

TITLE VI PROGRAM 2022-2024

Approved by the BCAG Board of Directors
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TITLE VI PROGRAM POLICY

The Butte County Association of Governments (BCAG) and Butte Regional Transit (BRT) grants all citizens equal access to its transportation services and are committed to providing public transportation in an environment that is free from discrimination on the basis of race, color or national origin. All persons, regardless of their citizenship, are covered under this regulation. In addition, BCAG and BRT prohibits discrimination on the basis of race, color or national origin in its employment and business opportunities.

As a Federal Transit Administration (FTA) fund recipient, BCAG, owner and operator of BRT, will ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and Department of Transportation regulations. BCAG/BRT will ensure that the level and quality of its transportation service is provided without regard to race, color or national origin.

BCAG/BRT will not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI or because he/she filed a complaint or participated in an investigation under Title VI, and/or this regulation. BCAG/BRT will promote the full and fair participation of all affected populations in the transportation decision-making process.

BCAG/BRT will make good faith efforts to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, any disproportionately high and adverse human health or environmental effects of its programs, activities, and services on minority populations and low-income populations within BCAG/BRT's service area as provided herein.

APPLICABILITY

This policy is applicable to all BCAG/BRT employees, vendors, members of the public and all contractors hired by BCAG/BRT.

Failure of a BCAG/BRT employee to follow this policy and procedure may subject such employee to disciplinary action up to and including employment termination.

GENERAL REQUIREMENTS AND GUIDELINES

BCAG/BRT will carry out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. BCAG/BRT or any of its employees will not, on the grounds of race, color, national origin, age, sex, sexual orientation, or gender identity, exclude any person from participating in, deny the benefits of, or subject him/her to discrimination under any BCAG/BRT programs, services, or activities.

BCAG/BRT nor any of its employees will not, on the grounds of race, color or national origin:

- a) Provide any service, financial aid, or benefit that is different from that provided to others;
- b) Subject an individual to segregation or separate treatment;
- c) Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
- d) Deny any individual service, financial aid, or benefits under any BCAG/BRT programs, services, or activities;
- e) Treat individuals differently in terms of whether they satisfy admission or eligibility requirements;
- f) Deny an individual the opportunity to participate as a member of a planning or advisory body.

BCAG/BRT shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact on low-income and Limited English Proficiency individuals. This applies to major service changes that affect 25% of service hours of a route.

BCAG/BRT schedules at least one Board Meeting every month to ensure that all individuals are afforded an opportunity to participate in transportation decisions. The agendas for these meetings are posted on the BCAG website, at the BCAG Board Meeting Room and the BCAG/BRT offices.

Title VI Policy Statement, Complaint Forms and Posting

BCAG/BRT will keep the public informed of the protections against discrimination afforded to them by Title VI and BCAG/BRT's obligations under Title VI by posting a Title VI Policy Statement and Complaint Forms in English, Spanish and Hmong (via

Google Translator), on BCAG/BRT's website at www.bcag.org and www.blinetransit.com, on all transit vehicles, at shelters, stops and transit centers that have available space and at the BCAG/BRT administrative offices. (See Appendices A and B for these documents.)

Title VI Complaints, Investigations & Lawsuits

BCAG/BRT maintains a list (a minimum of four years in active status) of any Title VI investigations, complaints, or lawsuits filed which allege BCAG/BRT discriminated against a person or group on the basis of race, color, or national origin. (See page 18 for current list.) This list will include:

- a) The date the investigation, complaint, or lawsuit was filed;
- b) A summary of the allegation(s);
- c) The status of the investigation, complaint, or lawsuit; and
- d) Any actions or corrective actions taken by BCAG/BRT in response to the investigation, complaint or lawsuit.

BCAG/BRT will take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities and services for individuals who are Limited English Proficient (LEP).

BCAG/BRT will provide information, upon request from FTA, in order to investigate complaints of discrimination, or to resolve concerns about possible noncompliance with Title VI.

BCAG/BRT will submit its Title VI Program to the FTA's regional civil rights officer once every three years to ensure compliance with Title VI Requirements.

BCAG/BRT will ensure that minority and low-income individuals have meaningful access to BCAG/BRT programs, activities and services.

Environmental Justice Requirements

BCAG/BRT shall integrate an environmental justice analysis into its National Environmental Protection Act (NEPA) documentation of construction projects. BCAG/BRT is not required to conduct environmental justice analyses of projects where NEPA documentation is not required. BCAG/BRT will consider preparing an environmental assessment (EA) or environmental impact statement (EIS) to integrate into its documents the following components:

- a) A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population (e.g. analysis of Census data, direct observation, or a public involvement process);
- b) A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations;
- c) A discussion of all positive effects of the project that would affect the identified minority and low-income populations, such as improvements in transit service, mobility, or accessibility;
- d) A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project;
- e) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- f) 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.

Limited English Proficient (LEP) Individuals & Public Participation Requirements

Presidential Executive Order 13166 requires federal agencies to implement measures to ensure that people who speak limited English have meaningful access to federally conducted and federally funded programs and activities, consistent with Title VI of the Civil Rights Act of 1964.

Both the U.S. DOT and FTA have implemented guidance or directives in furtherance of Executive Order 13166. In compliance with these directives, BCAG is committed to taking reasonable steps to ensure that all persons have meaningful access to its programs, services, and information, at no additional cost to individuals making the requests. BCAG has adopted a Plan for Limited English Proficient (LEP) Populations. It documents the various measures BCAG uses to assist persons with limited proficiency in English. This plan is outlined on pages 18 – 26 of the Title VI program.

BCAG/BRT will seek out and consider the viewpoints of minority, low-income and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. BCAG/BRT's public participation strategy will offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

BCAG/BRT will ensure that individuals have access to its programs, activities and services by developing and carrying out the language plan herein. BCAG/BRT will continually assess the language assistance needs of the population to be served.

Four Factor Analysis Tool

BCAG/BRT will use the following four (4) factors to determine what measures must be undertaken to provide reasonable and meaningful access to LEP individuals. The outcome of the most current Four Factor Analysis is located on pages 21 – 24.

- a) Languages likely to be encountered and the number or proportion of LEP persons in the eligible service population likely to be affected by the program, activity, or service.
- b) Frequency with which LEP individuals come into contact with BCAG/BRT programs, activities, and services.
- c) Importance of the program, activity, or service provided by BCAG/BRT to LEP individual's lives.
- d) Resources needed to provide effective language assistance and costs.

BCAG/BRT will make every effort to employ bilingual staff to provide Spanish-speaking interpretation at its Administrative office and within its Customer Service for basic transit questions and trip planning assistance.

BCAG/BRT will also continue to offer translation assistance for Unmet Transit Needs hearings, Regional Transportation Plan (RTP) and Sustainable Communities Strategies (SCS) input opportunities, and other major decision-making processes, and will tailor public participation activities to reflect the unique LEP population(s) in all areas of Butte County. For the RTP/SCS, partnerships will continue to be sought with community groups who can assist BCAG in strengthening opportunities to meet language needs and gain the input of local LEP residents.

