**TITLE VI COMPLIANCE REVIEW**

**OF THE**

**South Dakota Department of Transportation (SDDOT)**

**Pierre, South Dakota**

**Final Report**

**January 2012**

**Prepared For**

**U.S. DEPARTMENT OF TRANSPORATION**

**FEDERAL TRANSIT ADMINISTRATION**

**OFFICE OF CIVIL RIGHTS**

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1. GENERAL INFORMATION

Grant Recipient: South Dakota Department of Transportation (SDDOT)

City/State: Pierre, SD

Grantee Number: 1160

Executive Official: Mr. Darin Bergquist

Secretary of Transportation

South Dakota Department of Transportation

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1. JURISDICTION AND AUTHORITIES

The Federal Transit Administration (FTA) Office of Civil Rights is authorized by the Secretary of Transportation to conduct civil rights compliance reviews. The South Dakota Department of Transportation (SDDOT) is a recipient of FTA funding assistance and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

* Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d).
* Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.).
* Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.).
* Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted).
* DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted).
* Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987).
* Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted).
* DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997).
* DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005).
* Section 12 of FTA’s Master Agreement 17, (October 1, 2010).
1. PURPOSE AND OBJECTIVES

#### Purpose

The Federal Transit Administration (FTA) Office of Civil Rights periodically conducts discretionary reviews of grant recipients and subrecipients to determine whether they are honoring their commitments, as represented by certification, to comply with the requirements of 49 U.S.C. 5332. In keeping with its regulations and guidelines, FTA determined that a Compliance Review of SDDOT’s Title VI Program was necessary.

The Office of Civil Rights authorized The DMP Group, LLC to conduct the Title VI Compliance Review of SDDOT. The primary purpose of this Compliance Review was to determine the extent to which SDDOT has met its General Reporting and Program-Specific Requirements and Guidelines, in accordance with FTA Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients”. Members of the Compliance Review team also discussed with SDDOT the requirements of the DOT Guidance on Special Language Services to Limited English Proficient (LEP) Beneficiaries that is contained in Circular 4702.1A. The Compliance Review had a further purpose to provide technical assistance and to make recommendations regarding corrective actions, as deemed necessary and appropriate. The Compliance Review was not an investigation to determine the merit of any specific discrimination complaints filed against SDDOT.

#### Objectives

The objectives of FTA’s Title VI Program, as set forth in FTA Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients,” are:

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

The objectives of Executive Order 13166 and the “DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries” are for FTA grantees to take reasonable steps to ensure “meaningful” access to transit services and programs for limited English proficient (LEP) persons.

1. BACKGROUND INFORMATION

The Governor of the State of South Dakota has designated the South Dakota Department of Transportation (SDDOT) as the agency responsible for administering the Section 5303, 5304, 5309, 5310, 5311, 5316 and 5317 programs. The mission of SDDOT is to provide a safe, efficient and effective transportation system.

There are four divisions within SDDOT: Secretariat, Finance and Management, Planning and Engineering, and Operations. The Local Transportation Programs Office in the Division of Finance and Management has management responsibility for the Section 5309, 5310, 5311, 5316 and 5317 programs. These public transportation programs also are funded by rider fares, private contributions, donations, and State, city, and county funding. The Division Director of Finance and Management reports directly to the Secretary of the Department of Transportation.

SDDOT acts as a facilitator of public and specialized transportation services. SDDOT does not directly provide the services but provides funding to subrecipients for services to be delivered within South Dakota through the awards of grants. SDDOT disseminates information on FTA programs and provides technical services to applicants in preparing funding proposals. Local governments and non-profit entities are responsible for the development and operation of local public transportation systems.

Other offices within SDDOT that support the Local Transportation Programs Office in administering the Section 5309, 5310, 5311, 5316 and 5317 programs include:

* Internal Audits, under the Department of Transportation, reviews independent audits of subrecipients that receive $500,000 or more per year in federal funds to ensure that audit findings are resolved. It conducts program reviews of subrecipients that receive less than $500,000 per year in federal funds.
* Office of Procurement Management, under the Bureau of Administration, secures statewide contracts for state and local agencies to purchase items.
* DOT Legal Section, under the Attorney General, reviews agreements between SDDOT and subrecipients for compliance with state and federal requirements. The Legal Section is also responsible for Title VI, ADA, and EEO.
* Accounting Section, under the Division of Finance & Management, processes payment to vendors for vehicles procured for subrecipients. Eligible reimbursements to subrecipients are also processed to subrecipients. It also processes the ECHO drawdown from FTA.

Transportation for elderly persons and persons with disabilities in South Dakota had been provided for several years through funding available through both the Department of Social Services and SDDOT. These funding sources were all categorically restricted, so existing transportation services were principally developed for elderly persons and persons with disabilities. A major policy of the SDDOT was to make ongoing transportation services open to the general public for both private and special service providers with Section 5311 funds. This policy allows SDDOT to make a statewide distribution of limited Section 5311 funds.

The use of public transportation service organizations, as applicants of Section 5311 funds, is promoted by SDDOT staff. The development of two or more projects within the same rural community is not allowed. This policy encourages coordination and reduces duplication at the local level. Section 5311 subrecipients are encouraged to invite proposals, evaluate cost benefits, and contract with private sector organizations for goods and services, especially transportation services.

