

# TITLE VI-ENVIRONMENTAL JUSTICE PLAN 2019



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# **WACCAMAW REGIONAL COUNCIL OF GOVERNMENTS (WRCOG)**

## **GRAND STRAND AREA TRANSPORTATION STUDY (GSATS)**

### **TITLE VI PROGRAM MANUAL**

*"It has been The Federal Highway Administration's (FHWA's) and the Federal Transit Administration's (FTA's) longstanding policy to actively ensure nondiscrimination under Title VI of the 1964 Civil Rights Act in federally funded activities. Under Title VI and related statutes, each Federal agency is required to ensure 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, or national origin. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients, subrecipients and contractors whether those programs and activities are federally funded or not."* (United States Department of Transportation)

### **WRCOG INTRODUCTION**

The Waccamaw Regional Council of Governments (WRCOG) serves as the Rural Planning Organization (RPO). WRCOG is a public agency created by the counties of Horry, Georgetown, and Williamsburg, and the cities of Andrews, Atlantic Beach, Aynor, Briarcliffe Acres, Conway, Georgetown, Greeleyville, Hemingway, Kingstree, Lane, Loris, Myrtle Beach, North Myrtle Beach, Pawleys Island, Stuckey, and Surfside Beach, as enabled by state planning law. The agency was organized in 1969 and has been providing planning, management, and technical assistance to its member governments and local transit service providers since its inception. WRCOG receives federal assistance through South Carolina Department of Transportation (SCDOT) to support rural transportation planning process in the organization's service areas.

### **MEMBERS**

WRCOG rural transportation program serves portions of two (2) counties and one (1) entire county including eight (8) municipalities in the rural transportation planning area. WRCOG serves the rural areas (outside of the urbanized areas) in following counties:

- Georgetown, SC
- Horry, SC
- Williamsburg, SC

### **BOARD AND COMMITTEES**

WRCOG is governed by the Board of Directors, which is made up of former and current elected officials, as well as appointed members representing nineteen (19) jurisdictions, and makes decisions for the RPO. The rural transportation planning is overseen by the Rural Technical Committee (RTC), which is made up of twenty one (21) members representing sixteen (16) jurisdictions. The RTC provides technical support and makes recommendation to the Board of Directors. Committee membership was determined by the approved committees' bylaws. The committees' responsibilities are:

- The Rural Technical Committee (RTC) provides technical expertise in the development of transportation plans and programs for the rural area. The RTC also provides recommendation to the WRCOG Board of Directors.

- The Board of Directors (BOD) receives, reviews, and takes action (approves, denies, or sends back for reconsideration) on all issues and items brought to it by the WRCOG's planning staff and the Rural Technical Committee. Review and approval responsibilities include the adoption of WRCOG's TIP, LRTP, and UPWP.

## **GSATS INTRODUCTION**

The Grand Strand Area Transportation Study (GSATS) Metropolitan Planning Organization (MPO) is responsible for carrying out the federally mandated urban transportation planning and programming process in the urbanized area, and developing regional transportation plans. GSATS is the federally designated recipient for Section 5307, 5310, and 5339 funds and is responsible for ensuring that transportation programs utilizing federal funds in the Myrtle Beach-Socastee region are based on a continuing, comprehensive, and coordinated planning process.

GSATS seeks to build a stronger regional community through cooperation, leadership, and planning. Through GSATS leadership, representatives from area jurisdictions meet and discuss concerns and transportation issues in the region, and identify the opportunities for cooperative solutions. These strategies to enhance the effectiveness of local government include:

- A forum for addressing regional objectives and diverse community issues;
- Long-range planning and public policy coordination; and
- Technical assistance and services to enhance the effectiveness of local government.

## **MEMBERS**

GSATS serves portions of three (3) counties and fourteen (14) municipalities in the Metropolitan planning area. GSATS boundary includes portions of the following counties:

- Georgetown, SC
- Horry, SC
- Brunswick, NC

GSATS Policy Committee consists of twenty four (24) voting members, twenty (20) locally elected officials, and four (4) appointed members.

The appointed members represent the following:

- Waccamaw Regional Transportation Authority (Coast RTA)
- South Carolina Department of Transportation (SCDOT)
- South Carolina DOT Commission
- North Carolina DOT Board of Transportation

Benefits of working with the MPO include a voice in key regional decisions, distribution of federal transportation dollars, technical assistance to obtain federal and state funding, education and training opportunities, data to meet special planning needs, access to Geographic Information Systems (GIS) databases, access to data products, and technical expertise.

## **BOARD AND COMMITTEES**

GSATS is governed by the Policy Committee which consists of locally elected and appointed members representing seventeen (17) units of local government. Transportation planning at GSATS is overseen by the Study Team (SC), and the Technical Coordinating Committee (NC). The Technical Coordinating Committee (TCC) provides technical support and makes recommendations to the Transportation Advisory Committee (TAC). Study Team (SC), Technical Coordinating Committee (NC), and Transportation Advisory Committee (NC) all provide technical support and recommendations to the Policy Committee. Committee membership is determined by the Memorandum of Understanding and the bylaws of the committees. The committees' responsibilities are:

- The Study Team serves as a technical committee and makes recommendations to the Policy Committee on all items that come before them.
- The Technical Coordinating Committee (TCC) reviews, evaluates, and recommends action on all items that come before the TAC for a decision within the North Carolina portion of the GSATS' Study Area. Recommendations from the TCC are forwarded to the TAC for action or for recommendation to the Policy Committee.
- The Technical Advisory Committee (TAC) serves as the principle review and recommending body to the Policy Committee on projects and issues affecting the North Carolina portion of the study area. For certain activities where issues are particular to North Carolina and/or NCDOT requirements, such as adoption of the Comprehensive Transportation Plan, the TAC exercises final review and approval authority for the MPO.
- The Policy Committee receives, reviews, and takes action (approves, denies, or sends back for reconsideration) on all issues and items brought to it by the MPO planning staff, the Study Team, or the TAC. Review and approval responsibilities include the adoption of the MPO's TIP, MTP, and UPWP.

## **ORGANIZATION**

A designated Planner for WRCOG/GSATS serves as the Title IV Coordinator and is responsible for ensuring implementation and overall administration of the agency's Title VI program, plan, and assurances (**See Appendix I**).

Five (5) areas of the work program have been identified as Title VI Program Areas and are applicable to Title VI regulations.

1. Communications and public participation;
2. Planning and programming;
3. Environmental Affairs;
4. Consultant contracts; and
5. Education and training.

The agency's Title VI-related responsibilities fall into two (2) main categories. "General Responsibilities" are applicable to all five (5) Title VI Program Areas, and "Program Area Responsibilities" are specific to each Title VI Program Area. It is important to note that the first three Title VI Program Areas noted above are extremely interrelated and have been treated separately for purposes of clarity and corresponding to agency organization. For example, the Communications and Public Participation program area applies to and affects the agency work program as a whole, particularly agency efforts and responsibilities related to planning, programming, and environmental affairs.

## **GENERAL RESPONSIBILITIES**

The following are general responsibilities, applicable to all five (5) Title VI Program Areas. WRCOG/GSATS Title VI Coordinator is generally responsible for overseeing Title VI compliance in each of the program areas. Other staff members are expected to provide information and support to assist this staff member in performing his or her tasks.

### **DATA COLLECTION**

Statistical data on race, color, national origin, income level, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained as described in the "Program Area Responsibilities" section of this document. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

### **ANNUAL REPORT AND UPDATE**

An Annual Report and Update is to be submitted by the end of September each year to SCDOT, NCDOT, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document is to include:

- A report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes.
- An update on Title VI-related goals and objectives for the upcoming year.

### **ANNUAL REVIEW OF TITLE VI PROGRAM**

Each year, in preparing for the Annual Report and Update, the Title VI Coordinator will review the agency's Title VI program to ensure compliance. In addition, he or she will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

### **DISSEMINATION OF INFORMATION RELATED TO THE TITLE VI PROGRAM**

Information on the agency's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "Program Area Responsibilities" section of this document, and in other languages when needed.

## **RESOLUTION OF COMPLAINTS**

Any individual may exercise his or her right to file a complaint with WRCOG/GSATS, if that person believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits/services. WRCOG/GSATS will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure, found in **Appendix II** and the Title VI Complaint Form found in **Appendix III**.

## **RESPONSIBILITIES OF THE TITLE VI COORDINATOR**

The Title VI Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and procedures set forth in federal guidance and in accordance with WRCOG/GSATS Title VI Plan. The Title VI Coordinator responsibilities include:

- Identify, investigate, and work to eliminate discrimination when found to exist;
- Process Title VI complaints received by WRCOG/GSATS, as described in **Appendix II**;
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to WRCOG/GSATS Title VI program;
- Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance;
- Work with staff, consultants, and recipients to resolve any deficiency status and write a remedial action if necessary (as described in the consultant contracts section of this plan) if a federal funding recipient is found to not be in compliance with Title VI;
- Review important Title VI-related issues with the WRCOG Executive Director and the MPO Director; and
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs.

## **RESPONSIBILITIES OF OTHER STAFF MEMBERS**

Other staff members, in coordination with the Title VI Coordinator, will at times be asked to accept or share responsibility for day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within an applicable program area, as described in the "Program Area Responsibilities" section of this document. In addition, some staff members may be asked to accept responsibility for drafting text for an assigned section of the Annual Title VI Report and Update, and maintaining the data and documentation necessary for that report. These responsibilities may include reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI-related language and provisions into agency documents, as appropriate.

## **PROGRAM AREA RESPONSIBILITY**

### **PROGRAM AREA 1: COMMUNICATIONS AND PUBLIC PARTICIPATION**

Note: The Communications and Public Participation Program Area applies to and affects the agency work program as a whole, particularly agency efforts and responsibilities related to the Planning, Programming, and Environmental Affairs Program Areas. It has been treated as a separate program area for purposes of clarity, and corresponding to agency organization. Please review the adopted Public Participation Plan in its entirety at [www.gsats.org](http://www.gsats.org).

As stated in both the agency's Public Participation Plans, "The vision for the public participation plan is that the public will be provided thorough information on transportation planning services and project development in a convenient and timely manner." This Public Participation Plan provides the outline of procedures for ensuring open and effective communication with citizens in both the rural and Myrtle Beach-Socastee SC/NC region.

#### **Principles of Public Participation Plans**

Public participation plans are intended to promote a relationship among stakeholders, governments, and advisory groups. In an effort to effectively build these relationships, the WRCOG/GSATS shall:

- Actively engage the public in the transportation planning process according to the policies contained in federal and state law as well as in this document;
- Keep the public informed of on-going transportation related activities on a continuous basis;
- Encourage the participation of all citizens in the transportation planning process;
- Strive to continuously improve public participation; and
- Participate in public participation activities for individual transportation improvement projects from the planning phase through construction.

#### **Public Participation Plan Techniques**

Public participation has many forms. Seldom is one (1) form adequate to reach all of the public, thus making it necessary to use a combination of techniques to ensure the optimum amount of public involvement. These techniques include:

- Charrettes - *Charrettes are typically intense, possibly multi-day meetings involving municipal officials, planning officials, and local residents. A charrette is instrumental in identifying key issues early, promoting joint ownership of the solution, and attempting to diffuse traditional confrontation between stakeholders;*
- Consultation - *As part of FAST Act regulations encouraging more cooperative planning, the agency will consult, as appropriate, with agencies and officials responsible for other*

*planning activities that are affected by transportation within both urban and rural study areas. To coordinate the planning function to the maximum extent practicable, the agency maintains an open consultation policy. Consultation includes (but not limited to)*

- a. *Comparing LRTPs and TIPs as they are developed with the plans, maps, inventories, and planning documents developed by other agencies*
- b. *Contact with the following groups: State, local, Indian Tribal, and private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources consideration, and historic preservation*
- c. *Inclusion of private citizen and transportation entities in the WRCOG/GSATS study areas in the consultation process;*
- *Display Ads - Display ads are used to promote meetings that are not regularly scheduled, such as corridor study workshops. They are published in the local section of the newspaper in order to reach a larger audience than those that typically read legal ads;*
- *Direct Mailings - Direct mailings are used to announce upcoming meetings or activities or to provide information to a targeted area, group of people, or the media. Direct mailings are usually letters, but can be postcards or fliers. An area may be targeted for a direct mailing because of potential impacts from a project. Groups are targeted that may have an interest in a specific issue, for example, avid cyclists and pedestrians may be targeted for pathways and trail projects;*
- *Email Announcements/Internet Message Boards - Meeting announcements and agency information are emailed to interested persons that have submitted their email addresses to the transportation planning staff. Interactive message boards can be used to facilitate discussion and solicit public comment regarding specific projects or issues; and*
- *Legal Advertisements - The agency provides advanced notice of any public meeting where a decision could be made that would result in a significant change to an existing plan or program. Ads are published to solicit public comment and review of the requested change or plan update. The ads provide a description of the meeting agenda, including contact information.*

### **Opportunities for Public Comments**

WRCOG/GSATS routinely offers different ways for people to comment on activities, programs, and decisions made by the agency.