Sub-recipient Assistance & Monitoring Procedures

BCAG has put an administrative procedure in place to ensure that all subrecipients of FTA assistance comply with USDOT Title VI regulations. For all federal grant programs

for which BCAG is implementing a project scope with participation of a subrecipient agency/organization, BCAG will designate a Project Manager whose oversight responsibilities include monitoring for subrecipient compliance of all federal requirements, including those described in the Title VI guidelines of FTA Circular 47201.1B.

The BCAG Title VI Subrecipient monitoring procedure is as follows:

1. A Project Manager is designated for each subrecipient project. The Title VI Administrator assists the Project Manager for Title VI compliance and reviews.
2. Subrecipient agreements between BCAG and the recipient organization include specific reference to the subrecipient's Title VI Civil Rights obligations as referenced in the master grant agreement and the FTA Circular 47201.1B. All subrecipients are required to establish a Title VI Program that will include the following elements:
 - a. Title VI Notice to the Public, including listing of locations of postings
 - b. Title VI Complaint Procedures
 - c. Title VI Complaint Form
 - d. List of Title VI Investigations, Complaints and Lawsuits
 - e. Public Participation Plan including information about outreach methods to engage minority and Limited-English-proficient people, as well as a summary of outreach efforts
 - f. Table showing membership of the subrecipient's project committees, with membership by race, and a description of the process used to encourage participation by minorities in project decision-making
 - g. If any additional subrecipients are included, plan for informing those subrecipients of Title VI responsibilities and monitoring their compliance
 - h. If subrecipient project involves facility construction, subrecipient will prepare and submit equity analysis showing distribution of benefits and burdens of alternatives considered, as well as any mitigation plan
 - i. Documentation of the subrecipient agency's governing board or entity indicating review and approval of agency's Title VI program
 - j. If the subrecipient agency is a transit provider, additional documentation as required by the FTA Circular 47201.1B including development of service standards, service policies and service assessment monitoring
3. The Project Manager will organize a project initiation meeting to review all project administrative requirements and procedures. The agenda for this meeting will include information about the requirements of FTA Circular 47201.1B, procedures for BCAG Title VI compliance monitoring, and the schedule for sub-recipient submittals.

4. Each subrecipient will designate a Title VI Coordinator/Point of Contact (POC) who will prepare the subrecipient agency's Title VI Program compliance documentation. The agency's Title VI report, including all required elements, will be submitted to the BCAG Title VI Administrator per the schedule defined at the project initiation meeting.
5. The Project Manager and the BCAG Title VI Administrator will review the sub-recipient Title VI program submittal for compliance with BCAG and FTA requirements. Any deficiencies identified by BCAG will be identified and communicated to the sub-recipient Title VI POC for correction/further action.
6. The sub-recipient will identify any Title VI issues or concerns in progress reporting and/or invoicing on the project to be submitted, at a minimum quarterly, to the Project Manager.
7. For projects lasting more than one year, the subrecipient will submit annual updates of the Title VI program according to a schedule to be determined by the BCAG Project Manager and Title VI Administrator.
8. Subrecipient Compliance Monitoring Record – BCAG currently does not have any active subrecipients.

Should there be a subrecipient, BCAG will document the following information:

Project:

Subrecipient:

Program: Grant No.

Subrecipient Agreement & Date:

Project Administrative Initiation Meeting Date:

Subrecipient Title VI Contact:

Title VI Sub-Recipient Program Submittal/Review to PM Date:

Title VI Administrator

The Title VI Administrator provides guidance and technical assistance on Title VI matters and has overall program responsibility for preparing reports and developing program procedures. The coordinator responsibilities in the area of Title VI may include:

- Facilitating and processing Title VI complaints
- Collecting data and identifying program deficiencies
- Working with others to address solutions to issues
- Reporting on goals and accomplishments of the program

- Working to coordinate and provide information to the public as appropriate

Working within our small agency, the BCAG/BRT Title VI Coordinator has ample and easy access to the head of the organization. There is currently no designated department related to Title VI due to agency size. The coordinator also works with other staff that have direct Title VI-related responsibilities as needed. For reference, an organizational chart has been included in Appendix B.

Non-Discriminatory Statement (Signed)

As required by 49 CFR Part 21, a signed, non-discriminatory statement signed by the BCAG executive is included in Appendix E.



COMPLAINT PROCEDURES

What is a Title VI Complaint?

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit discrimination based on gender and other categories not listed above. Complainants are advised to research proper channels for filing complaints based on classifications not listed in this section.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of or subjected to discrimination caused by Butte County Association of Governments or Butte Regional Transit may file a written complaint with the Butte County Association of Governments, Title VI Administrator or the Federal Transit Administration (FTA).

How to File a Title VI Complaint with BCAG/BRT

The preferred method of filing a complaint is to present the complaint in writing using the Title VI complaint form, and sending it to:

Butte County Assoc. of Governments / Butte Regional Transit
Attention: Title VI Coordinator
326 Huss Drive, Suite 150
Chico, CA 95928
Tel: (530) 809-4616

A complaint form is available in hard copy at the administrative office of Butte Regional Transit or may be downloaded online at www.BLinetransit.com or www.bcag.org. Such complaints must be filed within 180 calendar days after the date the discrimination occurred.

A filed complaint must include all the following information to be considered complete.

- a) A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken.
- b) A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

BCAG/BRT will promptly investigate all Complaints filed under Title VI, pursuant to this Regulation.

Use of a Title VI Complaint Form

Any formal Title VI complaint against BCAG/BRT must be received by the agency in written form. To facilitate this, a Title VI Complaint Form can be used and is the preferred method of receipt. Title VI compliance requires that this form exists as part of the agency's Title VI program and be made available to the public in languages other than English and in accessible formats upon request. A complaint form can be obtained via the following:

- a) By downloading from the BCAG/BRT or BCAG websites: www.blinetransit.com or www.bcag.org
- b) By calling BCAG/BRT at (530) 809-4616 to have a complaint form mailed out
- c) By picking up a complaint form at the BCAG administrative office:
326 Huss Drive, Suite 150, Chico, CA 95928.

If the Complaint is received by anyone besides BCAG/BRT's Executive Director, the individual in receipt of the Complaint shall forward it to the Executive Director or his/her designee as soon as practicable but no later than two (2) business days of receipt.

Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons who are unable to read or write.

Samples of the Title VI Complaint Form in English, Spanish and Hmong are included as Appendix D in this plan.

Procedures for Investigating Complaints

The Executive Director or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as practicable, but no later than ten (10) business days of his/her receipt of the complaint. The Executive Director or

his/her designee may consult with appropriate staff in the preparation of his/her response to the complaint.