The United We Ride Initiative is a joint effort between the South Dakota Departments of Transportation, Social Services, Human Services, Health and Labor, as well as representation from the Statewide Independent Living Council. Coordination has been defined as an arrangement for the provision of transportation services in a manner that is cost effective, efficient and reduces fragmentation and duplication of services. The major purpose of coordination is to increase vehicle utilization and ridership, thereby assisting local agencies to meet a greater number of needs by pooling resources. The United We Ride Initiative seeks to create a single entity in each community that:

1. Coordinates existing community agencies receiving funds from state and government for transportation services.
2. Acts primarily as the hub of transportation services to all segments of the community population, not to specialized segments of citizens. The applicant is to structures its activities in order to coordinate transportation with other agencies and private transportation providers.
3. Has a governing board comprised of community leaders from businesses, local government, riders, transportation providers and human service agencies.
4. Demonstrates that existing equipment operated by public or private providers are being fully utilized.
5. Applicants are required to describe how the service they proposed to provide will be coordinated with existing public and private services. If another public or private agency currently provides transportation service similar to that proposed by the application, the applicant must explain why the proposed service will not be duplicative. Applicant will seek and consider proposals by private operators to provide necessary services under contract.

Communities with a community developed transportation coordination plan are not guaranteed additional state or federal dollars for transit purposes but they will receive a higher priority for funding from state agencies when dollars for transit vehicle procurements and operating grants are being allocated.

SDDOT provides funding to 32 Section 5310 subrecipients, 22 Section 5311 subrecipients, six Section 5316 subrecipients, and five Section 5317 subrecipients.

The Secretary of SDDOT has the ultimate responsibility for the implementation of SDDOT’s Title VI program. SDDOT has delegated the responsibility for implementation of the Title VI program to the Civil Rights Compliance Officer in the Office of Legal Counsel. The Civil Rights Compliance Officer is responsible for establishing policies and monitoring procedures to ensure Title VI compliance.

A demographic profile of the SDDOT Service Area using data from the 2010 Census, as presented on the following table, shows that 88.7 percent of the population is White non-Hispanic, 8.3 percent is American Indian/Alaska Native, 1.4 percent is Hispanic, and less than one percent is Black and Asian/Pacific Islander.

The population of the SDDOT Service Area has changed somewhat since the 2000 Census (also presented below). The current population per the 2010 Census is 814,180 persons, an increase of about 59,336 persons, or 7.9 percent, over the 2000 census. The non-Hispanic white population comprises 8.5 percent of the total population in 2010, a decrease of 4.5 percent from 2000 (88.7 percent). The American Indian population comprises 8.8 percent of the total population in 2010, an increase of 15.3 percent from 2000 (8.3 percent). The Hispanic population comprises 2.7 percent of the total population in 2010, an increase of 102.9 percent from 2000 (1.4 percent). The Asian/Pacific Islander population comprises 0.9 percent of the total population in 2010, an increase of 73.8 percent from 2000 (0.6 percent).

**Table 1 – Demographics of the SDDOT Area**

|  |  |  |  |
| --- | --- | --- | --- |
| **Racial/ Ethnic Group** | 2000 U.S. Census | 2010 U.S. Census | Change2000 to 2010 |
| **Number** | **Percent** | **Number** | **Percent** | **Percent** |
| White | 669,404 | 88.7% | 699,392 | 85.9% | 4.5% |
| Black | 4,685 | 0.6% | 10,207 | 1.3% | 117.9% |
| American Indian and Alaska Native | 62,283 | 8.3% | 71,817 | 8.8% | 15.3% |
| Asian | 4,378 | 0.6% | 7,610 | 0.9% | 73.8% |
| Hawaiian/Pacific Islander | 261 | 0.0% | 394 | 0.0% | 51.0% |
| Other Race | 3,677 | 0.5% | 7,477 | 0.9% | 103.3% |
| Two or More | 10,156 | 1.3% | 17,283 | 2.1% | 70.2% |
| Hispanic Origin[[1]](#footnote-1) | 10,903 | 1.4% | 22,119 | 2.7% | 102.9% |
| Total Population | **754,844** | **100%** | **814,180** | **100%** | **7.9** |
|  |  |  |  |  |  |
| Limited English Proficiency | 95,900 | 13.2% | Not Available | Not Available |  |
| Low-Income | 16,376 | 2.3% | Not Available | Not Available |  |

1. SCOPE AND METHODOLOGY

#### Scope

The Title VI Compliance Review of SDDOT examined the following requirements as specified in FTA Circular 4702.1A:

1. General Reporting Requirements and Guidelines– all applicants, recipients, and subrecipients shall maintain and submit the following:
2. Annual Title VI Certification and Assurance;
3. Title VI Complaint Procedures;
4. Record of Title VI Investigations, Complaints, and Lawsuits;
5. Language Access to LEP Persons;
6. Notice to Beneficiaries of Protection under Title VI;
7. Submit Title VI Program;
8. Environmental Justice Analysis of Construction Projects; and
9. Inclusive Public Participation.
10. Program-Specific Requirements and Guidelines for State DOTs and Other Administrating Agencies–State DOTs and Other Administrating Agencies, administering Elderly Individuals and Individuals with Disabilities, Rural and Small Urban Area, Job Access and Reverse Commute (JARC), and New Freedom funding programs, shall also submit the following:
11. A copy of procedures to certify that the statewide planning process is in compliance with Title VI;
12. A description of the procedures the agency uses to pass through FTA financial assistance in a non-discriminatory manner;
13. A description of the procedures the agency uses to provide assistance to potential subrecipients in a non-discriminatory manner;
14. A description of how the agency monitors its subrecipients for compliance with Title VI and the results of the monitoring.

#### Methodology

Initial interviews were conducted with the FTA Headquarters Civil Rights staff and the FTA Region VIII Civil Rights Officer to discuss specific Title VI issues and concerns regarding SDDOT. An agenda letter covering the Review was sent to SDDOT advising it of the site visit and indicating additional information that would be needed and issues that would be discussed. The Title VI Review team focused on the compliance areas that are contained in FTA Title VI Circular 4702.1A that became effective on May 13, 2007. These compliance areas are: (1) General Reporting Requirements and Guidelines; and (2) Program-Specific Requirements and Guidelines for State Departments of Transportation and Other Administrating Agencies. The General Reporting Requirements and Guidelines now include implementation of the Environmental Justice (EJ) and Limited English Proficiency (LEP) Executive Orders.