- Comments are accepted at any time - *Comments are accepted via an online comment form, by phone, fax, email, US mail, and in person at any board or committee meeting. Contact information for all staff is provided on the agency website, and contact information is included in all publications produced for WRCOG/GSATS. The agencies make every effort to respond to all comments received;*
- Citizen comments are requested at meetings - *All of WRCOG Board of Directors and GSATS Policy Committee meetings are open to the public. Meeting dates are posted well in advance on the agency's website. Public comments and responses made during these meetings are kept on record in the official meeting minutes. The staff maintains mailing lists, to which anyone can request to be added; and*
- Formal public comment periods for major activities - *Formal public comment and review periods are used to solicit comments on major planning and programming activities, for example, the proposed distribution of funds, major amendments to the Transportation Improvement Program (TIP), changes to policies (such as the Public Participation Plan), and updates to Long-Range Transportation Plan (LRTP). The comment period is noted in the legal public notice, agency publications, the agency's website, and various press releases. Comments can be made in person, using a comment form on the agency's website, by email, by US mail, fax, or telephone. WRCOG/GSATS will make every effort to respond to any comments received, and will forward comments to other agencies when appropriate. Received comments and staff responses will be reviewed at the next applicable committee meeting(s), at which time the committee(s) will determine whether it is appropriate to proceed with the recommended action.*

### **Strategies for Engaging Title VI Protected Groups**

We realize that there are large segments of the population from whom input is rarely, if ever, received. In an effort to hear a truly representative voice of the public, WRCOG/GSATS will take the approach of “going to the public” as a strategy to receive public comment. These strategies include:

- Plan meeting locations carefully - *Public meetings should be held in locations that are accessible by public transit. Also, facilities should be compliant with the Americans with Disabilities Act. If a targeted population is located in a certain geographic area, then the meeting location should be in that area for their convenience;*
- Seek help from community leaders and organizations - *To facilitate involvement of traditionally underserved populations, community leaders and organizations that represent these groups should be consulted about how to most effectively reach their members. Relationships with these groups should be maintained for future partnerships in the planning process;*

- Provide services for the disabled - *Upon advance notice, deaf interpreters, translators, and Braille documents can be provided for public meetings. Notifications of opportunities for public involvement will include contact information for people needing these or other special accommodations. Requests must be made at least seven (7) days in advance of the meeting; and*
- Be sensitive to diverse audiences - *At public meetings, staff members should attempt to communicate as effectively as possible. Technical jargon should be avoided and appropriate dress and conduct are important. For some meetings, it may be best to use trained facilitators or language translators to better communicate with the audience.*

### **Title VI Responsibilities**

Staff involved in public involvement is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's public involvement process. These staff members will:

- Ensure that all communications and public involvement efforts comply with Title VI;
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed;
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process;
- Include the Title VI Notice to the Public, full or abbreviated versions, in relevant press releases and on the agency website;
- Notify affected and protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified;
- Collect statistical information on attendees of public meetings to track how well different segments of the population are represented; and
- Encourage committee structure to include representation from identified Title VI populations.

## **PROGRAM AREA 2: PLANNING AND PROGRAMMING**

WRCOG/GSATS is responsible for developing long and short-range transportation plans to provide efficient transportation services to the areas that are served. A comprehensive transportation planning process is used, which entails the monitoring and collection of data pertaining to transportation issues. WRCOG/GSATS coordinates with SCDOT, NCDOT, cities, towns, counties, and area transit agencies; seeks public participation; and provides technical support when needed.

### **Operational Guidelines**

Primary guidance is provided by:

- The Metropolitan Planning Organization (MPO) Regulations 23 CFR 450
- The Fixing America's Surface Transportation Act (FAST Act)
- South Carolina Department of Transportation
- North Carolina Department of Transportation

### **Key Planning and Programming Activities**

WRCOG/GSATS receives federal funds to develop regional transportation plans and programs and to coordinate technical and policy studies on a wide range of transportation and other programs. The primary products of the transportation planning process include:

- Long Range Transportation Plan (LRTP) *Rural*
- Transportation Improvement Program (TIP)
- Metropolitan Transportation Plan (MTP) *Urban*
- Public Participation Plan (PPP)
- Congestion Management Process (CMP)
- Unified Planning Work Program (UPWP)

Note that WRCOG is responsible for the rural transportation planning, therefore, the agency does not have to produce a CMP.

### **Considerations of Title VI**

Considerations of Title VI legislation are made throughout WRCOG/GSATS planning and programming activities, for example:

Long Range Transportation Plan (LRTP) - *The development of a long range transportation plan ensures that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. The staff reviews the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times for area residents, and access to transit;*

Metropolitan Transportation Plan (MTP) - *The purpose of the MTP is to provide systematic, long-range planning projects and programs in the urbanized areas. The process identifies needs,*

*financial resources available, and priorities that effect the transportation system. Staff reviews the impacts of potential projects and programs to determine impacts on residents and transportation barriers; and*

*Transportation Improvement Program (TIP) - The TIP is a five-year program of transportation capital projects together with a three-year estimate of transit capital and maintenance requirements.*

### **Title VI Responsibilities**

Staff members involved in planning and programming are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the planning and programming processes. These staff members will:

- Ensure that all aspects of the planning and programming process operation comply with Title VI;
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on both website or in hard copy format, if requested;
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents; and
- Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process.

### **PROGRAM AREA 3: ENVIRONMENTAL AFFAIRS**

The concept of environmental justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of the transportation planning, environmental justice considers the relative distribution of cost and benefits from transportation investments, strategies, and policies among different segments of society.

### **Operational Guidelines**

WRCOG/GSATS uses Executive Order 12898 on environmental justice, and federal and state administrative guidelines for implementing environmental justice requirements.

### **Title VI Responsibilities**

Staff members are responsible for evaluating and monitoring environmental justice compliance with Title VI. Staff members will:

- Ensure Title VI environmental justice compliance;

- Analyze and make findings regarding the population affected by the action;
- Analyze and make findings regarding the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups; and
- Disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public participation procedures. This includes dissemination to groups representing minority media and ethnic/gender related organizations, and the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

## **PROGRAM AREA 4: CONSULTANT CONTRACTS**

WRCOG/GSATS is responsible for the selection, negotiation, and administration of its consultant contracts. WRCOG/GSATS operate under its internal contract procedures and all relevant federal and state laws.

### **Operational Guidelines**

- Title 48, CFR 31 - Contract Cost Principles and Procedures
- Title 49, CFR 18 - Common Grant Rule
- Title 49 - FTA Grant Contracting Requirements
- Title 23, CFR 172 - Administration of Engineering and Design related Service Contracts

### **Contract Procedures**

WRCOG/GSATS contract procedures are outlined in the “UPWP”. Both agencies verify Title VI compliance by consultants (subrecipients of federal funds) in the contracting process. All agency contracts will ensure that consultants comply with Title VI requirements. In addition, Title VI text is included in all Requests for Proposals (RFP).

### **Title VI Responsibilities**

Staff members are responsible for ensuring that all consultant contracts are in compliance with Title VI. Staff members will:

- Ensure inclusion of Title VI language in contracts and RFPs.
- Review consultants for Title VI compliance as described below:
  - a. Ensure that all consultants verify their compliance with Title VI procedures and requirements.
  - b. If a recipient or subrecipient is found to not be in compliance with Title VI, the Title VI Coordinator and relevant staff will work with the recipient or subrecipient to resolve the deficiency status and will require remedial action if necessary.

## **PROGRAM AREA 5: EDUCATION AND TRAINING**

Minorities, women, veterans, individuals with a disability, and other individuals protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

### **Employees Encouraged to Participate in Training**

All employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI).

### **Title VI Responsibilities**

Under the category of education and training, Title VI responsibilities include:

- Assisting in the distribution of information to the staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified employees.
- Track staff participation in Title VI, NHI, and NTI courses.
- Establish, maintain, and update Title VI general information pertaining to the administration of the Title VI program, as well as related documents (complaint form, etc.).

### **Questions**

The Title VI public notice will be disseminated to town halls, libraries, and government buildings that we serve in the urban and rural study areas. The Title VI public notice will also be posted in the WRCOG office.

For questions on GSATS Title VI Plan and Procedures, please contact the Title VI Coordinator at (843) 546-8502 or by email at [etucker@wrcog.org](mailto:etucker@wrcog.org). For information on GSATS work programs or publications, please see the GSATS website, [www.gsats.org](http://www.gsats.org). For information on WRCOG work program or publications, please see the WRCOG website, [www.wrcog.org](http://www.wrcog.org).

## **LIMITED ENGLISH PROFICIENCY**

### **INTRODUCTION/POLICY STATEMENT**

The Limited English Proficiency (LEP) policy guidance was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and the implementing regulations which provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance. The purpose of the policy is to identify the Title VI responsibilities of organizations that receive federal financial assistance from the U.S. Department of Transportation (DOT).

## **EXECUTIVE ORDER 13166**

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the COG and MPO, private and non-profit entities, and subrecipients.

## **PLAN SUMMARY**

The Grand Strand Area Transportation Study (GSATS) Metropolitan Planning Organization (MPO) and Waccamaw Regional Council of Governments (WRCOG) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to WRCOG/GSATS programs as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan and extent of obligation to provide LEP services, WRCOG/GSATS undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the region to be served or likely to encounter a WRCOG or GSATS program, activity, or service; 2) the frequency with which LEP individuals come in contact with a WRCOG/GSATS program; 3) the nature and importance of the program, activity or service provided by WRCOG/GSATS to the LEP population; and 4) the resources available to WRCOG/GSATS and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

## **FOUR FACTOR ANALYSES**

### **1. The number or proportion of LEP persons eligible to be served or likely to encounter a WRCOG/GSATS program, activity, or service.**

In 2010, the census did not include any Limited English Proficiency data, however, the 2017 American Community Survey (ACS) identifies estimates "Language Spoken at Home" for the individual counties, and the 2011-2015 ACS identifies 5-year estimates for the UZA. Within the UZA, approximately 9.1% of the populations speaks a language other than English and of this population, 43.4% speak English less than "very well. Approximately 5% of the population speaks English less than "very well". (See Table Below)

Subject	Myrtle Beach--Socastee Urbanized Area					
	South Carolina—North Carolina					
	Total		Percent of specified language speakers			
			Speak English "very well"	"very well"	Speak English less than "very well"	"very well"
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
<b>Population 5 years and over</b>	<b>221,891</b>	<b>+/-1,983</b>				
<b>Speak only English</b>	<b>90.9%</b>	<b>+/-1.1</b>	(X)	(X)	(X)	(X)
<b>Speak a language other than English</b>	<b>9.1%</b>	<b>+/-1.1</b>	<b>56.6%</b>	<b>+/-4.0</b>	<b>43.4%</b>	<b>+/-7.1</b>
<b>Spanish or Spanish Creole</b>	<b>5.5%</b>	<b>+/-7.8</b>	<b>52.3%</b>	<b>+/-12.1</b>	<b>47.7%</b>	<b>+/-8.6</b>
<b>Other Indo-European languages</b>	<b>2.1%</b>	<b>+/-0.3</b>	<b>69.4%</b>	<b>+/-8.5</b>	<b>31.6%</b>	<b>+/-10</b>
<b>Asian and Pacific Island languages</b>	<b>1.0%</b>	<b>+/-0.2</b>	<b>60.6%</b>	<b>+/-9.0</b>	<b>39.4%</b>	<b>+/-37.9</b>
<b>Other languages</b>	<b>0.5%</b>	<b>+/-0.2</b>	<b>71.4%</b>	<b>+/-27.9</b>	<b>29.6%</b>	<b>+/-27.9</b>

Subject	WRCOG Service Area					
	Georgetown County, South Carolina					
	Total		Percent of specified language speakers			
			Speak English "very well"	"very well"	Speak English less than "very well"	"very well"
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
<b>Population 5 years and over</b>	<b>58,137</b>	<b>+/-27</b>	<b>98.7%</b>	<b>+/-0.3</b>	<b>1.3%</b>	<b>+/-0.3</b>
<b>Speak only English</b>	<b>96.3%</b>	<b>+/-0.4</b>	(X)	(X)	(X)	(X)
<b>Speak a language other than English</b>	<b>3.5%</b>	<b>+/-0.4</b>	<b>61%</b>	<b>+/-7.1</b>	<b>39%</b>	<b>+/-7.1</b>
<b>Spanish or Spanish Creole</b>	<b>2.5%</b>	<b>+/-0.3</b>	<b>54%</b>	<b>+/-8.6</b>	<b>46%</b>	<b>+/-8.6</b>
<b>Other Indo-European languages</b>	<b>0.7%</b>	<b>+/-0.2</b>	<b>85.5%</b>	<b>+/-10</b>	<b>14.5%</b>	<b>+/-10</b>
<b>Asian and Pacific Island languages</b>	<b>0.3%</b>	<b>+/-0.2</b>	<b>61.7%</b>	<b>+/-37.9</b>	<b>38.3%</b>	<b>+/-37.9</b>
<b>Other languages</b>	<b>0.0%</b>	<b>+/-0.1</b>	-	**	-	**