Efforts to Contact Complainant / Provide Evidence

The Executive Director or his/her designee shall make efforts to speak with the complainant either by an in-person meeting or telephone call. At that time, the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The Executive Director or his/her designee shall review and consider the response prepared by the Executive Director or his/her designee, all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The Executive Director or his/her designee shall prepare a written report of his/her findings and if corrective action is required, a timetable for the completion of such action.

Completion of Investigation

As soon as it is practicable, but no later than twenty-five (25) business days following receipt of the initial complaint, the Executive Director or his/her designee shall inform the complainant of his/her findings and any corrective action to be taken because of the complaint together with the timetable for completion of such action.

Appeal Process

If the complainant is not satisfied with the findings and/or action of BCAG/BRT's Executive Director or his/her designee, then the complainant may file his/her Complaint with the Chair of the Board of Directors or with the FTA's Office of Civil Rights.

If the complainant chooses to file his/her Complaint with the Chair of the Board of Directors, then the complaint and any supporting documentation should be submitted within five (5) business days of his/her receipt of the results of the Executive Director's investigation, with the Chair of the Board of Directors by providing it to Executive Director at BCAG/BRT facility. Upon review of the file, the Chair of the Board of Directors shall notify the complainant of what actions, if any, will be taken because of the review by the Chair within ten (10) business days of the Chair's notification that the complainant is not satisfied with the results of the Executive Director's investigation. The decision of the Chair of BCAG/BRT Board of Directors shall be final.

Timeline Waiver

Any timeline set forth herein may be extended by the Executive Director upon a showing of good cause.



FILING A COMPLAINT WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA) – OFFICE OF CIVIL RIGHTS (OCR)

Who May File a Complaint

Any person who believes that he/she or as a member of any specific class of individuals, has been subjected to discrimination based on race, color, national origin, age, sex, sexual orientation, or gender identity, with respect to BCAG/BRT's programs, activities, or services, or other transit related benefits, may file a written Complaint with FTA through the OCR. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination. FTA will promptly investigate all Complaints filed under Title VI in accordance with DOT regulations 49 CFR 21.11(b) and 21.11 (c).

Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons who are unable to read or write.

How to File a Complaint

File a complaint by completing the FTA complaint form. You may obtain this form by calling the BCAG office or the FTA website at www.fta.dot.gov. The complaint form **must be signed** and dated by you or your representative and mailed to:

**Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590**

With your form, please attach on separate sheet(s):

- A summary of your allegations and any supporting documentation.
- Sufficient details for an investigator to understand why you believe a public transit provider has violated your rights, with specifics such as dates and times of incidents.
- Any related correspondence from the transit provider.

A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

What to Expect from FTA's Complaint Process

FTA strives to process complaints promptly. At the conclusion of the investigation, you will receive a letter outlining FTA's findings. FTA does not represent individual complainants; their role is to ensure FTA funding recipients are in compliance with Title VI, EEO, DBE and ADA requirements. In the FTA complaint investigation process, FTA will analyze allegations for possible deficiencies by BCAG/BRT. If deficiencies are identified, FTA will work with BCAG/BRT to correct the deficiencies within a predetermined timeframe.

Filing a Local Complaint

FTA encourages, though does not require, individuals to first file a complaint directly with their transit provider to give it an opportunity to resolve the situation. FTA grantees, such as BCAG/BRT, is required under the ADA, Title VI, and EEO to have local complaint procedures.

Complaint Acceptance

Once a Complaint has been accepted, FTA will notify BCAG/BRT that it has been subject to a Title VI Complaint and ask BCAG/BRT to respond in writing to the Complainant's allegations. Once the Complainant agrees to release the Complaint to BCAG/BRT, FTA will provide BCAG/BRT with the Complaint. FTA may choose to close a Complaint if the Complainant does not agree to release the Complaint to BCAG/BRT. FTA strives to complete a Title VI Complaint investigation within 180 days of the acceptance date of a Complaint.

Investigations

FTA will make a prompt investigation whenever a compliance review, report, Complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA's investigation will include a review of the pertinent practices and policies of BCAG/BRT, the circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether BCAG/BRT has failed to comply with Title VI regulations.

Following the investigation, FTA's Office of Civil Rights will transmit to the Complainant and BCAG/BRT one of the following three letters based on its finding:

- a) *Letter of Resolution*: which explains the steps that BCAG/BRT has taken or promises to take to come into compliance with Title VI.
- b) *Letter of Finding (Compliance)*: which explains that BCAG/BRT is found to be in compliance with Title VI. This letter will include an explanation of why BCAG/BRT was found to be in compliance, and provide notification of the Complainant's appeal rights.
- c) *Letter of Finding (Noncompliance)*: which explains that BCAG/BRT is found to be in noncompliance. This letter will include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences for failure to achieve voluntary compliance, and an offer of assistance to BCAG/BRT in devising a remedial plan for compliance.

Appeal Process

The letters of finding and resolution will offer the Complainant and BCAG/BRT the opportunity to provide additional information that would lead FTA to reconsider its conclusions. FTA requests that the parties in the Complaint provide this additional information within sixty (60) days of the date of the FTA letter of finding. FTA's Office of Civil Rights will respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.



DEFICIENCIES WITH TITLE VI COMPLIANCE

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that BCAG/BRT is in noncompliance with Title VI, it will transit a *Letter of Finding* that describes FTA's determination and requests that BCAG/BRT voluntarily take corrective action(s) which FTA deems necessary and appropriate.

BCAG/BRT will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within thirty (30) days of receipt of FTA's *Letter of Finding*.

ADMINISTRATION OF REGULATION

BCAG/BRT will integrate the provisions within its Title VI Program into all programs, activities, and services provided by BCAG/BRT.

BCAG/BRT will integrate the Title VI Program into its policies and procedures.



LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, & LAWSUITS

Butte County Association of Governments (BCAG) and Butte Regional Transit (BCAG/BRT) do not have any past, current or pending Title VI complaints for the period of January 1, 2019 to the date of the adoption of this plan.



LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the Butte County Association of Governments (BCAG) and Butte Regional Transit (BCAG/BRT) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Federal Executive Order 13166, titled ***Improving Access to Services for Persons with Limited English Proficiency***, states that differing treatment based on a person's inability to speak, read, write or understand English is a type of national origin discrimination. The Executive Order directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all BCAG departments receiving federal grant funds.

LEP Plan Summary

BCAG is the owner and operator for Butte Regional Transit (BCAG/BRT) and has developed this LEP plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by BCAG/BRT. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

This LEP plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available through various public outreach efforts.

Four Factor Analysis

In order to prepare the LEP, BCAG/BCAG/BRT used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a BCAG/BRT program, activity or service.
2. The frequency with which LEP persons come in contact with BCAG/BRT programs, activities or services.
3. The nature and importance of programs, activities or services provided by BCAG/BRT to the LEP population.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach. For example, interpretation services available to BCAG/BRT and overall cost to provide LEP assistance.