SDDOT was requested to provide the following information regarding the Title VI Requirements and Guidelines of FTA Circular 4702.1A:

* List of all SDDOT subrecipients by FTA program area, e.g., FTA Section 5303, 5304, 5305, 5310, 5311, 5316, and 5317 subrecipients.
* A map or chart of the distribution of SDDOT administered FTA Section 5303, 5304, 5305, 5310, 5311, 5316, and 5317 funding throughout the State. The areas covered by each subrecipient and the dollars awarded in the past three years should be noted, as well as the number of vehicles, where appropriate. The map or chart should also identify areas where minority and low-income populations exceed the statewide averages.
* A demographic profile of the State that includes the identification of the locations of socioeconomic groups, including low-income and minority populations, as covered by Title VI and the Executive Order on Environmental Justice.
* Any studies or surveys conducted by SDDOT, its consultants or other interested parties (colleges or universities, community groups, etc.) regarding ridership, service levels and amenities, passenger satisfaction, passenger demographics or fare issues for its rural public transit service and regarding transit planning and service provided by FTA Section 5310, 5311, 5316, and 5317 subrecipients, during the past three years.
* SDDOT Organization Chart for the Department and for the unit responsible for administration of FTA grant programs.
* Summary of SDDOT’s and its FTA Section 5303, 5304, 5305, 5310, 5311, 5316, and 5317 subrecipients’ current efforts to seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities.
* A copy of SDDOT’s four factor analysis of the needs of persons with Limited English Proficiency.
* A copy of SDDOT’s plan for providing language assistance for persons with Limited English Proficiency that is based on the USDOT LEP Guidance.
* A list of FTA Section 5310, 5311, 5316, and 5317 subrecipients that have conducted the four factor analysis and have developed language assistance plans for persons with Limited English Proficiency.
* SDDOT’s procedures for investigating and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.
* A list of FTA Section 5310, 5311, 5316, and 5317 subrecipients that have procedures for investigating and tracking Title VI complaints and documentation that the procedures for filing complaints are available to members of the public upon request.
* A list of any investigations, lawsuits, or complaints naming SDDOT that alleges discrimination on the basis of race, color, or national origin during the past three years. This list must include:
* the date the investigation, lawsuit, or complaint was filed;
* a summary of the allegation(s);
* the status of the investigation, lawsuit, or complaint; and
* actions taken by SDDOT in response to the investigation, lawsuit, or complaint.
* Copy of SDDOT’s Notice to Beneficiaries of Protections Under Title VI
* Description of efforts made by SDDOT to apprise members of the public of the protections against discrimination afforded to them by Title VI.
* A list of FTA Section 5310, 5311, 5316, and 5317 subrecipients that have notified members of the public of the protection against discrimination afforded to them by Title VI.
* Copies of any environmental justice assessments conducted for construction projects during the past three years and, if needed, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities, including FTA Section 5310, 5311, 5316, and 5317 subrecipients.
* SDDOT’s most recent Title VI Update that was submitted to FTA.
* FTA Title VI Update Approval Letter, if available.
* SDDOT’s statewide transportation planning process that identifies the needs of low-income and minority populations.
* SDDOT’s analytical process that identifies the benefits and burdens of the State’s transportation system investments for different socioeconomic groups, identifying imbalances, and responding to the analyses produced.
* A copy of the procedures used for certifying that the statewide planning process complies with Title VI.
* A description of how SDDOT develops its competitive selection process or annual program of projects for Section 5310, 5311, 5316, and 5317 programs submitted to FTA as part of its grant applications. This description should emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority and low-income populations, including Native American tribes, where present.
* A description of SDDOT’s criteria for selecting transit providers to participate in any FTA grant program.
* A record of requests for Section 5310, 5311, 5316, 5317 funding. The record should identify those applicants that would use grant program funds to provide assistance to predominantly minority and low-income populations. The record should also indicate whether those applicants were accepted or rejected for funding.
* A description of how SDDOT monitors its Section 5310, 5311, 5316, and 5317 subrecipients for compliance with Title VI and a summary of the results of this monitoring, including:
* The process for ensuring that all subrecipients are complying with the General Reporting Requirements of FTA Circular 4702.1A.
* The process for subrecipients who provide transportation services to verify that their level and quality of service is provided on an equitable basis, including the development of system-wide service standards and verification that service provided to predominantly minority and low-income communities meets these standards.
* A description of SDDOT’s procedures to assist potential subrecipients in applying for Section 5310, 5311, 5316, and 5317 funding, including any efforts to assist applicants that would serve predominantly minority and low-income populations.
* A description of the assistance SDDOT provides to subrecipients, upon their request, to help them comply with the FTA Title VI General Reporting Requirements. The following are examples of information that may be provided to subrecipients:
* Sample notices to the public informing beneficiaries of their rights under Title VI and procedures on how to file a Title VI complaint.
* Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient.
* Demographic information on the race, income, and English proficiency of residents served by the subrecipient.

SDDOT assembled most of the documents prior to the site visit and provided them to the Compliance Review team for advance review. A detailed schedule for the four-day site visit was developed.

The site visit to SDDOT occurred September 13 –15, 2011. The individuals participating in the Review are listed in Section VIII of this report. An Entrance Conference was conducted at the beginning of the Compliance Review with SDDOT senior management staff, the FTA Region VIII Regional Civil Rights Officer (via telephone), and the contractor Review team. The Review team showed the participants a U.S. Justice Department Title VI film during the Entrance Conference. Also, during the Entrance Conference, the Review team explained the goals of the Review and the needed cooperation of staff members. A detailed schedule for conducting the on-site visit was discussed.