Subject	WRCOG Service Area					
	Horry County, South Carolina					
	Total		Percent of specified language speakers			
			Speak English "very well"	"very well"	Speak English less than "very well"	"very well"
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
<b>Population 5 years and over</b>	<b>294,436</b>	<b>+/-86</b>	<b>97%</b>	<b>+/-0.3</b>	<b>3.0%</b>	<b>+/-0.3</b>
<b>Speak only English</b>	<b>92.5%</b>	<b>+/-0.4</b>	(X)	(X)	(X)	(X)
<b>Speak a language other than English</b>	<b>7.5%</b>	<b>+/-0.4</b>	<b>59.6%</b>	<b>+/-3.3</b>	<b>40.4%</b>	<b>+/-3.3</b>
<b>Spanish or Spanish Creole</b>	<b>4.5%</b>	<b>+/-0.2</b>	<b>54.5%</b>	<b>+/-4.6</b>	<b>45.5%</b>	<b>+/-4.6</b>
<b>Other Indo-European languages</b>	<b>1.6%</b>	<b>+/-0.2</b>	<b>75.2%</b>	<b>+/-5.9</b>	<b>24.8%</b>	<b>+/-5.9</b>
<b>Asian and Pacific Island languages</b>	<b>0.9%</b>	<b>+/-0.2</b>	<b>47.6%</b>	<b>+/-9.5</b>	<b>52.4%</b>	<b>+/-9.5</b>
<b>Other languages</b>	<b>0.5%</b>	<b>+/-0.2</b>	<b>77.5%</b>	<b>+/-7.7</b>	<b>22.5%</b>	<b>+/-7.7</b>

Subject	WRCOG Service Area					
	Williamsburg County, South Carolina					
	Total		Percent of specified language speakers			
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
<b>Population 5 years and over</b>	<b>30,605</b>	<b>+/-5</b>	<b>99.1%</b>	<b>+/-0.3</b>	<b>.9%</b>	<b>+/-0.3</b>
<b>Speak only English</b>	<b>96.6%</b>	<b>+/-0.6</b>	<b>(X)</b>	<b>(X)</b>	<b>(X)</b>	<b>(X)</b>
<b>Speak a language other than English</b>	<b>3.4%</b>	<b>+/-0.6</b>	<b>72.1%</b>	<b>+/-8.5</b>	<b>27.9%</b>	<b>+/-8.5</b>
<b>Spanish or Spanish Creole</b>	<b>2.4%</b>	<b>+/-0.6</b>	<b>69.4%</b>	<b>+/-9.9</b>	<b>35.1%</b>	<b>+/-9.9</b>
<b>Other Indo-European languages</b>	<b>0.3%</b>	<b>+/-0.1</b>	<b>85.5%</b>	<b>+/-22</b>	<b>14.5%</b>	<b>+/-22</b>
<b>Asian and Pacific Island languages</b>	<b>0.5%</b>	<b>+/-0.3</b>	<b>87.5%</b>	<b>+/-20.5</b>	<b>12.5%</b>	<b>+/-20.5</b>
<b>Other languages</b>	<b>0.2%</b>	<b>+/-0.2</b>	<b>100%</b>	<b>+/-37.9</b>	<b>-</b>	<b>+/-37.9</b>

**2. The frequency with which LEP individuals come in contact with a WRCOG/GSATS program, activity, or service.**

WRCOG/GSATS assess the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying public meeting attendees. From January 1 to December 31, 2018, no requests for Spanish or other language speaking interpreters and no requests for translated documents were received.

**3. The nature and importance of the program, activity, or service provided by the WRCOG/GSATS to LEP Community.**

In both the urban and rural areas, Spanish is the second most commonly spoken language. WRCOG/GSATS will make efforts to contact local Hispanic Outreach Organizations to identify the transportation concerns of the Hispanic community. To help accommodate the Spanish-speaking population, as well as populations that speak other languages, a translation feature is on both the WRCOG/GSATS websites.

**4. The resources available to WRCOG/GSATS and overall costs.**

WRCOG/GSATS assessed its available resources that could be used for providing LEP assistance. This included identifying what staff and volunteer language interpreters are readily available, how much a professional interpreter and translation service would cost, which documents should be translated, taking an inventory of available organizations that the WRCOG/GSATS could partner with for outreach and translation efforts, examining which financial and in-kind sources could be used to provide assistance, and what level of staff training is needed. After analyzing the four factors, the WRCOG/GSATS developed the plan outlined in the following section for assisting persons of limited English proficiency.

### **HOW TO IDENTIFY AN LEP PERSON WHO NEEDS LANGUAGE ASSISTANCE**

Below are tools to help identify persons who may need language assistance:

- WRCOG/GSATS will examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When WRCOG/GSATS sponsors public meetings, workshops or conferences are held, the agency will set up a sign-in sheet table and have a staff member greet and briefly speak to

each attendee to informally gauge the attendee's ability to speak and understand English. The staff will ask a question that requires a full sentence reply;

- WRCOG/GSATS will have the Census Bureau's "I Speak Cards" at the meeting, workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Both agencies will also have the cards available at the office reception area; and
- There will also be posted notices of available language assistance at meeting locations.

## **LANGUAGE ASSISTANCE MEASURES**

When an interpreter is needed, in person or on the telephone, staff will determine what language is required. If the required language is not available or if a formal interpretation is required, staff shall use a translation service. Staff may be able to interpret informally or assist with written communications and small document translation requests from LEP persons. If not, a translation service shall be used for a fee. Documents can be made available in another language, such as Spanish, upon request.

Persons can also check the WRGOC or GSATS website at [www.wrcog.org](http://www.wrcog.org) or [www.gsats.org](http://www.gsats.org), to see what languages are offered.

## **WRCOG/GSATS Staff Training**

All WRCOG/GSATS staff will be provided with the LEP Plan and will be educated on procedures and services available. This information will also be part of the staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services are offered;
- Use of LEP "I Speak Cards";
- How to access a staff interpreter;
- How to use a translation service;
- Documentation of language assistance requests;
- How to handle a complaint; and
- The importance of educating subrecipients on the LEP program responsibilities and the requirement to provide language assistance.

## **Providing Notice of Available Language Service to LEP Persons**

WRCOG/GSATS will post signs that language assistance is available in public areas (such as the reception area) that include:

- Outreach Techniques - *If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas may be printed in an alternative language, such as Spanish;*

- Spanish speaking staff or a hired interpreter will be on hand at public meetings intended for gathering public input upon request; and
- WRCOG/GSATS will include the following language availability statement when running a general public meeting notice - *“Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the Title VI Coordinator at least 7 working days before the meeting date.”*

### **Monitoring and Updating the LEP Plan**

This plan is designed to be flexible and is one that can be easily updated. At a minimum, WRCOG/GSATS will follow the Title VI Program update schedule for the LEP Plan. The next required Title VI Program update must be forwarded to FTA. Each update should examine all plan components including:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the WRCOG/GSATS?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified WRCOG/GSATS programs? Are there other programs that should be included?
- Have the available resources, such as technology, staff, and financial costs changed?
- Has WRCOG/GSATS fulfilled the goals of the LEP Plan? and
- Were any complaints received?

### **Dissemination of the Limited English Proficiency Plan**

WRCOG/GSATS will post the LEP Plan on its websites at [www.wrcog.org](http://www.wrcog.org) and [www.gsats.org](http://www.gsats.org). Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. For those without personal internet service, all County libraries offer free internet access. Copies of the LEP Plan will be provided to the South Carolina and North Carolina Departments of Transportation, Federal Highway Administration, the Federal Transit Administration, and any person or agency requesting a copy. Each sub-recipient will be provided a copy and will be educated on the importance of providing language assistance. LEP persons may obtain copies/translations of the plan upon request.

## **TITLE VI POLICY STATEMENT**

It is the policy of the Waccamaw Regional Council of Governments (WRCOG)/Grand Strand Area Transportation Study (GSATS) to comply with all federal and state authorities requiring nondiscrimination, including, but not limited to, Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of Rehabilitation Act of 1973, the Americas with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Order 12898 (Environmental Justice) and 13166 (Limited English Proficiency). WRCOG/GSATS does not and will not exclude from participation in; deny the benefits of; or subject anyone to discrimination on the basis of race, color, national origin, sex, age, disability, or income.

All Federally-assisted programs will be administered in a manner to guarantee that WRCOG/GSATS, other recipients, subrecipients, contractors, subcontractors, transferees, and other participants in Federal financial assistance comply with all requirements imposed by or pursuant to, civil rights acts and Department of Transportation regulations. WRCOG/GSATS is responsible for initiating and monitoring Title VI activities, preparing required reports, and other WRCOG/GSATS responsibilities as required by 23 Code of Federal Regulations (CFR) Part 200 and 49 Code of Federal Regulation Part 21.

Those requiring information in alternative formats or in a language subject to the WRCOG/GSATS Limited English Proficiency (LEP) Plan, should contact the Title VI Liaison.

Waccamaw Regional Council of Governments  
Grand Strand Area Transportation Study  
*(Name of Recipient)*

by \_\_\_\_\_  
*(Signature of Authorized Official)*

Dated \_\_\_\_\_

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## **APPENDIX I**

### **STANDARD U.S. DOT TITLE VI ASSURANCES**

The Waccamaw Regional Council of Governments (WRCOG)/Grand Strand Area Transportation Study (GSATS) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT) through the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA), is subject to and will comply with the following:

#### **Statutory/Regulatory Authorities**

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

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

#### **General Assurances**

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

"No person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

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

#### **Specific Assurances**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally-assisted programs:

1. The Recipient agrees that each "activity", "facility", or "program", as defined in §§21.23(b) and 21.23(e) of 49 C.F.R. §21 will be (with regard to an "activity") facilitated, or will be (with regard to a facility (operated, or will be (with regard to a

“program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and, the Regulations.

2. That the Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all programs and activities and, in adapted form, in all proposals for negotiated agreements regardless of funding source.

*“The Waccamaw Regional Council of Governments and Grand Strand Area Transportation Study, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”*

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

structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

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

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under any program or activity and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Waccamaw Regional Council of Governments  
Grand Strand Area Transportation Study  
*(Name of Recipient)*

by \_\_\_\_\_  
*(Signature of Authorized Official)*

Dated \_\_\_\_\_

## **SUBPART A**

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

1. **Compliance with Regulations:** The contractor (Hereinafter includes consultants) will comply with the Acts and the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21. This includes FHWA or FTA specific program requirement.
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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. This includes FHWA or FTA specific program requirements.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Waccamaw Regional Council of Governments/Grand Strand Area Transportation Study (GSATS), the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA) to be pertinent to ascertain compliance with such Acts, Regulations, instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the WRCOG/GSATS, FHWA or the FTA, as appropriate, and will 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 Non-discrimination provisions of this contract, the WRCOG/GSATS will impose such contract sanctions as it or the FHWA, or FTA 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 will include the provisions of paragraphs one (1) through six (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The contractor will take action with respect to any subcontractor procurement as the WRCOG/GSATS, FHWA, or the FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with, litigation with a subcontractor, or supplier because of such direction, the contractor may request the WRCOG/GSATS to enter into any litigation to protect the interests of the WRCOG/GSATS. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## **SUBPART B**

### **Clauses for Deeds Transferring United States Property**

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Waccamaw Regional Council of Governments (WRCOG)/Grand Strand Area Transportation Study (GSATS) will accept Title to the lands and maintain the project constructed thereon, in accordance with the appropriate legislative authority, the Regulations for the Administration of its programs and activities, and the policies and procedures prescribed by the FEDERAL HIGHWAY ADMINISTRATION or the FEDERAL TRANSIT ADMINISTRATION of the U.S. Department of Transportation in accordance with and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the SCOTD all the right, title and interest of the U.S. 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 WRCOG/GSATS and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the WRCOG/GSATS, its successors and assigns.

The WRCOG/GSATS, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns,

that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and]\* (2) that the WRCOG/GSATS will use the 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 U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purposes of Title VI of the Civil Rights Act of 1964.

## SUBPART C

### Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the WRCOG/GSATS pursuant to the provisions of Assurance 7(a):

1. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - a. 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 U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
2. With respect to licenses, leases, permits, etc., in the event of a breach of any of the above Non-discrimination covenants, WRCOG/GSATS will have the right to terminate the [lease, license, permit, etc.] and to enter, 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.\*

With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, WRCOG/GSATS will have the right to enter or reenter said lands and facilities thereon, and the

above described lands and facilities will thereupon revert to and vest in and become the absolute property of WRCOG/GSATS and its assigns.\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

## **SUBPART D**

### **Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility, or Program**

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the WRCOG/GSATS pursuant to the provisions of Assurance 7(b):

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

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI.

