in a safe and efficient manner. As the region continues to develop and become more dense, public transportation will be a cost-effective way to improve mobility for the area's residents.</p>
<p>Projects like rail and streetcars contribute to mobility and economic development but perhaps more importantly to sustainable development. Better connecting land development and transportation, and encouraging higher density will offer people a choice to live near transit and be a more sustainable way to handle the population growth expected.</p>	<p>For information on public transportation in the Dallas-Fort Worth Metropolitan Planning Area see the Mobility Options chapter or the Transit Fact Sheets located in Appendix G.</p>
<p>The rail line through Dallas-Fort Worth International Airport to Commerce is a good recommendation.</p>	
<p>What is the roll of railroad companies in rail planning? Rail projects in other areas of the country have not proven to be financially viable. Would there be better projects than rail to invest public funds?</p>	
<p>What is the process for citizens and developers to give input on high-speed rail station locations? By the time high-speed rail comes to the region, Sunnyvale could be a perfect place for a station.</p>	
<p>If the region is going to prioritize resources and suggest spending \$18.9 billion on rail/transit, the communities that benefit from this investment should not just be the select few who are members of transit authorities. The RTC must take a leadership role in expanding transit to all the region's citizens.</p>	

Comment	NCTCOG Response
<p>SH 310 (S.M. Wright Blvd.) – I prefer a mid-boulevard busway facing Industrial/Riverfront Blvd. The conversion of S.M. Wright Freeway into a boulevard should include an extension of the busway. Depending upon the bus route headways, the busway can also serve as a bikeway. I’m not certain DART can secure enough right-of-way for a mid-boulevard bikeway entirely separate from the busway.</p> <p>There are AAA and ABC platoons. An AAA bus platoon consists of two or more buses along the same route. The AAA bus platoon resolves rush hour overcrowding with multiple buses. A countdown system could be used to alert waiting passengers to the approaching AAA bus platoon. If the leading bus is overcrowded, just step back and wait for the trailing bus in the same platoon. But since the leading bus driver should already be aware of the overcrowding aboard his bus, he will more like merge into the adjacent lane to let the trailing empty bus take the lead in the platoon. That lane passing maneuver is called a bus platoon rotation.</p> <p>An ABC bus platoon consists of two or more buses along different routes, all of which share the same busway for some distance. Passengers shall wait at “A” platform for the approaching “A” bus, at “B” platform for the approaching “B” bus, at “C” platform for the approaching “C” bus, etc. Again, the countdown system could be used to alert waiting passengers to the approaching ABC bus platoon. Thus the passengers needn’t overcrowd a platform when their desired bus isn’t included amid the approaching platoon.</p> <p>I’m not particularly interested in general aviation. I’m more interested in passengers toting their luggage aboard the buses towards the airports.</p> <p>I offer my sympathy about suburban residential sprawl that encroaches upon a general aviation airport. This sprawl is similar to the sprawl that encroaches upon a family farm. The obvious response should be a “right to fly” law, very similar to a “right to farm” law. Thus homeowners cannot sue for obnoxious actions inherent to the airports and farms</p>	
<p>Please include Aledo’s plan for passenger rail in the 2035 Mobility Plan.</p>	
<p>If a private investor was interested in building rail, what, if anything, could be offered in return?</p>	
<p>President Obama has pledged funding for rail expansion. Is the region considering that federal funding?</p>	