Following the Entrance Conference, the Title VI Compliance Review team met with the SDDOT Civil Rights Compliance Officer and other staff responsible for Title VI Compliance. During this meeting, discussions focused on a detailed examination of documents submitted in advance of the site visit.

The Review team then met with SDDOT staff to discuss how SDDOT incorporates FTA Title VI requirements into its public transportation program. During the site visit, the Review team visited River Cities Transit, a Section 5310, 5311, and ARRA subrecipient, to ascertain the extent to which Title VI was being incorporated into the SDDOT subrecipient activities. The Review team advised SDDOT to keep subrecipients aware of their obligations under Title VI, to provide assistance to subrecipients in meeting those obligations, and to monitor subrecipients accordingly. At the end of the site visit, an Exit Conference was held with SDDOT staff, the FTA Region VIII Regional Civil Rights Officer (via telephone) and the contractor Review team. At the Exit Conference, initial findings and corrective actions were discussed with SDDOT.

VI. FINDINGS AND RECOMMENDATIONS

The Title VI Compliance Review focused on SDDOT's compliance with the General Reporting Requirements and Guidelines and the Program-Specific Requirements and Guidelines for States and Other Administering Agencies. This section describes the requirements and findings at the time of the Compliance Review site visit. In summary, no deficiencies were identified in eight of the twelve areas reviewed. Deficiencies were identified in the following four Title VI requirement areas:

* *Language Access to LEP Persons*
* *Submit Title VI Program*
* *Statewide Planning Activities*
* *Program Administration*

Prior to the issuance of the Draft Report, SDDOT provided documentation to close the deficiencies in two areas: *Language Access to LEP Persons* and *Submit Title VI Program*.

On January 4, 2012, SDDOT submitted documentation of corrective action to close the remaining deficiencies in the areas of *Statewide Planning Activities* and *Program Administration*. There are no outstanding deficiencies.

#### FINDINGS OF THE GENERAL REPORTING REQUIREMENTS AND GUIDELINES

1. Inclusive Public Participation

**Guidance:** *FTA recipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. An agency’s public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA guidance for Inclusive Public Participation. SDDOT presented sufficient documentation to demonstrate that its public participation satisfied the requirements of the Circular. During the site visit, the SDDOT Title VI Compliance Officer provided documentation to show that she or a member of her staff had attended numerous public meetings on behalf of the SDDOT to ensure that the viewpoints of minority and low-income persons were considered. These include public hearings, annual community meeting, local open house meetings, MPO meetings, and semi-annual meetings with the nine recognized tribes in the state and seven reservations. The Tribes, which are the largest minority group in the state, send various Tribal council members and representative to these meetings to express the interest and concerns of their communities.

1. Language Access to LEP Persons

**Requirement:** *FTA recipients shall take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP).*

**Findings:** During this Title VI Compliance Review of SDDOT, deficiencies were found regarding SDDOT’s compliance with FTA requirements for Language Access to LEP persons. Prior to site visit, SDDOT provided a copy of its four factor analysis and concluded that a Language Assistance Plan (LAP) was not necessary.

During the Review, it was determined that SDDOT had not been requiring its FTA subrecipients to perform the four factor analysis and develop LAPs, if necessary. During the site visit, the Review team provided technical assistance regarding the conduct of the four factor analysis and the development of a LAP, as described in the table below:

| **Elements Required for LEP Analysis and Language Assistance Plan** **(Per FTA C. 4702.1A, IV, 4. a. and DOT Policy Guidance)** |
| --- |
| **Part A – Four-Factor Analysis** |
| 1. Demography –The number or proportion of LEP persons eligible to be served or likely to be encountered
 |
| 1. Frequency of Contact - the frequency with which LEP individuals come in contact with the program and/or activities
 |
| 1. Importance - the nature and importance of the program, activity, or service to people's lives;
 |
| 1. Resources - the resources available and costs
 |
| **Part B - Develop Language Assistance Plan** |
| 1. Identification of LEP Persons
 |
| 1. Language Assistance Measures
 |
| 1. Training of Staff
 |
| 1. Provide Notice to LEP Persons
 |
| 1. Monitor and Update the LAP
 |

Following the site visit, SDDOT provided a document entitled *Plan for Review of LEP Plans/Four Factor Analysis Documents of Transit Providers* that contained an Implementation Plan to require its subrecipients to complete the four factor analyses and LAPs, if appropriate, for its subrecipients that have not completed the analyses.

The deficiency in this area is now closed.

1. Title VI Complaint Procedures

**Requirement:** *FTA recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA requirements for Title VI Complaint Procedures. Prior to the site visit, SDDOT submitted its *Nondiscriminatory Complaint Procedures* that it had a Title VI complaint procedure that conformed to FTA C 4702.1A.Information on how to file a complaint was on the SDDOT’s website and in its Title VI Notice.

1. Record of Title VI Investigations, Complaints, and Lawsuits

**Requirement:** *FTA recipients shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipients that allege discrimination on the basis of race, color, or national origin. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA requirements for Record of Title VI Investigations, Complaints, and Lawsuits. Since SDDOT did not have any FTA Title VI investigations, complaint, or lawsuits, there was no record to submit. During the site visit, SDDOT provided a copy of its log for tracking complaints that included all the information required by FTA Circular 4702.1A, IV, 3, as follows:

1. Case #
2. Complainant Name
3. Complainant Address
4. Date Filed
5. Basis
6. Status
7. Date Completed
8. Disposition
9. Notice to Beneficiaries of Protection Under Title VI

**Requirement:** *FTA recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients shall disseminate this information to the public through measures that can include but shall not be limited to a posting on its Web site.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA requirements for Notice to Beneficiaries of Protection under Title VI. Prior to the site visit, SDDOT provided a link to its Title VI Notice posted on its website. The Non Discrimination Policy Statement did contain all of the elements required by FTA Circular 4702.1A, IV, 5.a, as illustrated in the following table:

| **Elements Required in Title VI Notice to Beneficiaries****(Per FTA Circular 4702.1A Chapter IV Section 5.a)** | **Included in SDDOT’s Notice?** |
| --- | --- |
| A statement that the agency operates programs without regard to race, color, and national origin | Yes |
| A description of the procedures that members of the public should follow in order to request additional information on the recipient’s nondiscrimination obligations | Yes |
| A description of the procedures that members of the public should follow in order to file a discrimination complaint against the recipient. | Yes |

SDDOT also included the Notice on the cover or inside cover of all its external public documents.