## **SUBPART E**

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

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

1. Title VI of the 1964 Civil Rights Act (42 U.S.C. 2§000 *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
2. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601) Prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
3. The Federal-aid Highway Act of 1973, (23 U.S.C. §324 *et seq.*), (prohibits discrimination on the basis of sex);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
5. The Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 *et seq.*), (prohibits discrimination on the basis of age);
6. Airport and Airway Improvement Act of 1982, (42 U.S.C. §47123), as amended, (prohibits discrimination on race, creed, color, national origin, or sex);
7. The Civil Rights Restoration Act of 1987, (P.L. 100-209), (Broadened, the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
8. Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§12131-12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
9. The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
10. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

11. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs (70 Fed. Reg. at 74087 to 74100);
12. Title IX of the Education Amendment of 1972, as amended, which prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

## **APPENDIX II**

### **DISCRIMINATION COMPLAINT PROCEDURES**

#### **Introduction**

Waccamaw Regional Council of Governments is responsible for processing discrimination complaints filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws, as they relate to federally funded programs of the Waccamaw Regional Council of Governments (WRCOG) and the Grand Strand Area Transportation Study (GSATS). Participants and beneficiaries of programs and activities administered by WRCOG/GSATS who feel they have been discriminated against based on race, color, national origin, Limited English Proficiency (LEP), income-level, sex, age, disability, or religion, have a right to file a complaint. Complaints of alleged discrimination will be investigated by the appropriate authority, such as a State or Federal agency or the WRCOG/GSATS Title VI Coordinator.

#### **Filing of Complaints**

1. ***Applicability.*** These complaint procedures apply to programs, activities, and services, including subrecipients and contractors (e.g., subcontractors and consultants) receiving federal or state funds through DOT. ***Note:*** Title VI does not include internal complaints related to Equal Employment Opportunity (EEO).
2. ***Eligibility.*** Any person or class of persons who believes he/she has been subjected to discrimination based on race, color, national origin, LEP, income-level, sex, age, disability, or religion may file a written complaint with the Title VI Coordinator. The law also prohibits intimidation or retaliation against anyone who files a complaint.
3. ***Filing Options and Time Limits.*** Complaints may be filed by the affected individual(s) or a representative and must be filed no later than 180 calendar days after the following:
  - The date of the alleged act of discrimination; or
  - The date when the person(s) became aware of the alleged discrimination; or
  - When there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

In addition to filing a complaint with the WRCOG/GSATS Title VI Coordinator, a complainant may file a Title VI and related discrimination complaints may be submitted directly to the following entities:

- North Carolina Department of Transportation *Office of Civil Rights, External Civil Rights, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1808 or 800-522-0453*
- South Carolina Department of Transportation *Office of Civil Rights, 955 Park Street, PO Box 191, Columbia, SC 29202, 803-737-6361*
- Federal Highway Administration *North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010*

- Federal Highway Administration *South Carolina Division Office, 1835 Assembly Street, Suite 1270, Columbia, SC, 29201, 803-765-5411*
  - Federal Transit Administration *Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590*
4. ***Format for Complaints.*** Complaints must be in writing and signed by the complainant(s) or a representative, and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be transcribed and provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille. (See DISCRIMINATION COMPLAINT FORM)
5. ***Complaint Basis.*** Allegations must be based on issues involving race, color, national origin, LEP, income-level, sex, age, disability, or religion. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Pertinent Statutes and Regulations	
			FHWA	FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200; ( <i>Executive Order 13166</i> ) Executive Order 12898	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B; ( <i>Executive Order 13166</i> ) Executive Order 12898
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.		
National Origin (LEP)	Place of birth. Citizenship is not a factor. ( <i>Discrimination based on language or a person's accent is also covered</i> )	Mexican, Cuban, Japanese, Vietnamese, Chinese; Russian; French		
Income-Level	An individual or household determined to be low-income	Poverty status	Executive Order 12898	
Sex	The sex of an individual <i>Note:</i> Sex under this program does not include sexual orientation	Women and Men	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary, or perceived	Blind, alcoholic, paraplegic, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	
*Religion	Creed. An individual belonging to a religious group; or the perception, based usually on distinguishable characteristics that a person is a member of a religious group	Muslim, Christian, Sikh, Hindu, etc.	Title VIII of the Civil Rights Act of 1968 (Fair Housing Act); 49 USC 47123 (FAA); 49 USC 5332 (FTA)	

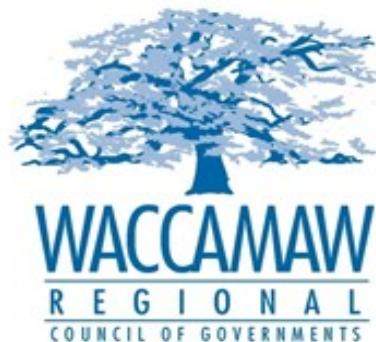
\*Note: Religion (or creed) is only protected under Right of Way, Public Transportation, and Aviation programs.

## **Complaint Receipt and Response**

1. The Title VI Coordinator will review the complaint to ensure the complaint is timely filed, that required information is provided, and to determine jurisdiction.
2. The Title VI Coordinator will record the complaint upon receipt on a log sheet maintained by WRCOG/GSATS. The log shall include the following:
  - Name of complainant(s)
  - Date complaint was received
  - Nature of complaint
  - Initial/signature of the agency representative handling the complaint
3. If the complaint is complete and no additional information is needed, the Title VI Coordinator will forward the complaint to the appropriate jurisdiction. If WRCOG/GSATS is the appropriate jurisdiction, the Title VI Coordinator shall complete the review no later than forty-five (45) calendar days after the date the complaint was received. If the jurisdiction falls under a different agency (FHWA, FTA, SCDOT, NCDOT, etc.), it will be forwarded within fifteen (15) calendar days with a cover letter to the appropriate jurisdiction. A copy of the cover letter will be provided concurrently to the complainant to advise them that the complaint was forwarded for investigation.
4. If the complaint is incomplete, you will be contacted to obtain the needed information. Failure to respond and/or provide the requested information within fifteen (15) calendar days may be considered good cause for a determination of no investigative merit.
5. WRCOG/GSATS staff will provide appropriate assistance to complainants, including those persons with disabilities or who are limited in English proficiency, in filling out the complaint form.
6. In instances where additional information is needed for assessment or investigation of the complaint, the complainant will be contacted in writing within ten (10) calendar days.

## APPENDIX III

# **DISCRIMINATION COMPLAINT FORM**



Waccamaw Regional Council of  
Governments Grand Strand Area  
Transportation Study

**Any person who believes that he/she has been subjected to discrimination based upon race, color, national origin, LEP, income level, sex, age, disability, or religion, may file a written complaint with Waccamaw Regional Council of Governments and/or Grand Strand Area Transportation Study, within 180 days after the discrimination occurred.**

Last Name:	First Name:	Male Female		
Mailing Address:		City:	State:	Zip:
Home Telephone:	Work Telephone:	E-mail Address:		

Identify the Category of Discrimination:

RACE       COLOR       NATIONAL ORIGIN       LEP       INCOME LEVEL  
 SEX       AGE       DISABILITY       RELIGION

Identify the Race of the Complainant:

Black       White       Hispanic       Asian American  
 American Indian       Alaskan Native       Pacific Islander      Other \_\_\_\_\_

Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.

List the names of individuals responsible for the discriminatory action(s).

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (**Attach additional page(s), if necessary**)

The law prohibits intimidation or **retaliation** against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation. (**Attach additional page(s), if necessary**)

List the names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint. (**Attached additional page(s), if necessary**)

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
1.		
2.		
3.		
4.		

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- Federal Highway Administration \_\_\_\_\_
- Federal Transit Administration \_\_\_\_\_
- Federal Motor Carrier Safety Administration \_\_\_\_\_
- US Department of Transportation \_\_\_\_\_
- Federal or State Court \_\_\_\_\_
- Other \_\_\_\_\_

Have you discussed the complaint with any WRCOG or GSATS representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

**\*\* PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW. THE TITLE VI COORDINATOR CAN ONLY PROCESS SIGNED COMPLAINT FORMS.\*\***

\_\_\_\_\_  
**COMPLAINANT'S SIGNATURE**

\_\_\_\_\_  
**DATE**

**MAIL COMPLAINT FORM TO:**  
WACCAMAW REGIONAL COUNCIL OF GOVERNMENTS  
ATTN: TITLE VI COORDINATOR  
1230 HIGHMARKET STREET  
GEORGETOWN, SC 29440  
Phone: 843-546-8502 Website: wrcog.org

Date Complaint Received: \_\_\_\_\_

FOR OFFICE USE ONLY

Processed by: \_\_\_\_\_

Case #: \_\_\_\_\_

Referred to: SCDOT NCDOT FHWA FTA

Other: \_\_\_\_\_ Date Referred: \_\_\_\_\_

**APPENDIX IV**

**2015 PUBLIC PARTICIPATION PLAN**

**SEE SEPARATE PUBLIC PARTICIPATION  
PLAN DOCUMENT**

## **APPENDIX V**

### **NOTICE TO THE PUBLIC**

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long Range Transportation Plan. The text will be placed on the agency's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

*Waccamaw Regional Council of Governments (WRCOG) and The Grand Strand Area Transportation Study (GSATS) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the WRCOG or GSATS receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with WRCOG or GSATS. Any such complaint must be in writing and filed with the Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at [www.wrcog.org](http://www.wrcog.org) or [www.gsats.org](http://www.gsats.org).*

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

*WRCOG and GSATS fully comply with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form, please visit our website at: [www.wrcog.org](http://www.wrcog.org) or [www.gsats.org](http://www.gsats.org), or call (843)546-8502.*

## **APPENDIX VI**

### **DEPICTING OF MINORITY REPRESENTATION ON GSATS COMMITTEES**

To facilitate and encourage maximum interaction among local, state, and federal governments or agencies and the local community, GSATS has adopted a committee structure. The Policy Committee, as the official decision making body, establishes the policies for the overall conduct of GSATS, is responsible for the adoption of plans and programs and approves study recommendations.

The Technical Committee (or Study Team), which is established by the Policy Committee, is composed of the professional/technical representatives of the member governments and public agencies having direct or indirect responsibility for transportation planning and/or implementation.

**Membership of Committees, Broken Down by Race**

<b>Body</b>	<b>Caucasian</b>	<b>African American</b>	<b>Latino</b>	<b>Asian American</b>	<b>Other Races</b>
<b>Technical Coordinating Committee (NC)</b>	90%	5%	0%	0%	5%
<b>Technical Committee (Study Team) (SC)</b>	79%	16%	5%	0%	0%
<b>Transportation Advisory Committee</b>	100%	0%	0%	0%	0%
<b>Policy Committee</b>	80%	20%	0%	0%	0%

## **DEPICTING OF MINORITY REPRESENTATION ON WRCOG COMMITTEES**

To facilitate and encourage maximum interaction among local, state and federal governments or agencies and the local community, WRCOG has adopted a committee structure. The Policy Committee (Board of Directors), as the official decision making body, establishes the policies for the overall conduct of WRCOG, is responsible for the adoption of plans and programs and approves study recommendations.

The Rural Technical Committee (RTC), which is established by the Board of Directors, is composed of the professional/technical representatives of the member governments and public agencies having direct or indirect responsibility for transportation planning and/or implementation.

**Membership of Committees, Broken Down by Race**

<b>Body</b>	<b>Caucasian</b>	<b>African American</b>	<b>Latino</b>	<b>Asian American</b>	<b>Other Races</b>
<b>Rural Technical Committee</b>	57%	43%	0%	0%	0%
<b>Board of Directors</b>	60%	40%	0%	0%	0%

## **APPENDIX VII**

### **SOCIO-ECONOMIC DATA AND MAPS FOR GSATS**

A review of the 2010 Census for the Grand Strand Area Transportation Study was conducted to evaluate representation of minority populations and low-income households. (See Table Below)