Roadway

Comment	NCTCOG Response
In the summer of 2009, Wise County submitted a transportation thoroughfare plan to NCTCOG. It did not appear to be included on the maps shown. Is it incorporated in Mobility 2035?	Mobility 2035 is a financially constrained Metropolitan Transportation Plan with roadway recommendations developed with input from the Texas Department of Transportation, the North Texas Tollway Authority, and local counties and cities. The multi-jurisdictional nature of the plan focuses on roadway facilities that serve regional transportation needs including freeway, tollways, HOV/managed facilities, and selected major arterial routes. The development of MTP recommendations is based on a number of factors including cost, expected use of roadway corridors, existing and expected congestion levels in the area, environmental justice concerns, and air quality benefits.
One of the biggest safety hazards in Wise County is the 18-wheel rock haulers. As long as the Dallas-Fort Worth area continues to grow, the truck traffic will continue. Has there ever been thought about a separate roadway for truck traffic?	
Whenever projects are developed that overlap two districts, plans are not coordinated. For example, there are plans to improve SH 380 to the Denton County line, but there are no plans for improvements in Dallas County.	
The areas shaded in the darkest red must be hours of standstill in bumper-to-bumper traffic. SH 114 is already congested. With each new housing development, traffic signals are added. As a Wise County resident, the lack of transportation options to get to Tarrant County is frustrating.	In order to implement needed roadway projects across North Central Texas and maintain financial constraint of the plan, the region must rely more heavily on tolling of new facilities and additional capacity to existing facilities. Mobility 2035 has been developed under the guidance of the Regional Transportation Council and the local policies the board has previously adopted, including rules related to tolling and the development of HOV/managed lanes which are detailed in the Mobility Options chapter of this plan and Appendix E.
HOV lanes are not maximized. Signage and technology would better use money because HOV lanes could also be used for single-occupant vehicles outside the peak period.	
What is the status of SH 170 improvements?	New or expanded roadway facilities included in Mobility 2035 are identified in the Mobility Options chapter, as well as Appendix E. These projects include freeways, tollways, HOV/managed lanes, and major regional arterials. Detailed recommendations for controlled-access facilities including freeways, tollways, and HOV/managed lane projects can be found in the roadway corridor fact sheets in Appendix G.
Is SH 170 not a regional toll road priority during this legislative session?	
SH 114 along with SH 183 should also be included in Mobility 2035.	
Alternate roads NOT modes. You cannot solve congestion by expanding capacity for a non-congested mode. An inconvenient truth is that the vast majority of people are too busy to be restrained by route schedules and transfers. Loop 12 needs to be converted into a freeway the entire length. Highway 121 should be extended along Hurst Blvd. to connect to the other segment of 121. This will remove merging conflicts at 121/820 and 121/183, relieving congestion on the parking lot better known as 183.	
I attended the January 6, 2011 public meeting held in Decatur. I failed to see where the plan includes improvements to Highway 380 from the Wise/Denton County line east to Denton. I strongly urge you to reconsider this section of Highway 380 and include in the plan. It is one of the last sections remaining between Bridgeport and McKinney.	
Consider extending SH 360 from US 287 further south to US 67.	
Consider addressing environmental justice issues with a project in the southeastern part of Dallas County.	

Comment	NCTCOG Response
<p>We live in Aubrey, Texas on east FM 428 (Spring Hill Road) between Highway 377 and FM 2931. Would appreciate an update regarding the current status of the proposed Outer Loop's path through this area.</p>	
<p>According to Mobility 2035, the intersection of IH 20 and IH 820 near US 287 will have HOV/managed lanes. Does that mean there will not be additional capacity?</p>	
<p>I did not see where the Forney Parkway bridge was included in the TIP.</p>	
<p>Will the toll roads shown in Mobility 2035 be completely new or retro-tolled?</p>	
<p>As an Arlington resident for the last 27 years, I've watched the traffic increase and there is significant congestion between IH 20 and IH 30. I have not yet seen solutions. What improvements can citizens expect in the next five to 10 years?</p>	
<p>Are there plans to create further tolled roads and highways, and as such, will they be "retro-tolled"? If yes to "retro-tolling", is there a significant figure of funds produced from toll roads to justify new tolling? Percentages? (Out of the five revenue centers?)</p>	
<p>Are there prospects from the recent announcements of the Obama Administration towards federal funding for mass rail expansion in our area?</p>	
<p>Where can I find the blob maps?</p>	
<p>What is meant by lane specifications and managed lanes?</p>	
<p>Toll roads cause an additional burden on taxpayers. Is it true that SH 360 would be extended as a toll road?</p>	

Comment	NCTCOG Response
<p>There is a highway project shown on IH 30 immediately south of the base. This is an area where some antiquated/confusing highway infrastructure exists and I wonder if updating/re-designing that infrastructure would be considered in this “vision plan”? The antiquated clover-leaf infrastructure is inadvertently protecting a big portion of our accident potential zone (APZ-1) which is a good thing and it would be ideal if any future updates to that highway interchange (IH 30 and SH 183) could be coordinated with land use planning in the area.</p> <p>It is peculiar to see dark red on the congestion map for 2035 in our northern APZ-1. This is an area where we have worked very hard with the City of Fort Worth to promote low-density industrial development (basically in the southwest quadrant of SH 199 and Loop 820). It is my hope that over time this development plan will filter through to your process as the City formally adopts it, changes their demographic projections to match, etc. This isn't urgent, but I think it may highlight an area for further review in the future.</p> <p>Generally there are no highway or rail plans in this quadrant of town. This may be exacerbated by the fact that traffic essentially must flow around the base and Lockheed (rather than across them). This appears to be an area that (like the Regional Thoroughfare Plan) may benefit from the long-term planning that a current NCTCOG transportation study is looking at right now. On the flip side, it's very encouraging to see that no new projects are proposed which would be incompatible with our mission in western Tarrant County (opening up new land for development in areas where we are trying to preserve open space or limit incompatible development).</p>	