1. Annual Title VI Certification and Assurance

**Requirement:** *FTA recipients shall submit its annual Title VI certification and assurance as part of its Annual Certifications and Assurances submission to FTA (in the FTA web based Transportation Electronic Award Management (TEAM) grants management system.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA requirements for Annual Title VI Certification and Assurance. The FTA Civil Rights Assurance is incorporated in the Annual Certifications and Assurances submitted annually to FTA through the Transportation Electronic Award and Management (TEAM) system. SDDOT executed its FY 2011 Annual Certifications and Assurances in TEAM on November 16, 2010. SDDOT checked as applicable, *01. Certifications and Assurances required of all applicants*. This is the category where the nondiscrimination assurance is located.

1. Environmental Justice Analysis of Construction Projects

**Guidance:** *FTA recipients should integrate an environmental justice analysis into its National Environmental Policy Act (NEPA) documentation of construction projects. (Recipients are not required to conduct environmental justice analyses of projects where NEPA documentation is not required.). In preparing documentation for a categorical exclusion (CE), recipients can meet this requirement by completing and submitting FTA’s standard CE checklist, which includes a section on community disruption and environmental justice.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA guidance for Environmental Justice (EJ) Analyses of Construction Projects. SDDOT did not have any major construction projects in its FTA program. SDDOT did have two small construction projects. The first project was an addition to the current bus facility for *River Cities Transit* in Pierre, SD. The addition included several new building lanes for bus parking, service areas for mechanical and body work, and more office space for the agency and its staff. During the site visit, SDDOT provided the completed National Environmental Policy Act (NEPA) checklist that concluded that the proposed construction project would not have any negative environmental justice impacts.

The second small project was the construction of the *Prairie Hills Transit Bus Barn Facility* in Spearfish, SD. This project included the construction of a 32,780 square foot bus storage and maintenance facility as well as additional office space for the agency. SDDOT provided the completed NEPA checklist during the site visit that concluded that there would not be any negative environmental justice impacts because of its remote location in an undeveloped area.

SDDOT was advised that the requirements for an environmental justice analysis of construction projects have been revised with the issuance of FTA Circular 4702.1A. These requirements are noted below:

| **Elements Required in Environmental Justice Analysis of Construction Projects****(Per FTA Circular 4702.1A Chapter IV, 8a-f)** |
| --- |
| 1. A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population
 |
| 1. A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income population.
 |
| 1. A discussion of all positive effects that would affect the identified minority and low-income population, such as an improvement in transit service, mobility, or accessibility.
 |
| 1. A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project.
 |
| 1. A discussion of the remaining effects, if any, and why further mitigation is not proposed.
 |
| 1. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas.
 |

1. Submit Title VI Program

**Requirement:** *FTA recipients that are State Departments of Transportation or Other Administrating Agency are required to document their compliance with the general reporting requirements by submitting a Title VI Program to FTA’s Regional Civil Rights Officer once every three years.*

**Findings:** During this Title VI Compliance Review of SDDOT, deficiencies were found regarding SDDOT’s compliance with FTA requirements to Submit Title VI Program. SDDOT submitted its most recent Title VI Program to the FTA on February 23, 2010 and received approval as of July 15, 2010. The Submittal, however, did not contain all the required elements in accordance with the current guidance, FTA Circular 4702.1A. The following table summarizes SDDOT’s 2010 Title VI Program with respect to the Circular:

| **ELEMENTS REQUIRED FOR TITLE VI PROGRAM** |
| --- |
| **GENERAL REQUIREMENTS And GUIDELINES****(Per FTA C. 4702.1A, IV, 7. a. (1) – (5))** | **In SDDOT Title VI Program Submittal?** |
| * A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
 | Yes |
| * A copy of the agency’s plan for providing language assistance for persons with limited English proficiency that was based on the DOT LEP Guidance or a copy of the agency’s alternative framework for providing language assistance.
 | Yes |
| * A copy of the agency procedures for tracking and investigating Title VI complaints.
 | Yes |
| * A list of any Title VI investigations, complaints, or lawsuits filed with the agency since the time of the last submission. This list should include only those investigations, complaints, or lawsuits that pertain to the agency submitting the report, not necessarily the larger agency or department of which the entity is a part.
 | Yes |
| * A copy of the agency’s notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.
 | Yes |
| **pROGRAM SPECIFIC REQUIREMENTS AND GUIDELINES for state dots****(Per FTA C. 4702.1A, VI, 5. a. (1) – (4))** |  |
| 1. A copy of the procedures used for certifying that the statewide planning process complies with Title VI.
 | No |
| 1. A description of the procedures the agency uses to pass-through FTA financial assistance in a non-discriminatory manner.
 | No |
| 1. A description of the procedures the agency uses to provide assistance to potential subrecipients applying for funding in a non-discriminatory manner.
 | No |
| 1. A description of how the agency monitors its subrecipients for compliance with Title VI and a summary of the results of this monitoring.
 | No |

The Review team provided technical assistance on what was required in the Circular to Submit a Title VI Program that conformed to the General Reporting and Program-Specific Requirements and Guidelines for State DOTs.