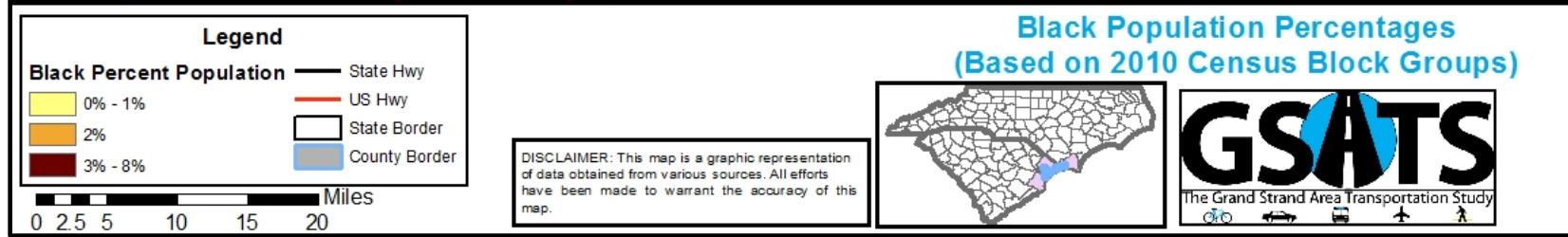
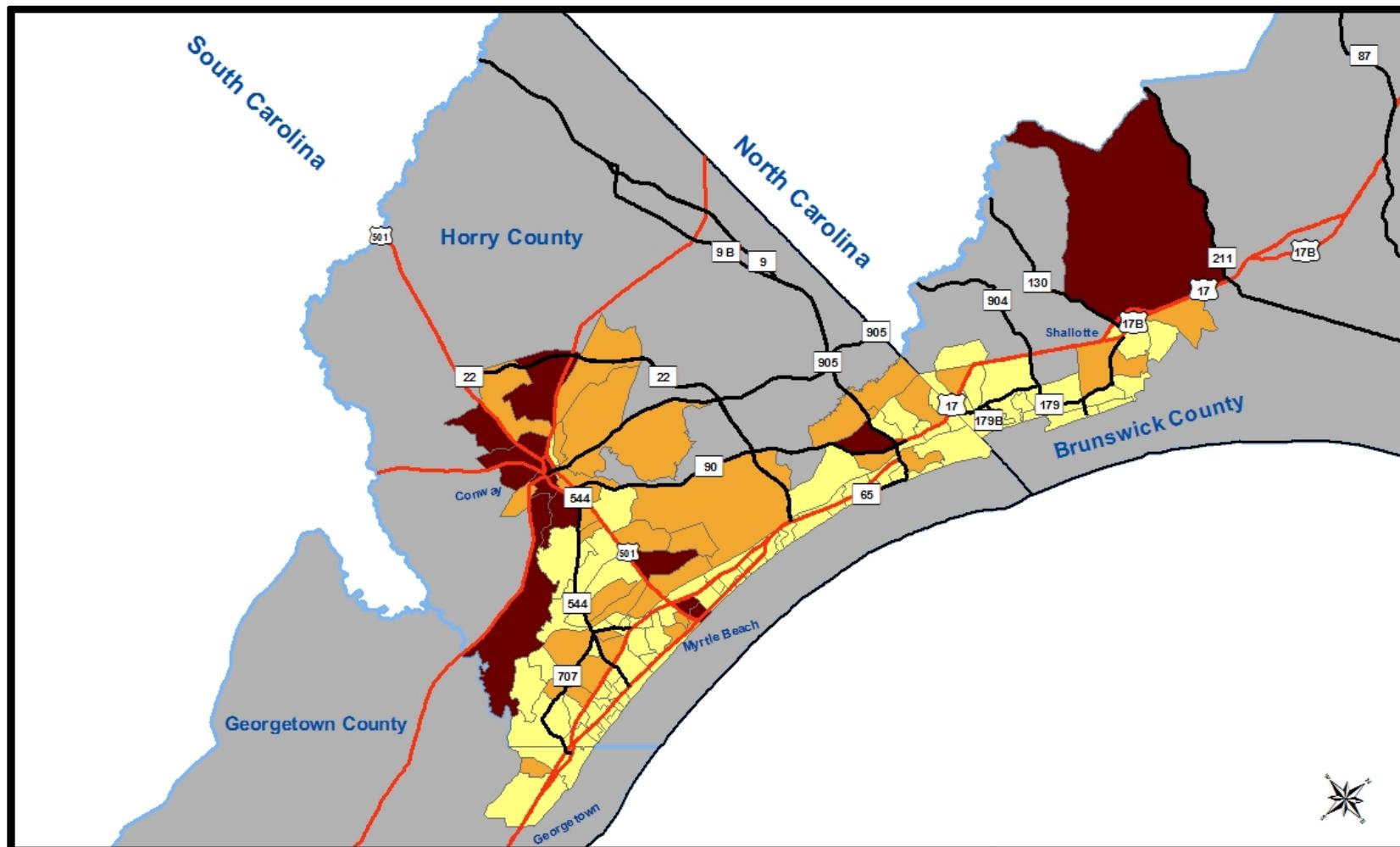
#### **GSATS Minority & Poverty Population Percentages**

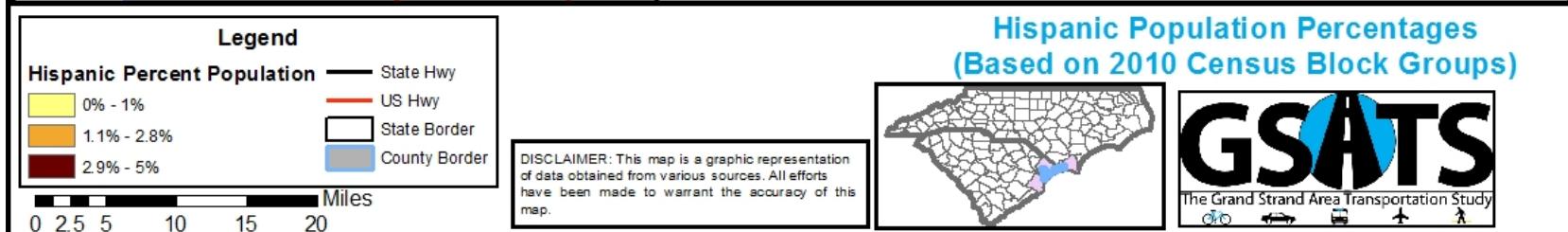
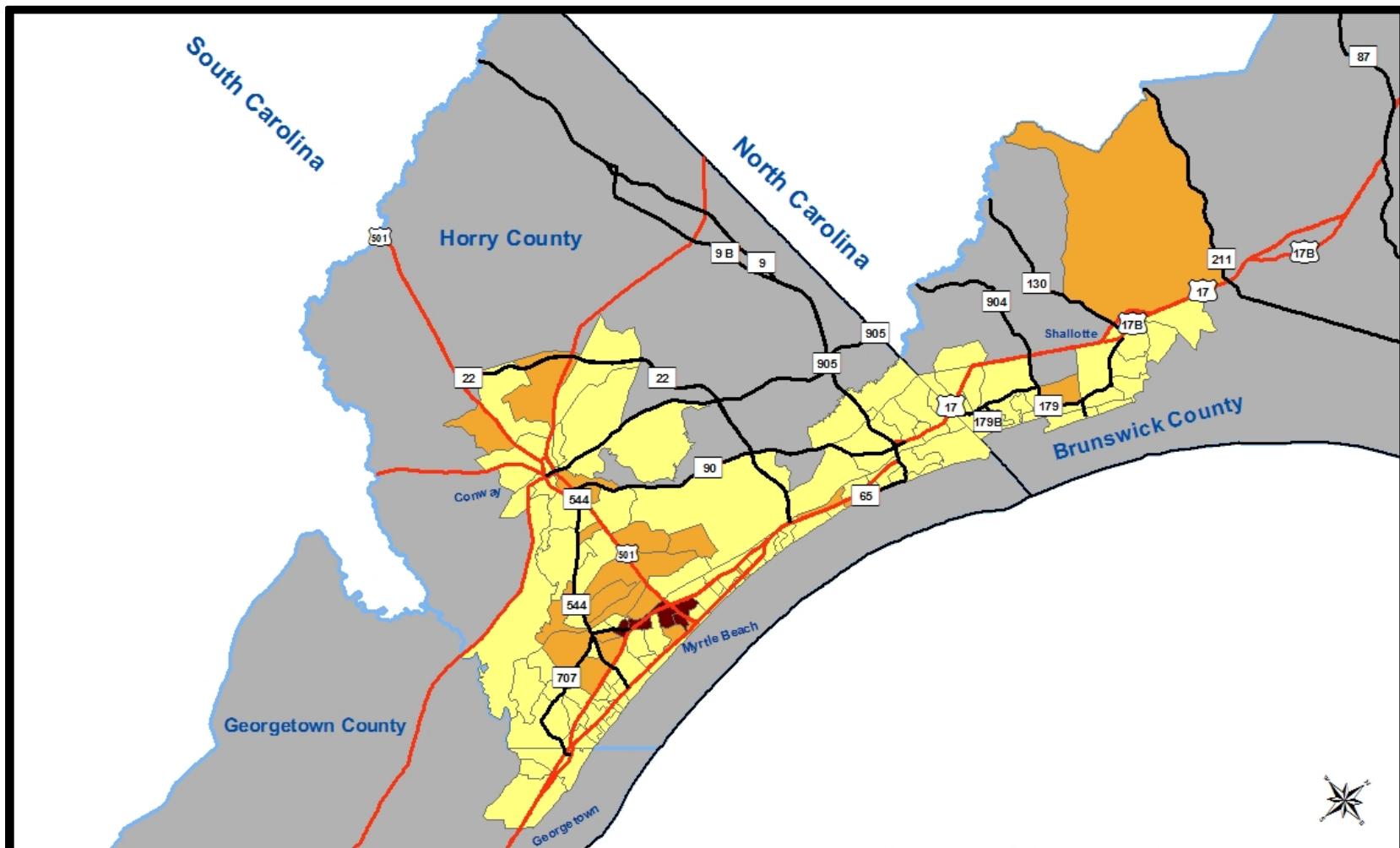
	GSATS Population Percentages			
	GSATS Region	Georgetown GSATS	Horry GSATS	Brunswick (NC) GSATS
Population	215,304	7,539	187,486	20,279
Black or African American Population	21,402	477	20,299	626
% Regional Black Population	10%	6%	11%	3%
Hispanic Population	14,535	169	13,312	1,054
% Regional Hispanic Population	7%	2%	7%	5%
Other Race Population	11,348	209	10,227	912
%Regional Other Race Population	5%	3%	5%	4%
65 and Older Population	37,863	3,527	24,701	9,635
% Regional 65 and Older Population	18%	47%	13%	48%
Poverty Population*	37,259	674	33,709	2,876
%Regional Poverty Population*	17%	0.09%	18%	14%

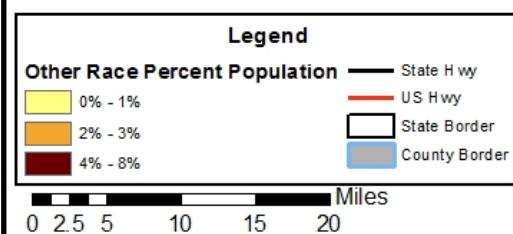
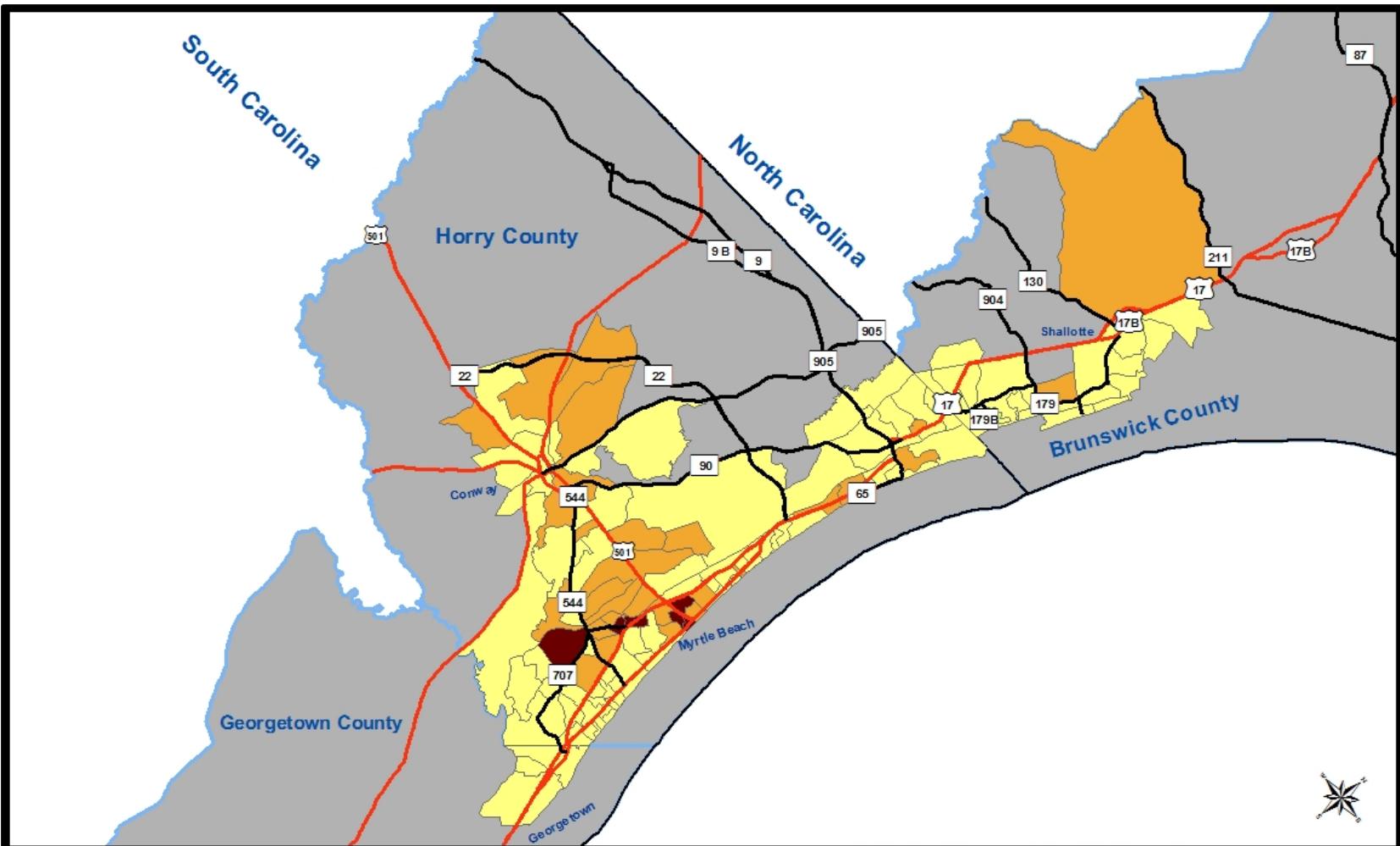
2010 Census Data \*2009-2013 American Community Survey 5-Estimates

According to the regional totals, minority populations make up approximately 20% of the GSATS region with the largest share residing in Horry County. In addition, the 65 and older population is about 44% of the region and the largest share resides in Horry County as well. The regional poverty population is estimated to be 37,259, which is 17% of the GSATS region. The majority of the poverty populations reside in Horry County.