The following sections provide more detail on each of the Four Factors.

Factor 1: The number or proportion of LEP persons in Butte County who may be served or are likely to require BCAG/BRT services.

BCAG staff reviewed the 2020 American Community Survey (ACS) 5-year estimate data.

Table 1: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

Butte County, California	Population	Percentage	Speak English "very well"	Speak English less than "very well"
Total Population 5+ years	211,194	X	X	X
Speak English only	178,428	84.50%	X	X
Speak a language other than English	32,766	15.50%	64.40%	35.60%
Spanish	21,187	10.00%	67.50%	32.50%
Other Indo-European languages	3,469	1.60%	74.70%	25.30%
Asian and Pacific Island languages	7,362	3.50%	48.70%	51.30%
Other languages	748	0.40%	79.90%	20.10%

Source: U.S. Census Bureau, 2020 American Community Survey 5-Year Estimates (S1601 – Language Spoken at Home)

BCAG determined that 15.50% of the population 5 years and over in Butte County speak a language other than English. In Butte County, 5.50% of the population, or about 11,680 of people 5 years and over speak English less than “very well”.

Due to adjustments by the U.S. Census Bureau related to the 2020 census, data on specific language breakdown at the county level is no longer available. However, data from the 2015 ACS 5-year estimate data covering to 2020 is being included here for historical comparison. In terms of specific languages spoken, other than those who speak only English, the largest groups are Spanish with an estimated 17,595 speakers, followed by Hmong with an estimated 3,778 speakers, and Chinese with an estimated 825 speakers.

Table 2: Language Spoken at Home for Population 5 Years & Older

Butte County, California	Estimate	% of Total
Total:	210,409	-
Speak only English	181,682	86.4%
Spanish	17,595	8.4%
French (incl. Patois, Cajun)	322	0.15%
Italian	154	0.07%
Portuguese or Portuguese Creole	214	0.10%
German	751	0.36%
Other West Germanic languages	121	0.06%
Scandinavian languages	55	0.03%
Greek	14	0.01%
Russian	108	0.05%
Polish	0	0.00%
Serbo-Croatian	52	0.02%
Other Slavic languages	88	0.04%
Armenian	103	0.05%
Persian	243	0.12%
Gujarati	132	0.06%
Hindi	174	0.08%
Urdu	28	0.01%
Other Indic languages	595	0.28%
Other Indo-European languages	212	0.10%
Chinese	825	0.39%
Japanese	144	0.07%
Korean	39	0.02%
Mon-Khmer, Cambodian	9	0.00%
Hmong	3,778	1.80%
Thai	87	0.04%
Laotian	227	0.11%
Vietnamese	379	0.18%
Other Asian languages	556	0.26%
Tagalog	743	0.35%
Other Pacific Island languages	281	0.13%
Navajo	14	0.01%
Other Native North American languages	90	0.04%
Arabic	391	0.19%
Hebrew	81	0.04%
African languages	49	0.02%
Other and unspecified languages	53	0.03%

Source: U.S. Census Bureau, 2015 American Community Survey 5-year Estimates (B16001)

Factor 2: The frequency with which LEP persons come in contact with BCAG/BRT programs, activities or services.

BCAG/BRT assessed the frequency with which the board members, office staff, customer service representatives and bus drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries, complaints and surveying vehicle operators for requests for interpreters and translated documents. To date, the most frequent contact between LEP persons is with bus drivers. Translated documents have included postings on the buses relating to fares and transit rules written in Spanish and will now include Hmong. The Title VI Notice is on all of BCAG/BRT buses and are posted in English, Spanish and Hmong.

BCAG/BRT will continue to assess the frequency with which staff and drivers have or could have, contact with LEP persons. These include, but are not limited to, the following points of contact:

- Buses
- Drivers
- Chico Transit Center
- Travel Training Guides – Mains'l
- Dispatchers
- Customer Service Representatives
- Paratransit and Dial-a-Ride Reservationists
- Jurisdictions selling bus tickets
- www.blinetransit.com and www.bcag.org

Bus drivers that are able to translate for passengers have been observed by Mains'l supervisors translating while a rider is training with a bus guide to learn the fixed route. Bus stops are called out in Spanish if the bus driver observes riders who don't speak or understand English and that driver is able to announce in Spanish.

Factor 3: The nature and importance of programs, activities or services provided by BCAG/BRT to the LEP population.

The largest geographic concentrations of LEP individuals in the BRT service area speak Spanish and Hmong. Two concentrated areas of LEP individuals have been identified in Butte County by the 2020 ACS data. The City of Oroville has about 44% of the non-native English speaker population 5 years and over who speak English less than very well. The City of Gridley has 42% of the population in this same category.

Services provided by BCAG/BRT that LEP individuals use to get to work, school, church and social events include the fixed route and local dial-a-ride system serving the general public over 70 years of age or older and the complementary paratransit system for disabled persons who qualify under the Americans with Disabilities Act.

BCAG/BRT has contact with LEP individuals in its office, through local schools, through organizations serving the homeless, local community service, advocacy organizations, and at the Chico and Oroville Transit Centers.

BCAG/BRT maintains a contract with Mains'l Bus Guide services. At the request of either party, a person may be trained to ride the fixed route service instead of using paratransit. Mains'l bus guides interact with LEP individuals and assist when needed.

It is also likely that BCAG/BRT will encounter LEP individuals at the downtown Chico Transit Center which serves as the regional hub for transit riders and buses. A customer service representative is available to answer general questions relating to transit, bus tickets and schedules. The customer service representative speaks Spanish and can assist LEP Spanish speaking individuals. Discount tickets are sold at the transit center, community outreach events and posters are displayed and Title VI public notices are posted.

Factor 4: The resources available to BCAG/BRT and overall costs to provide LEP assistance.

BCAG/BRT has previously assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost and taking an inventory of available organizations with which resources could be shared. BCAG/BRT assessed which of its documents would be the most valuable to be translated, such as the bus schedules, complementary paratransit applications, Title VI notices and complaint procedures. The BCAG/BRT website is now capable of translating these documents and information via Google Translation.

The number of staff and requirements for vehicle operating training that might be needed were also considered. BCAG/BRT will anticipate the costs associated with professional written translation of service information and vital documents into Spanish and Hmong and those associated the providing oral translation at public meetings where needed and by request.

BCAG/BRT works with Disability Action Center (DAC) for Spanish and Hmong interpretation services which would be at no cost to BCAG/BRT. A community outreach plan is also in the works to be developed between BCAG/BRT and DAC to identify opportunities to reach LEP individuals and budget for those activities. The outreach plan will include assistance of local community organizations and LEP community advocates.

Language Assistance Measures (Plan)

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to BCAG/BRT services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

There are also various ways in which BCAG/BRT staff responds to LEP persons, whether in person, by telephone or in writing.