Following the site visit, SDDOT provided a document entitled *South Dakota DOT Connecting South Dakota and the Nation South Dakota Department of Transportation FTA Title VI Program 2013* that contained an annotated Table of Contents for the next SDDOT FTA Title VI Program Submittal. The document contained all the required elements as described in the Circular.

The deficiency in this area is now closed.

**FINDINGS OF THE PROGRAM-SPECIFIC REQUIREMENTS AND GUIDELINES FOR STATE DEPARTMENTS OF TRANSPORTATION OR OTHER ADMINISTERING AGENCIES**

This section covers the Program-Specific Requirements and Guidelines for State DOTs and Other Administering Agencies, administering Elderly Individuals and Individuals with Disabilities, Rural and Small Urban Area, Job Access and Reverse Commute (JARC), and New Freedom funding programs.

1. Statewide Planning Activities

**Requirement:** *State DOTs should have an analytic basis in place for certifying their compliance with Title VI. Examples of this analysis can include, a demographic profile of the State that includes identification of the locations of socioeconomic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI, a statewide transportation planning process that identifies the needs of low-income and minority populations or an analytical process that identifies the benefits and burdens of the State’s transportation system investments for different socioeconomic groups, identifying imbalances, and responding to the analyses produced.*

**Findings**: During this Title VI Compliance Review of SDDOT, deficiencies were found regarding SDDOT’s compliance with FTA requirements for Statewide Planning Activities. SDDOT did not have a statewide transportation planning process that identified the needs of low-income and minority populations and an analytical process that identified the benefits and burdens of the State’s transportation system investments for different socioeconomic groups, identifying imbalances, and responding to the analyses produced, as described in FTA Circular 4702.1A.

The following table contains guidance for conducting Statewide Planning Activities and whether SDDOT followed the guidance:

| **GUIDANCE ON CONDUCTING STATEWIDE PLANNING****(Per FTA C. 4702.1A, VI, 1. a. – c.)** | **In SDDOT Documentation?** |
| --- | --- |
| * A demographic profile of the State that includes identification of the locations of socioeconomic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI.
 | Yes |
| * A statewide transportation planning process that identifies the needs of low-income and minority populations.
 | No |
| * An analytical process that identifies the benefits and burdens of the State’s transportation system investments for different socioeconomic groups, identifying imbalances, and responding to the analyses produced.
 | No |

During the Review, the SDDOT Long Range Plan and the STIP were discussed. SDDOT indicated that the transportation planning process for the development of those documents did not have environmental justice considerations. SDDOT did indicate during the Review that the transportation planning processes of the Metropolitan Planning Organizations (MPOs) throughout the State contained environmental justice considerations.

In its January 4, 2012 letter to FTA, SDDOT provided a document entitled *Statewide Planning Activities* that outlined the statewide planning activities as it pertains to Environmental Justice and SDDOT’s process to ensure that low-income and minority populations are not discriminated against in State Planning Activities. The document was to be incorporated in the department’s Long Rang Plan as an appendix when the Plan is updated in five years. In the interim, SDDOT has made the document available on its webpage.

The deficiency in this area is closed.

1. Program Administration

**Requirement:** *State DOT recipients should document that they pass through Federal Transit Administration (FTA) funds under the Transportation for Elderly Individuals and Individuals with Disabilities, Rural and Small Urban Area Formula Funding, JARC, and New Freedom grant programs without regard to race, color, or national origin and that minority populations are not being denied the benefits of or excluded from participation in these programs.*

**Findings:** During this Title VI Compliance Review of SDDOT, deficiencies were found regarding SDDOT’s compliance with FTA requirements for Program Administration. SDDOT did not provide documentation that it was passing through FTA Section 5310, 5311, 5316, and 5317 funds without regard to race, color, or national origin and that minority and low-income populations were not being denied the benefits of or excluded from participation in these programs, as described in FTA Circular 4702.1A.

The following table contains guidance for conducting subrecipient Program Administration and whether SDDOT satisfactorily followed the guidance:

|  |  |
| --- | --- |
| **GUIDANCE ON PROGRAM ADMINISTRATION****(Per FTA C. 4702.1A, VI, 2. a. (1) – (5))** | **In SDDOT Process?** |
| * A description of how the agency develops its competitive selection process or annual program of projects submitted to FTA as part of its grant applications. This description should emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority and low-income populations, including Native American tribes, where present.
 | Partial |
| * A description of the agency’s criteria for selecting transit providers to participate in any FTA grant program.
 | Yes |
| * A record of requests for Elderly Individuals and Individuals with Disabilities, Rural and Small Urban Area Formula Funding, JARC, and New Freedom funding. The record should identify those applicants that would use grant program funds to provide assistance to predominantly minority and low-income populations. The record should also indicate whether those applicants were accepted or rejected for funding.
 | No |
| * A description of the agency’s procedures to assist potential subrecipients in applying for Elderly Individuals and Individuals with Disabilities, Rural and Small Urban Area Formula Funding, JARC, and New Freedom funding, including any efforts to assist applicants that would serve predominantly minority and low-income populations.
 | Partial |
| * State DOTs or other administering agencies may classify applicants as providing service to predominantly minority and low-income populations if the proportion of minority and low-income people in the applicant’s service area exceeds the statewide average minority and low-income population.
 | n/a |

During the Review, SDDOT provided two documents that contained a description of how it developed its competitive selection process and program of projects for the FTA program:

* South Dakota Management Plan For the Section 5311 Program, Revised July 2011
* South Dakota Management Plan For the Section 5310, 5316, and 5317 Programs, Revised July 2011

These documents discussed an evaluation process and one had the evaluation form used for capital projects. Neither document had any method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority and low-income populations, as described in the Circular. SDDOT did not develop a Record of Requests as described in the Circular. SDDOT indicated that it did provide assistance to potential subrecipients but did not document any efforts to assist applicants that would serve predominantly minority and low-income populations.