The following maps illustrate the areas of the region where the percentages of minority, Hispanic, and 65 and older populations exceed the regional percentages thresholds. The study area's population that is below the poverty line is also illustrated.

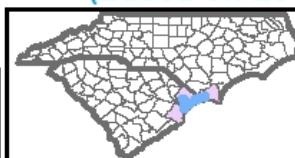


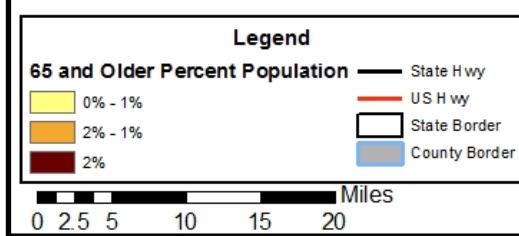
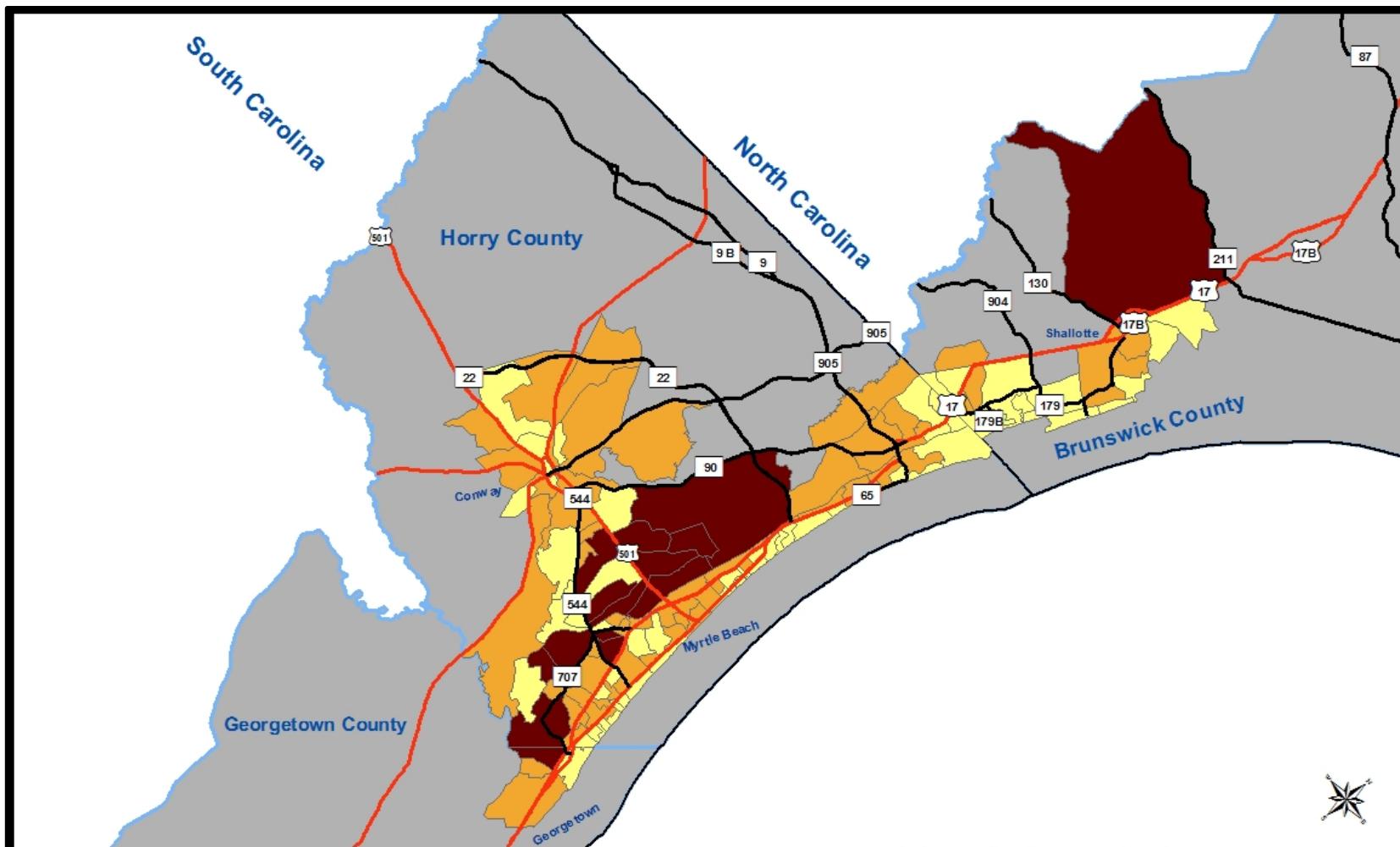




**DISCLAIMER:** This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map.

### Other Race Population Percentages (Based on 2010 Census Block Groups)

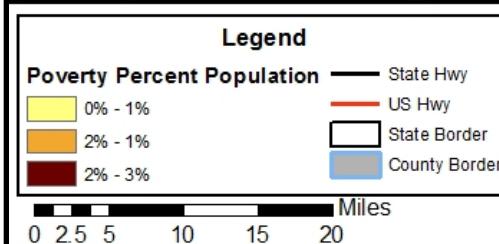
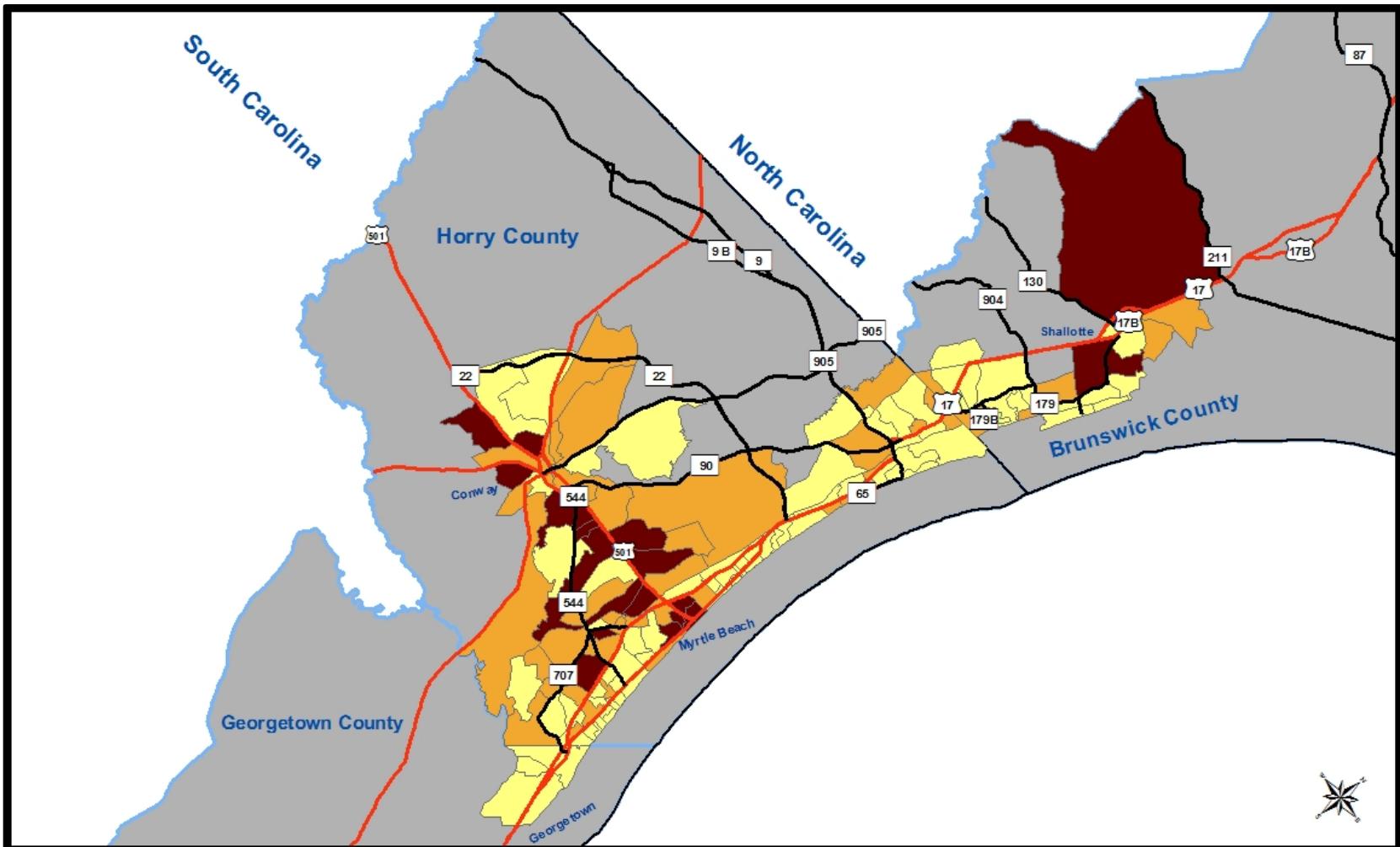




**DISCLAIMER:** This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map.

### 65 & Older Population Percentages (Based on 2010 Census Block Groups)





**DISCLAIMER:** This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map.



### Poverty Population Percentages (Based on 09-13 ACS)



## SOCIO-ECONOMIC DATA AND MAPS FOR WRCOG

A review of the 2010 Census for the Waccamaw Regional Council of Governments was conducted to evaluate representation of minority populations and low-income households. (See Table Below)

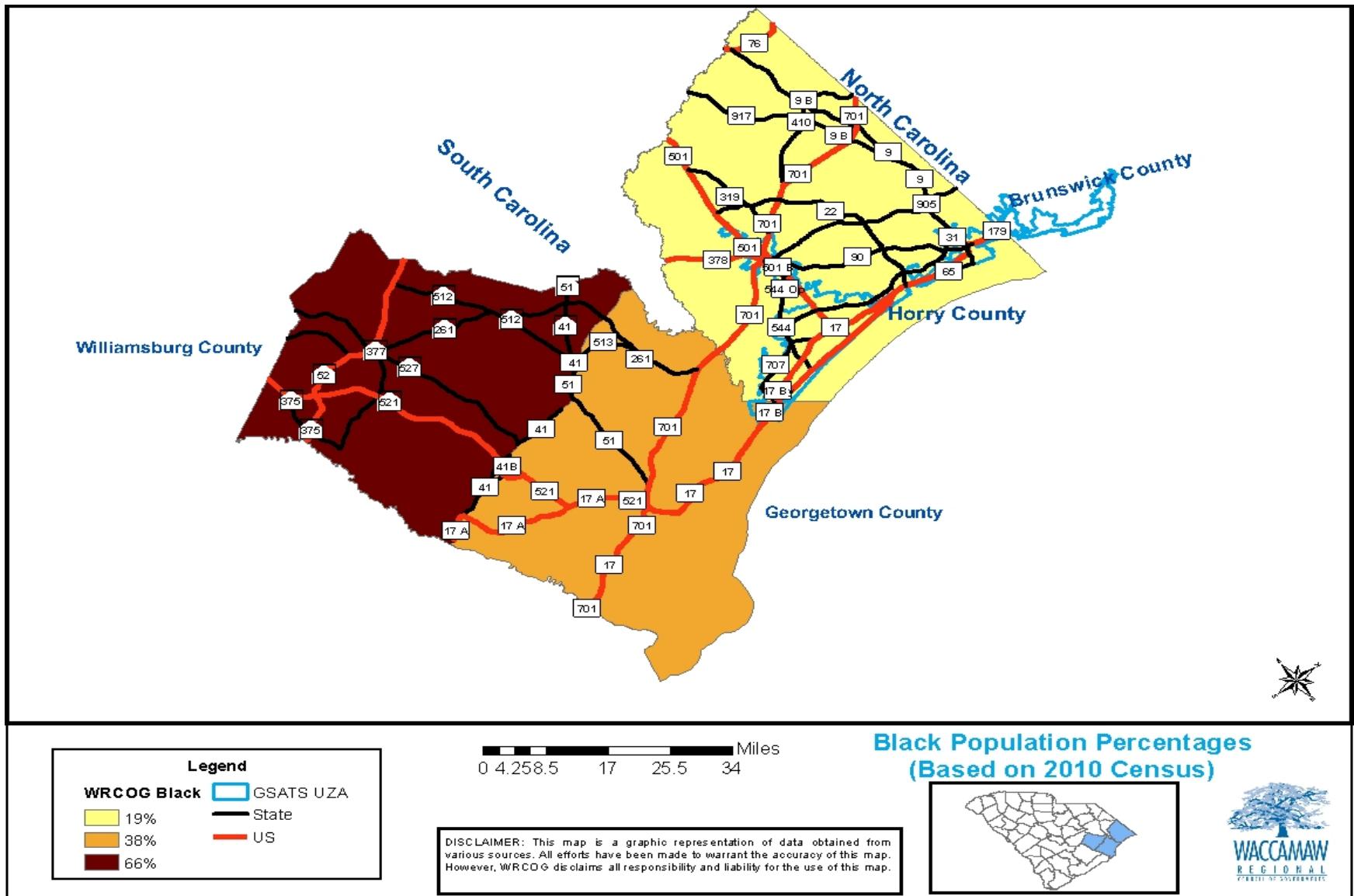
	WRCOG Population Percentages			
	WRCOG Region	Georgetown Co.	Horry Co.	Williamsburg Co.
Population	168,847	52,619	81,805	34,423
Black or African American Population	58,277	19,737	15,903	22,637
% Regional Black Population	35%	38%	19%	66%
Hispanic Population	5,758	1,698	3,371	689
% Regional Hispanic Population	3%	3%	4%	2%
Other Race Population	4,305	1,181	2,539	585
%Regional Other Race Population	3%	2%	3%	2%
65 and Older Population	28,801	8,393	15,369	5,039
% Regional 65 and Older Population	17%	16%	19%	15%
Poverty Population*	38,977	11,989	17,135	9,853
%Regional Poverty Population*	23%	23%	21%	29%