- Provide bilingual staffing to provide Spanish-speaking interpretation at its Administrative offices and Customer Service;
- BCAG/BRT Hispanic Education and Outreach Programs will continue to provide vital information to LEP groups on BCAG/BRT programs and services;
- Network with local human service organizations and senior centers that provide services to LEP individuals and seek opportunities to provide information on BCAG/BRT programs and services;
- Utilize the Hmong Cultural Center of Butte County to provide interpreter services for Hmong community members;
- Provide a bilingual Community Outreach Coordinator at community events, public hearings and Board of Director meetings;
- Placement of statements in notices and publications that interpreter services are available for these meetings, with seven-day advance notice. Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event, it will help identify the need for future events.
- Survey bus drivers and other front-line staff, like customer service representatives, dispatchers, dial-a-ride schedulers, and service development planners, annually on their experience concerning any contacts with LEP persons during the previous year;
- Provide *Language Identification Flashcards* at the Transit Center, onboard the BCAG/BRT fleet, in Road Supervisor vehicles and at transit systems administrative offices;

- Post the BCAG/BRT Title VI Policy and LEP Plan on the agency website, www.blinetransit.com and www.bcag.org;
- Provide group travel training to LEP persons with the assistance of bilingual staff;
- Include language “Spanish a plus” on bus driver recruitment flyers and onboard recruitment posters;
- When an interpreter is needed, for a language other than Spanish or Hmong, in person or on the telephone, staff will attempt to access language assistance services from Language Line that supports over 150 languages. An interpreter is immediately available on the phone to interpret in any of those languages, a professional translation service or qualified community volunteers.

The following list includes descriptions of *how BCAG/BRT staff may identify an LEP person who needs language assistance.*

1. Conduct examination of customer service center records for language assistance requests or assistance provided in person or over the phone.
2. BCAG/BRT eligibility coordinators and dispatchers will be instructed to record and report on passenger requests for language assistance.
3. Schedule public meetings in neighborhoods where LEP residents are concentrated and advertise the availability of translation assistance at least two weeks in advance.
4. Have a staff person greet participants as they arrive to BCAG/BRT sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English.
5. Census Bureau Language Identification Flashcards; strive to make available at BCAG/BRT meetings. This will assist BCAG/BRT in identifying language assistance needs for future events and meetings.
6. Census Bureau Language Identification Flashcards; strive to make available on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to BCAG/BRT’s management for follow-up.
7. Conduct an annual survey of vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and customer service representatives on

their experience concerning any contacts with LEP persons during the previous year.

Staff Training

Scheduled, formal training will be conducted with staff prior to June 30, 2022, and at regular intervals thereafter.

BCAG/BRT will continue to train staff on the following:

1. Information on the BCAG/BRT Title VI Policy and Procedures and LEP responsibilities
2. Provide new BCAG/BRT staff and Contractors the staff training handout that explains what Title VI is about, the complaint process, the Language Assistance Plan, what to do if an LEP person is encountered, and services offered to LEP persons.
3. Use of Language Identification Flashcards (used to identify language preference)
4. Documentation of language assistance requests
5. BCAG/BCAG/BRT coordinates with the Disability Action Center to provide language interpretation services for Spanish and Hmong.
6. How to handle a potential Title VI/LEP complaint

All contractors or subcontractors performing work for BCAG/BRT will be required to follow the Title VI/LEP guidelines.

Outreach Techniques and Translation of Documents

When staff prepares a document or schedules a public meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed.

BCAG/BCAG/BRT provides Google Translation on the BCAG/BRT website to make vital documents available and accessible to LEP persons of many languages.

Bus guides help with Spanish translation services for riders who have limited to no English.

Monitoring and Updating the LEP Plan

BCAG/BRT will update the LEP every 3 years as required by U.S. DOT. At minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the BCAG/BRT service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether BCAG/BRT's financial resources are sufficient to fund language assistance resources needed
- Determine whether BCAG/BRT has fully complied with the goals of this LEP Plan
- Determine whether complaints have been received concerning BCAG/BRT's failure to meet the needs of LEP individuals
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints

Dissemination of the BCAG/BRT LEP Plan

A link to the BCAG/BRT LEP Plan and the Title VI Procedures is included on the BCAG/BRT and BCAG websites at www.BLinetransit.com and www.bcag.org.

Any person or agency with internet access will be able to access and download the plan from the BCAG/BRT website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which BCAG/BRT will provide, if feasible.

State on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request at 530-809-4616.

Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.

Questions or comments regarding the LEP Plan may be submitted to the Butte County Association of Governments, Title VI Administrator or Transit Manager:

Butte County Association of Governments
Butte Regional Transit
326 Huss Drive, Suite 150
Chico, CA 95928

Phone: 530-809-4616 x1135
Fax: 530-879-2444
Email: awhite@bcag.org
(Amy White, Title VI Administrator)

**TABLE DEPICTING MINORITY REPRESENTATION
ON NON-ELECTED TRANSIT ADVISORY COMMITTEES**

Body	White alone	Hispanic or Latino	Black or African American	Asian alone	American Indian and Alaska Native
Body Population Ratio	73.4%	15.4%	1.5%	4.2%	0.7%
Transit Advisory Committee	81.5%	10.5%	2.6%	2.6%	2.6%
Social Service Transportation Advisory Committee	88%	5.8%	5.8%	0%	8%
Transit Administrative Oversight Committee	85.7%	9.5%	0%	4.8%	0%

Source: Survey of Committee Rosters

Outreach Efforts to Encourage Participation

BCAG actively seeks and encourages the participation of underrepresented groups on its non-elected committees when filling a vacancy. BCAG makes a concerted effort to provide the opportunity for qualified individuals from underrepresented ethnic groups to join its advisory committees so that these committees can more accurately represent the ethnic, gender, and geographic diversity of the county.

BCAG utilizes a number of strategies to promote meaningful participation by underrepresented groups, including targeted outreach. Methods may include, but are not limited to, one or more of the following:

- Paid and free notices in the local media, especially those ethically/culturally-based for the targeted group we are trying to reach. This effort includes print, electronic and social media.

- Translating notices into the native language of the targeted group.
- Posting the vacancy on BCAG's website and Administration office.
- Making presentations at existing meetings of civic, cultural or human service organizations frequented by the underrepresented group.
- Outreach to civic, cultural or human services organizations known to serve the targeted group informing them of the opportunity and need and enlisting their help.
- Notifying the municipalities within the county of the vacancy and underrepresentation.
- Placing notices of vacancy on all of Butte Regional Transit vehicles.
- Placing informational signs at the Chico Transit Center and Oroville Transit Center.
- Send emails on the vacancy and underrepresentation to current members of the committees.