In its January 4, 2012 letter to FTA, SDDOT submitted as an attachment its procedures implemented to ensure that adequate considers is given minority and low-income populations in its competitive selection process and documented according to FTA Circular 4702.1A. SDDOT also provided the following documents:

* Section 5311 and Title III-B Application and Guide
* SDDOT – Office of Air, Rail and Transit, Section 5311, Record of Requests – FY 2013
* Office of Public Transit, SDDOT / Public Transit / Forms and Publications (website)
* South Dakota Management Plan For the Section 5310, 5316 and 5317 Programs
* South Dakota Management Plan For the Section 5311 Program

The document entitled, *Section 5311 and Title III-B Application and Guide,* was SDDOT’s application and guide for requesting public transportation assistance funding. The document included the following excerpts:

*1.* ***Project Description***

*This section must include a description of the proposed project, including a summary of any proposed or implemented improvements within the current year and/or expansions in current service, if applicable. This description should include the following supportive information, but it is not limited to these items:*

* *The benefits to all users:* ***general public, low-income, elderly, citizens with disabilities, and minority populations***
* ***Estimated percentages of users including general public, low-income, elderly, citizens with disabilities and minority populations***
* *The benefits to the present operating carrier(s), if applicable*
* *The benefits to the service area*
* *Description of proposed service to* ***all users including general public, low-income, elderly, citizens with disabilities and minority populations***
* *Map of service area showing bus routes or towns served*
* *Description of how the general public including low-****income, elderly, citizens with disabilities and minority populations*** *will be informed of the service*
* *Attach at least three (3) letters of support for the project, one from each category: rider, local community organization, and local governmental unit.*

And

*5.* ***Provisions for Elderly Persons and Persons with Disabilities and Low-Income or Minority Populations***

*This section should describe how the needs of the elderly persons and persons with disabilities, especially wheelchair users and semi-ambulatory persons, will be met. The applicant must make every effort to ensure that elderly persons and persons with disabilities will be able to use the public transportation service effectively.* ***In addition, applicants should provide a balanced description of the needs of all users, including low-income or minority users. Applicants are to be advised that the needs of all populations are to be weighed equally; including those of the general public.***

In addition to the excerpts above, the document included several other references to the inclusion and consideration of low-income and minority populations.

SDDOT’s *Office of Air, Rail and Transit, Section 5311, Record of Request – FY 2013* was a sample of how SDDOT will track and report its Record of Requests starting with 2013 for Section 5310, 5311, 5316 and 5317. The record identifies applicants and whether those applicants were accepted or rejected for funding. A link was provided for the Section 5311 funds for FY2012 Record of Requests. The report did not, however, identify those applicants using grant program funds to provide assistance to predominately minority or low-income populations because SDDOT did not have the opportunity to modify the applications for FY2012.

The deficiency in this area is closed.

1. Providing Assistance to Subrecipients

**Requirement:** *FTA recommends that agencies assist their subrecipients in complying with the general reporting requirements in Chapter IV. The State DOT or other administrating agency should provide assistance at the request of a subrecipient or as deemed necessary and appropriate.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA guidance for Providing Assistance to Subrecipients. The following table contains guidance for Providing Assistance to Subrecipients and whether SDDOT followed the guidance:

|  |  |
| --- | --- |
| **GUIDANCE ON PROVIDING ASSISTANCE TO SUBRECIPIENTS****(Per FTA C. 4702.1A, VI, 4. a. – c.)** | **SDDOT** |
| * Sample notices to the public informing beneficiaries of their rights under Title VI and procedures on how to file a Title VI complaint.
 | Yes |
| * Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient.
 | Yes |
| * Demographic information on the race, income, and English proficiency of residents served by the subrecipient. (This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.)
 | Yes |

During the Review, SDDOT provided documentation that it was and will continue to provide assistance to FTA subrecipients. Most recently, SDDOT provided Title VI training to FTA subrecipients in July 2011. At the training, SDDOT provided sample notices and complaint procedures to subrecipients. SDDOT indicated that it will be providing additional Title VI training in November 2011, with an emphasis of LEP. During the Review, SDDOT provided its demographic information based on the 2000 census. SDDOT indicated that it would be developing demographic information based on the 2010 census and provide it to its FTA subrecipients.

1. Monitoring Subrecipients

**Requirement:** *State DOTs or other State administering agencies should monitor their subrecipients for compliance with Title VI.*

**Findings:** During this Title VI Compliance Review of SDDOT, no deficiencies were found regarding SDDOT’s compliance with FTA requirements for Monitoring Subrecipients. The following table contains guidance for Monitoring Subrecipients and whether SDDOT followed the guidance:

|  |  |
| --- | --- |
| **GUIDANCE ON Monitoring SUBRECIPIENTS****(Per FTA C. 4702.1A, VI, 3. a. – b.)** | **SDDOT** |
| * The agency should document its process for ensuring that all subrecipients are complying with the general reporting requirements of this circular.
 | Yes |
| * At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by the State DOT or administering agency, the agency should request that subrecipients who provide transportation services verify that their level and quality of service is provided on an equitable basis. Recipients should ask subrecipients to develop system-wide service standards and verify that service provided to predominantly minority and low-income communities meets these standards.
 | N/A |

During the Review, SDDOT provided two documents used in its monitoring efforts:

* South Dakota Department of Transportation Office of Local Transportation Programs Section 5311 Rural Public Transportation Program Annual Project Review October 1, 2010 – September 30, 2011.
* South Dakota Department of Transportation Title VI Compliance Review/Report

SDDOT indicated that it conducted the *Annual Project Review* of each Section 5311 subrecipient annually. Section XI of the *Annual Project Review* document contained several questions about subrecipient compliance with the FTA Title VI requirements and guidelines. During the Site Visit, technical assistance was provided to improve the document’s consistency with all the requirements of the Circular. The new *Title VI Compliance Review/Report* contained monitoring efforts for the requirement and guidelines of Title VI, Equal Employment Opportunity (EEO), and Americans with Disabilities Act (ADA). During the Review, SDDOT indicated that the *Title VI Compliance Review/Report* will be implemented with the next round of FTA program applications. All applicants will fill out the pre-award section of the Title VI Compliance Review/Report and the SDDOT Civil Rights Compliance Officer will monitor subrecipient compliance with Title VI requirements with the post-award section of the Report.