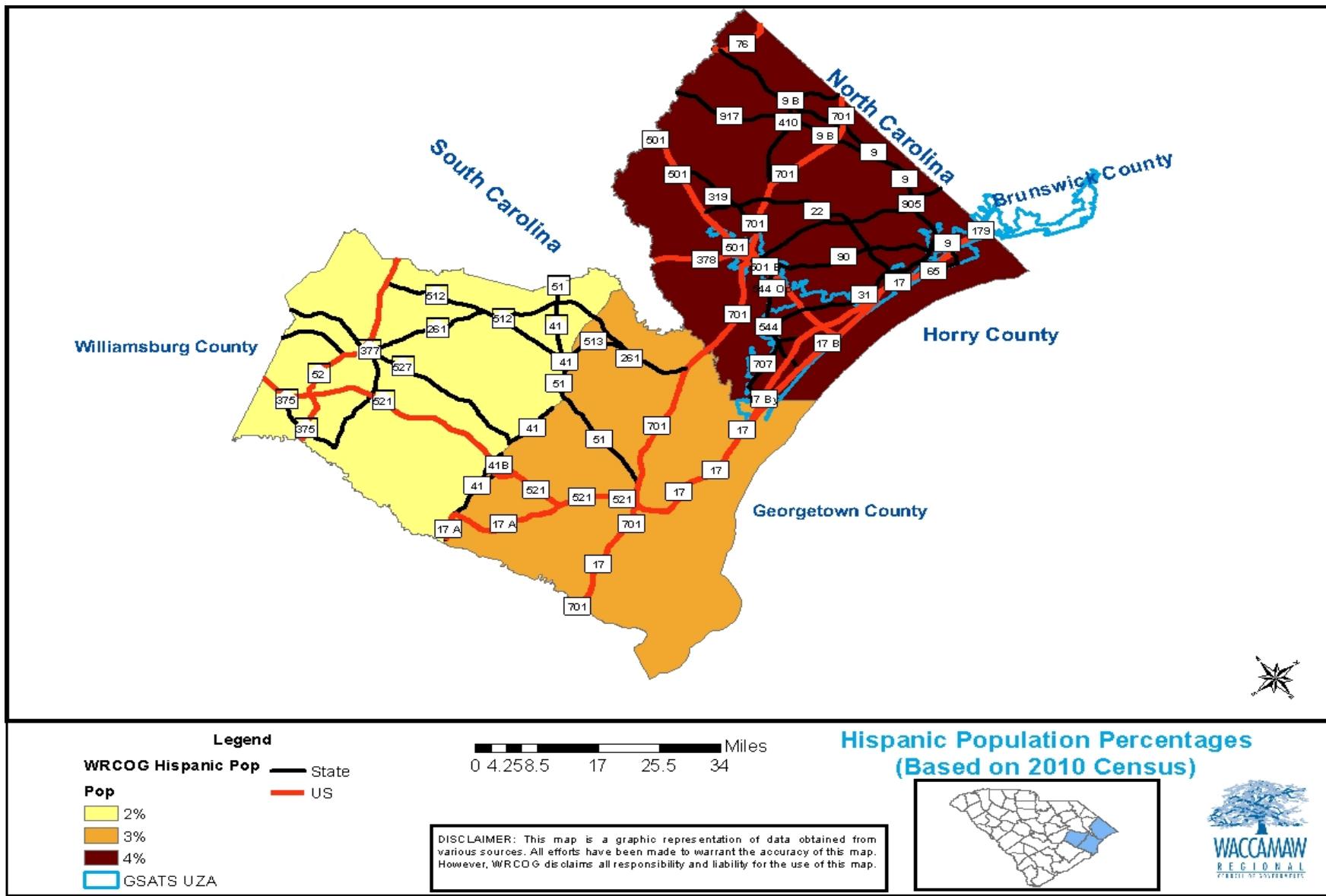
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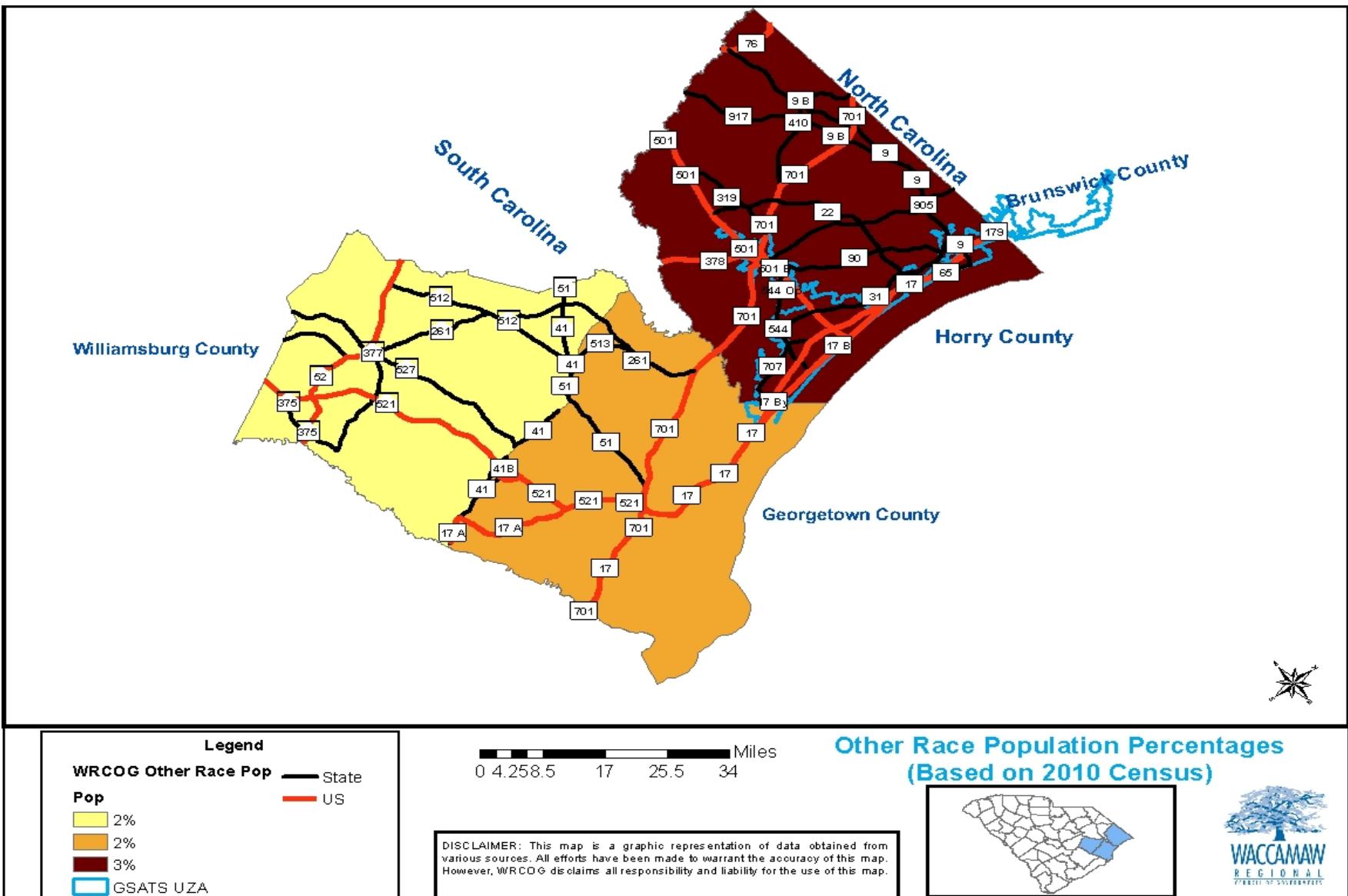
2010 Census Data \*2009-2013 American Community Survey 5-Estimates

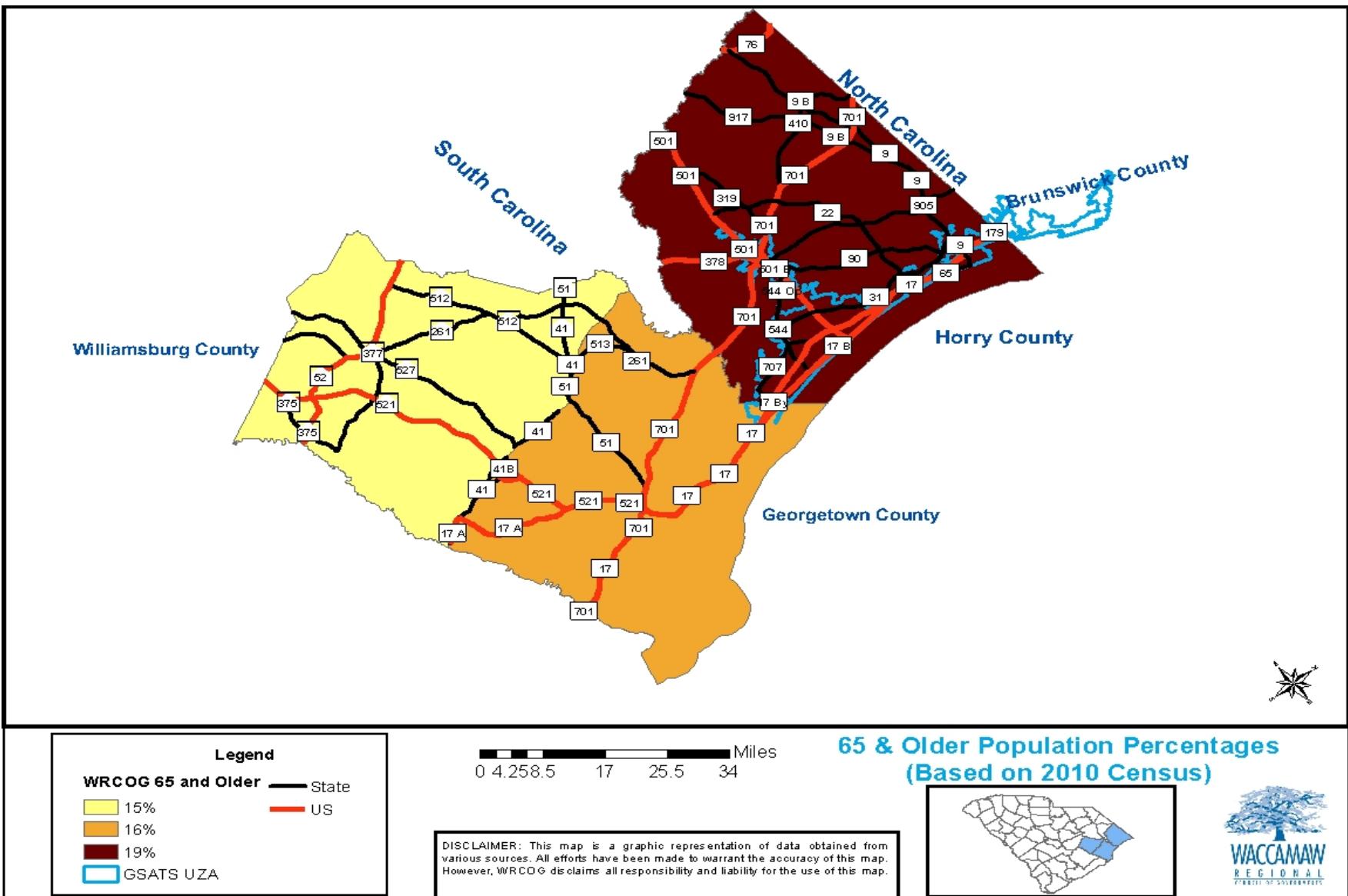
According to the regional totals, minority populations make up approximately 35% of the WRCOG region with the largest share residing in Horry County. In addition the 65 and older population is about 17% percent of the region and the largest share resides in Horry County as well. The regional poverty population is estimated to be 38,977 which is 23% of the WRCOG region. The majority of the poverty populations reside in Horry County.