Title VI - Chapter IV Requirements: Transit Provider



BUTTE REGIONAL TRANSIT (B-LINE) SYSTEM PERFORMANCE STANDARDS

Butte Regional Transit currently reports the following Transit Development Act (TDA) mandated Key Performance Measures:

Passenger Fares
Operating Expenses
Farebox Recovery Ratio (FBR)
Operating Cost/Passenger
Operating Cost/Revenue Hour
Operating Cost/Revenue Mile
Passenger Trips/Revenue Hour
Road Calls
Average Fare Per Passenger

VEHICLE LOAD STANDARDS BY MODE

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are passengers for a 25-foot cut-away bus, 40 passengers for 30-foot buses, 50 passengers for 35-foot buses, and 58 passengers for 40-foot buses.

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
25' Cut-away	14	0	14	1.00
30' Transit Bus	32	8	40	1.25
35' Transit Bus	35	15	50	1.40
40' Transit Bus	43	15	58	1.35

POLICY HEADWAYS & PERIODS OF OPERATION

Local

Service operates on local lines ranging between 30 to 60 minutes beginning at 6:12 AM until approximately 10:00 PM on weekdays. On weekends there is limited local service only, operating approximately every 60 to 120 minutes beginning at 6:15 AM and ending at approximately 9:45 PM. There are sixteen (16) local fixed routes (12 Chico Routes and 4 Oroville Routes). It is important to note that most routes in Chico are timed to depart the Chico Transit Center at approximately 50 minutes past the hour in the mornings and 10 minutes past the hour in the afternoons. In addition, many of the routes in the system are through-routed (interlined) with each other to improve connectivity and reduce the number of vehicles that are required to operate service.

Regional Services

Paradise – Chico. Provides service between Paradise and Chico, six days a week. Weekday service begins in Chico at 6:50 AM and ends in Chico at 6:23 PM. Weekday headways are approximately 240 minutes, with more frequent service during the evening peak hours. Saturday service begins at 9:50 AM in Chico and ends at 6:00 PM in Paradise. Round trip travel times between Paradise and Chico are approximately an hour and 52 minutes with a 10-minute layover scheduled in Paradise.

Magalia – Chico. Provides service between Magalia and Chico, six days a week. Weekday service begins in Magalia at 6:35 AM and ends in Magalia at 6:24 PM. Round trip travel times between Magalia and Chico are approximately two hours and 10 minutes. Saturday service begins at 9:45 AM in Magalia and ends at 6:03 PM in Magalia. Round trip travel times are approximately 45 minutes. Saturday travel times allow for transferring to/from Route 40 for the Magalia riders.

Chico – Oroville. This intercity route operates between Chico and Oroville seven days a week. Weekday service begins at 5:50 AM and ends at 8:00 PM. Weekend service begins at 7:50 AM and ends at 6:00 PM. Weekday headways are 60 minutes' peak, and 120 minutes' midday; and weekend headways are 120 minutes. Total round-trip between Chico and Oroville is approximately one hour and 50 minutes with a layover in Oroville. Note: on weekends, this route is rerouted within Oroville to provide some local service to Oroville.

Oroville – Gridley – Biggs. Operates between Oroville and Biggs with stops in Palermo and Gridley, Monday through Saturday. Weekday service begins in Oroville at 7:45 AM and ends in Oroville at 4:50 PM. Saturday service begins at 8:47 AM and ends at 5:00 PM. During the weekday, there is a five-minute layover in Biggs and vehicles go out of service in Oroville between each return trip. On Saturday, there is a five-minute layover in Biggs and a 15-minute layover in Oroville. Total round-trip travel time between Oroville and Biggs is approximately one hour and 40 minutes.

Gridley – Chico. Provides one morning trip and one evening trip between Gridley and Chico on weekdays only. The morning trip begins in Biggs at 6:40 AM, serves Gridley

at 6:51 AM and arrives at the Chico Transit Center at 7:40 AM. The evening trip leaves the Chico Transit Center at 5:20 PM and ends in Biggs at 6:20 PM. The total travel time between Gridley and Chico is approximately 60 minutes.

Student Shuttle

Student Shuttle Service is provided during the CSU-Chico school year when Spring and Fall semester classes are in session, Monday thru Friday only with limited service on Fridays. The weekday headways are 30 minutes. There is no service on weekends and when there are no classes (Spring Break, Thanksgiving Week, and campus holidays – Labor Day, Veterans Day, and Cesar Chavez Day).

Routing and scheduling involves the consideration of a number of factors including ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the *Regional Transportation Plan (RTP)*, relationship to major transportation developments, land use connectivity, and transportation demand management.

WEEKDAY	PEAK	BASE	EVENING
Local (0615-1800)	20' & 30' & 60'	60'	60'
Regional (Oroville) (0600-2000)	60'	120'	60'
Regional (Paradise) (0650-1900)	60' & 120'	60'	120'
Regional (Gridley/Biggs)	3 Trips per day & 1 Morning/1Evening	–	–
Student Shuttle (0510-1900)	30'	30'	30'

SATURDAY (Limited)	PEAK	BASE	EVENING
Local (0700-1800)	60'	60'	-
Regional (Paradise) (0650-1900)	120'	120'	-
Regional (Oroville) (0600-2000)	120', including Sunday	120', including Sunday	-
Regional (Gridley/Biggs)	120'	120'	-
Student Shuttle (0510-1900)	-	-	-

ON-TIME PERFORMANCE STANDARDS

Local: 90 percent of all fixed-route trips and 95 percent of all Demand Response trips should be operated “on-time,” defined as not early, and no more than five minutes late in comparison to the established time points.

Local Fixed Route: 90%
Rural Fixed Route: 90%
Demand Response: 95%

SERVICE AVAILABILITY

It is the goal to provide transit service to residential areas, major medical, shopping, government, employment centers, and activity centers that can support those route services. The local route system will be designed such that 85 percent of the population of urbanized areas is within one-fourth mile of a fixed route or within the service area of the ADA Paratransit and senior Dial-A-Ride demand response services.

VEHICLE ASSIGNMENT

All vehicles within the B-Line Transit fleet are lift-equipped and equipped with heat/air conditioning. In addition, all Fixed Route vehicles have bicycle racks. Vehicles are assigned based upon the operating characteristics of the routes. Local routes typically operate smaller more maneuverable transit buses while the Regional routes typically operate the 40-foot transit buses to accommodate larger passenger loads.

TRANSIT AMENITIES

Installation of transit amenities are based on passenger boarding along the routes.

NON-DISCRIMINATION IN SERVICE CHANGES & VEHICLE ASSIGNMENTS STATEMENT

Butte County Association of Governments (BCAG) and Butte Regional Transit (BRT) does not discriminate when making service changes or vehicle assignments.

The level of service, frequency of headway, distance between stops and transit amenities are all based on population numbers and transit ridership usage.