1. SUMMARY OF FINDINGS AND CORRECTIVE ACTIONS

| **Title VI Requirements For State DOTs** | **Findings** | **Description of Deficiencies** | **Corrective Action(s)** | **Response Days/Date** | **Date Closed** |
| --- | --- | --- | --- | --- | --- |
| **GENERAL REPORTING REQUIREMENTS – FTA C. 4702.1A. IV, 1-9** |
| 1. Inclusive Public Participation
 | ND |  |  |  |  |
| 1. Language Access to LEP Persons
 | D | Lacking assessment or provisions for LEP persons | SDDOT must submit to the Equal Opportunity Specialist in the FTA Headquarters an Implementation Plan to require its subrecipients to complete the four factor analyses and LAPs, if appropriate, for its subrecipients that have not completed the analyses. | 120 Days | Closed10/14/2011 |
| 1. Title VI Complaint Procedures
 | ND |  |  |  |  |
| 1. Record of Title VI Investigations, Complaints, and Lawsuits
 | ND |  |  |  |  |
| 1. Notice to Beneficiaries of Protection Under Title VI
 | ND |  |  |  |  |
| 1. Annual Title VI Certification and Assurance
 | ND |  |  |  |  |
| 1. Environmental Justice Analysis of Construction Projects
 | ND |  |  |  |  |
| 1. Submit Title VI Program
 | D | Most recent Title VI Submittal did not contain required elements  | SDDOT must submit to the Equal Opportunity Specialist in the FTA Headquarters an annotated Table of Contents for the next FTA Title VI Program Submittal that contains all the required elements. | 120 Days | Closed9/17/2011 |
| **PROGRAM-SPECIFIC REQUIREMENTS FOR STATE DOT’S FTA C. 4702.1A, VI, 1-4** |
| 1. Statewide Planning Activities
 | D | Statewide planning process does not incorporate Title VI requirements | SDDOT must submit to the Equal Opportunity Specialist in the FTA Headquarters:* A process to identify the needs of its minority and low-income populations in its planning activities.
* An analytical process that identifies the benefits and burdens of the State’s transportation system investments for its minority and low-income populations, identifying imbalances, and responding to the analyses produced.
 | 120 Days | Closed1/4/2012 |
| 1. Program Administration
 | D | Program Administration deficiencies | SDDOT must submit to the Equal Opportunity Specialist in the FTA Headquarters Office of Civil Rights procedures to ensure that it will consider Title VI in its competitive selection process or annual program of projects submitted to FTA, including the development of a Record of Requests, as required by FTA Circular 4702.1A. | 120 Days | Closed1/4/2012 |
| 1. Providing Assistance to Subrecipients
 | ND |  |  |  |  |
| 1. Monitoring Subrecipients
 | ND |  |  |  |  |

Findings at the time of the site visit: ND = No Deficiencies; D = Deficiency; NA = Not Applicable; NR = Not Reviewed; AC = Advisory Comment

VIII. ATTENDEES

| **NAME** | **ORGANIZATION/TITLE** | **PHONE NUMBER** | **E-MAIL ADDRESS** |
| --- | --- | --- | --- |
| **South Dakota Department of Transportation – SDDOT** |
| Kellie Beck | Director of Finance and Management | (605) 773 – 4863 | kellie.beck@state.sd.us |
| June Hansen | Civil Rights Compliance Officer, Office of Legal Counsel | (605) 773 – 3540 | june.hansen@state.sd.us |
| Karla Engle | Assistant Attorney General/Chief Legal Counsel, Office of Legal Counsel | (605) 773 – 3262 | karla.engle@state.sd.us |
| Nancy Surprenant | Transit Program, Office of Local Transportation Programs | (605) 773 – 4169 | nancy.surprenant@state.sd.us |
| Melissa Hull | Transit Program, Office of Local Transportation Programs | (605) 773 – 7038 | melissa.hull@state.sd.us |
| Bruce Lindholm | Program Manager, Office of Local Transportation Programs | (605) 773 – 7045 | bruce.lindholm@state.sd.us |
| Brad Remmich | MPO Coordinator / LRTP Planner | (605) 773 – 3093 | bradley.remmich@state.sd.us |
| **Federal Transit Administration – FTA** |
| Rebecca Tanrath | Regional Civil Rights Officer, Region VIII | (720) 963-3313 | rebecca.tanrath@dot.gov |
| **Federal Highway Administration - FHWA** |
| Mark Hoines | FHWA Planning / Civil Rights | (605) 224 – 7326 Ext 3639  | mark.hoines@dot.gov |
| **Subrecipients – River Cities Public Transit** |
| Rob Baumgart | Executive Director | (605) 945-3166 | ron.rct@midconetwork.com |
| Samantha Watkins | Human Resources | (605) 945-3166 | samantha.rct@midconetwork.com |
| **Review Team – The DMP Group, LLC** |
| John Potts | Lead Reviewer | (504) 283 – 7661 | johnpotts@thedmpgroup.com |
| Khalique Davis | Reviewer | (202) 726 – 2630 | khalique.davis@thedmpgroup.com |
| Danielle Potts | Reviewer | (202) 726 – 2630 | danielle.potts@themdpgroup.com |

1. Per the 2000 Census, people of Hispanic origin can be, and in most cases are, counted in two or more race categories. [↑](#footnote-ref-1)