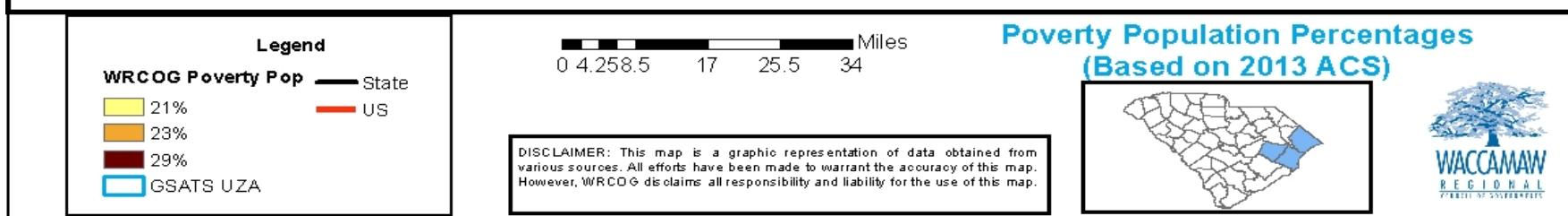
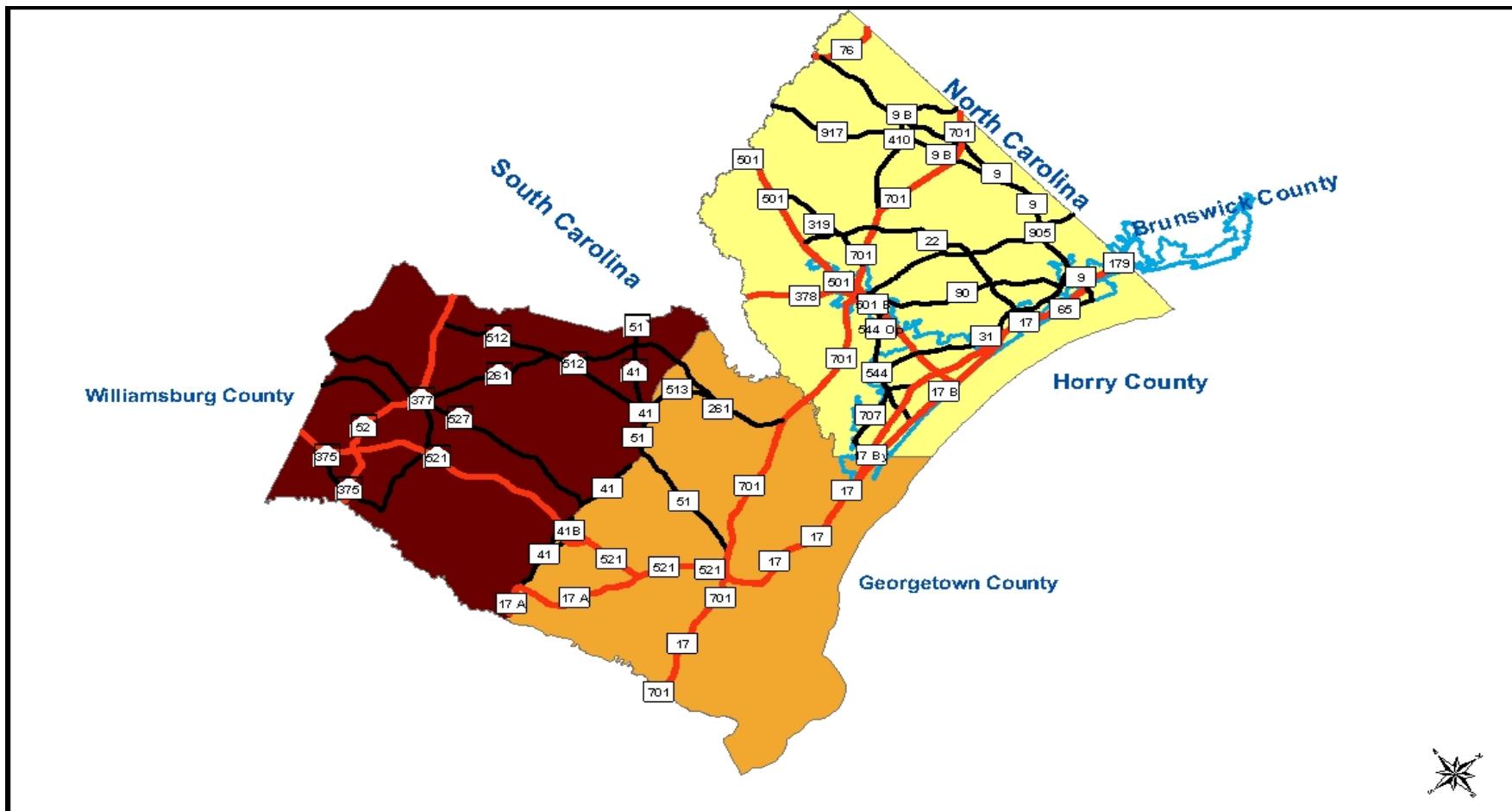
The following maps illustrate the areas of the region where the percentages of minority, Hispanic, and 65 and older populations exceed the regional percentages thresholds. The study area's population that is below the poverty line is also illustrated.





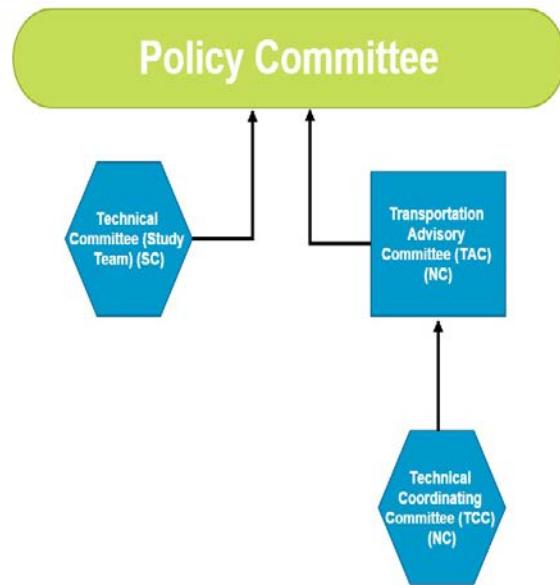






## **APPENDIX VIII**

### **MPO TRANSPORTATION PLANNING PROCESS**



### **WRCOG TRANSPORTATION PLANNING PROCESS**



## **APPENDIX IX**

### **DATA COLLECTION & REPORTING REQUIREMENTS**

WRCOG/GSATS will comply with the following data collection and reporting requirements as outlined by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA):

#### **General Reporting Requirements**

All applicants, recipients, and subrecipients are required to maintain and provide upon request the information outlined below. The information is required under DOJ regulation and must be submitted prior to the approval of any grant application. Recipients and subrecipients should provide updated information as conditions warrant. Updates must at a minimum be provided every three years. Information previously submitted under the General Reporting Requirements may be referenced in subsequent submissions, as appropriate.

All applicants, recipients, and subrecipients shall maintain and submit the following general requirements:

- A list of any active lawsuits or complaints naming the applicant, which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include: the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties to the lawsuit have entered into a consent decree. For applicants of assistance under Section 6, 10, 16(b)(2), and 18, this information should be maintained and made available upon request. For all applicants for FHWA or FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part (e.g., not all information on all modes of transportation);
- A description of all pending applications for financial assistance, and all financial assistance currently provided by other Federal agencies. For applicants of assistance under Section 6, 10, 16(b)(2), and 18, this information should be maintained and made available upon request. For all applicants applying for federal assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part;
- A summary of all civil rights compliance review activities conducted in the last three (3) years. The summary should include: the purpose or reason for the review; the name of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and, a report on the status and/or disposition of such findings and recommendations. For all applicants applying for federal assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part;
- A signed Civil Rights Assurance that all of the records and other information required under Title VI and related statutes have been or will be compiled, as appropriate, and maintained by the applicant, recipient, or subrecipient. In the case of State administered

programs, this assurance should be provided by the primary and subrecipient (**Appendix 1**); and

- For construction projects, a fixed-facility impact analysis to assess the effects on minority communities. If this information has been prepared as a result of an environmental assessment or environmental impact statement, the applicant, recipient, or subrecipient should reference the relevant information by document, page number(s), and date of submission to FHWA or FTA. The analysis should include the following information.
  - a. A discussion of the potential impact on minority communities and minority-owned businesses during and after construction;
  - b. A discussion of all potential negative environmental impact, such as noise, air, or water pollution;
  - c. A detailed list of minority-owned businesses and households that will be affected by the construction project;
  - d. A description of other significant changes or impacts on the minority community, such as increased traffic, reductions in the amount of available parking, etc.; and
  - e. A description of the relocation program and/or other measures adopted by the applicant that will be used to mitigate any identified adverse social, economic, or environmental effect of the proposed construction project.

## **APPENDIX X**

### **LIST OF TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS**

WRCOG, GSATS, all subrecipients, and contractors shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or origin:

- Active investigation conducted by FTA or FHWA and other entities;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or compliant; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall include in the Title VI Program submitted every three years.

There are no current or pending lawsuits, complaints, or investigations being held or filed currently as of February 20, 2019.

## **APPENDIX XI**

### **GLOSSARY OF TERMS**

The terms used in this plan have the meanings as prescribed below. Where terms are not defined, reference should be made to the definitions contained within the governing federal law or Department of Transportation (DOT) guidelines.

**Amendment** A significant change to the adopted Public Participation Plan, Long Range Transportation Plan, Transportation Improvement Program, Congestion Management Process, or Unified Planning Work Program. Amendments require additional opportunities for public involvement and approval by the Policy Committee.

#### **.Administrative**

**Modification** A correction or update to the Transportation Improvement Program or other MPO planning process that does not require Policy Committee approval or additional public involvement. Corrections do not include the addition or removal of projects, significant changes in project scope, or significant changes in cost. In determining whether a proposed change would constitute an amendment or correction, reference should be made to the latest DOT guidance. For TIP amendments or modifications (South Carolina), reference should be made to SCDOT guidance published on March 25, 2014 or the latest revision.

**CMP** Congestion Management Process. A planning process required for Transportation Management Areas (TMAs) that seeks to locally define and assess the significance of congestion, formulates management strategies, and develops multimodal performance measures.

**DOT** Department of Transportation. This term includes the United States Department of Transportation (USDOT), the North Carolina Department of Transportation (NCDOT), the South Carolina Department of Transportation (SCDOT), and all agencies and divisions thereof.

#### **Environmental**

**Justice** A federal policy that protects minority and low income populations from experiencing disproportionately high and adverse human health or environmental effects of federally-funded programs, policies, and activities.

**FHWA** Federal Highway Administration. The USDOT agency that oversees the distribution of federal funds for the activities pertaining to road systems in each state.

**FTA** Federal Transit Administration. The USDOT agency that oversees the distribution of federal funds for transit activities in each state.

**GSATS** Grand Strand Area Transportation Study. The GSATS Policy Committee is the MPO for portions of Horry and Georgetown counties in South Carolina and the southeastern portion of Brunswick County in North Carolina.

<b>L RTP</b>	Long Range Transportation Plan (also called a Metropolitan Transportation Plan or MTP). A document resulting from collaboration and consensus that serves as the defining vision for the area's transportation system. The plan indicates the transportation improvements scheduled for funding over the next twenty years and provides both long-range and short-range strategies/actions that lead to the development of an integrated multimodal transportation system.
<b>MAP 21</b>	Moving Ahead for Progress in the 21 <sup>st</sup> Century (MAP-21). This is the most recent transportation act. MAP-21 replaced SAFETEA-LU.
<b>MPO</b>	Metropolitan Planning Organization. A regional policy body, required in urbanized areas with populations over 50,000, and designated by local officials and the governor(s) of the affected state(s). MPOs, in cooperation with state(s) and other transportation providers, are responsible for carrying out the metropolitan transportation planning requirements of federal highway and transit legislation.
<b>NCTAC</b>	North Carolina Transportation Advisory Committee. An advisory committee consisting of elected and appointed officials that makes recommendations to the Policy Committee on issues impacting the North Carolina portion of the study area.
<b>NCTCC</b>	North Carolina Technical Coordinating Committee. A technical advisory committee that makes recommendations to the NCTAC. The NCTCC is composed of planning directors, town administrators, and other non-elected officials from the North Carolina portion of the study area.
<b>Policy Committee</b>	GSATS' governing board which is made up of twenty-four members with representation from area jurisdictions, NCDOT, SC DOT, and public transit providers.
<b>Study Area</b>	The geographic area in which the metropolitan planning process required by 23 U.S.C. 134 and section 8 of the Federal Transit Act (49 U.S.C. app. 1607) must be carried out. The study area is also called the Metropolitan Planning Area.
<b>Study Team</b>	A technical advisory committee that makes recommendations to the GSATS Policy Committee. The Study Team is composed of planning directors, city administrators, and other non-elected officials from the South Carolina portion of the study area.
<b>TIP</b>	Transportation Improvement Program. A document prepared by the MPO in coordination with the state that lists projects to be funded with FHWA/FTA funds for the next four or more years.
<b>Title VI</b>	Title VI of the Civil Rights Act of 1964. This act prohibits discrimination in any program receiving federal assistance.

**UPWP** Unified Planning Work Program. The UPWP is the management plan for the MPO. It provides a description of tasks and required coordination activities to be undertaken by the transportation planning program.