As for vehicle assignment, the only varying factors in assigning vehicles is the distance of the route from the transit yard, and the physical features of the route itself. For the distance from the yard, all things being equal, newer vehicles will be used on routes that travel the furthest distance from the yard. That is because they are less likely to have mechanical issues and/or breakdown. As for the features of the route, the CNG vehicles do not have the power that the diesel engines do to climb hills, so they are not assigned to routes travelling to Paradise and Magalia. Also, some routes have tighter turns which are harder for larger buses to maneuver, so 35-foot vehicles are more often used on those routes rather than the 40-foot vehicles.



Title VI - Chapter IV Requirements: Metropolitan Planning Organization



DEMOGRAPHIC PROFILE OF THE METROPOLITAIN AREA

BCAG is a Joint Powers Agency (JPA) which includes all local governments within Butte County. Its members include the cities of Biggs, Chico, Gridley, Oroville, the Town of Paradise, and the County of Butte.

BCAG has a 10-member Board of Directors, including each of the five Butte County Supervisors and one council person from each of the five incorporated cities/town; the cities of Biggs, Chico, Gridley, Oroville, and the Town of Paradise. A current list of the Board members can be found here: <http://www.bcag.org/Meetings--Agendas/Board-of-Directors/index.html>.

The following demographic maps (identified below) will show the overlay percentage of minority and non-minority populations as identified in Census or ACS data, at Census tract or block group level. Minority is defined as people per square mile who are non-White or of Hispanic origin, per the American Community Survey, 2016 and 2020. This data is used in the planning and design of funding, construction, and service by BCAG and is the most up to date available at the time of this Title VI Program update.

Map 1 - Butte County Minority Distribution

Map 2 - Butte County Low-Income Distribution

Map 3 - Butte County Limited English Speaking Population

Map 4 – Butte County Title VI and Environmental Justice Communities (2020)

Butte County Title VI Minority Distribution

Butte County has a Minority rate of 26.6% of the population. The areas highlighted in Orange contain the highest ratio of the Minority population.

Total County Population: 223,877 / Minority: 26.6%

Minority source: American Community Survey 2016

Butte County Title VI Low-Income Distribution

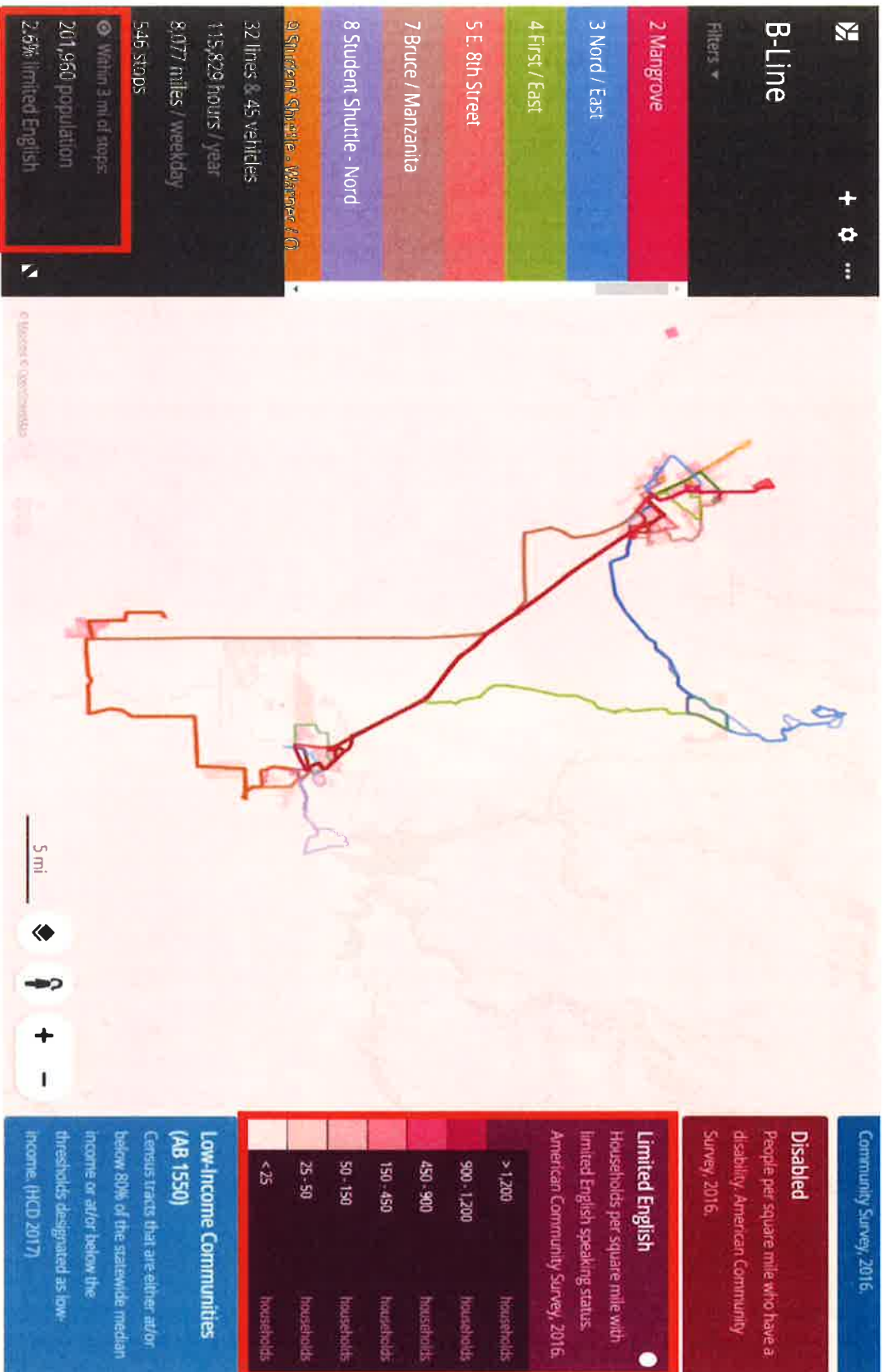
Butte County has a Low-Income rate of 21.3% of the population. The areas highlighted in Orange contain the highest ratio of the Low-Income population.

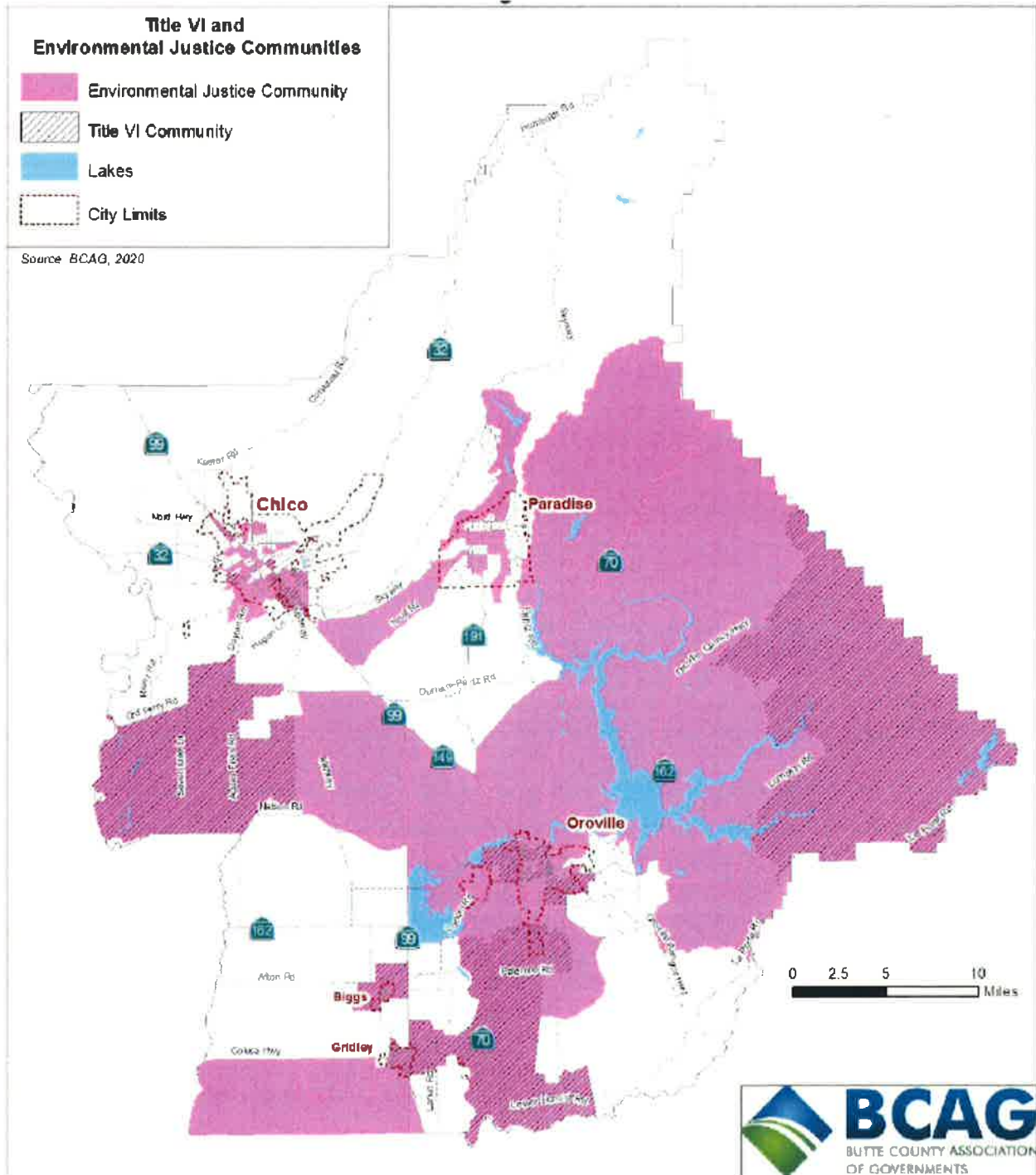
Total County Population: 223,877 / Low-Income: 21.3%

Minority source: American Community Survey 2016

Low-Income = 100% census-defined poverty rate

Butte County Title VI Limited English Distribution





ASSESSING MOBILITY NEEDS OF MINORITY POPULATIONS

BCAG is required to provide a proactive public participation process that provides complete information, timely public notice, public access to key decisions, and supports early and continuing involvement of the public in developing all transportation plans and improvement programs.

The BCAG Public Participation Plan includes, but is not limited to, lower income households, minorities, limited English speaking persons, persons with disabilities, representatives from community and service organizations, tribal councils, affordable housing advocates, neighborhood groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, homeowner associations, and other public agencies.

The PPP also assists in identifying and addressing environmental justice and social equity issues. Citizen participation objectives include involvement of interested citizens, stakeholders, and representatives of community organizations.

The B-Line Administrative Policies and Procedures Manual requires that proposed fare increases must be developed with extensive public outreach and adopted only after consultation with the Social Services Transportation Advisory Council (SSTAC), public comment, public meetings/hearings, BCAG Transit Administrative Oversight Committee (TAOC) review.

When looking at a fare increase beginning September 1, 2019, BCAG staff completed all the above steps, which included public notices in newspapers throughout Butte County, posted on all transit vehicles and on the BCAG and B-Line websites. Reviews were conducted with the Transportation Administrative Oversight Committee (TAOC) in March 2019 and with the Social Services Transportation Advisory Council (SSTAC) in May 2019. A final public hearing was conducted before the BCAG Board of Directors at the July 2019 meeting. Based on comments gathered from the public and the Board, the overall proposed fare increase was well received. The final step was for the Board of Directors to vote on the proposed fare increase.

PUBLIC PARTICIPATION PLAN (PPP) - DEVELOPMENT

In an effort to reach out to the people of Butte County, and in response to the passage of the Moving Ahead for Progress in the 21st Century Act (MAP 21), BCAG has developed an updated 2022 Public Participation Plan (PPP). This plan serves to formalize and follow public outreach strategies involving the populace in transportation planning decisions. BCAG is providing and implementing this PPP to reflect its current and future public involvement in response to federal and state guidelines and requirements.

The Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) was subsequently succeeded by the Moving Ahead for Progress in the 21st Century Act (Map 21) by Congress in 2012. While the current transportation legislation is the Fixing America's Surface Transportation (FAST) Act, there are not any significant changes to the PPP. MAP 21 continued the strong federal emphasis on public participation, requiring that the public participation plans of metropolitan planning processes "be developed in consultation with all interested parties and provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan". The PPP is intended to provide and document the direction for public involvement activities to be conducted by BCAG.

PUBLIC PARTICIPATION PLAN (PPP) - OBJECTIVES

The objectives of the PPP are:

- Raise a level of understanding of the transportation planning process in Butte County and to identify how interested citizens can participate.
- Maximize opportunity for public involvement in the transportation process.
- Maintain contact with interested citizens and key stakeholders throughout the process of developing plans and projects.

The public is encouraged to inform BCAG staff about what would be helpful in addressing the objectives of the Public Participation Plan.

In addition, BCAG has developed a "Policy for Government-to-Government Consultation with Federally Recognized Native American Tribal Governments" document. The United States Department of Transportation (U.S. DOT) Order 5301.1 ensures that programs, policies, and procedures administered by the U.S. DOT are responsive to the needs and concerns of Native American Tribal Governments.

This Order provides a very thorough overview of the various federal regulations and Executive Orders on this subject. US Code Title 23 Sec 135 (e and f) generally state that Tribal Government concerns should be considered in developing planning documents. Specifically, the applicable provisions concerning the documented process from the U.S. DOT joint FHWA/FTA planning regulations at 23 CFR 450.316 state:

(c) When the MPO includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with Indian Tribal governments and agencies, ...which may be included in the agreement(s) developed under §450.314.

The reference to the metropolitan transportation plan would be BCAG's long-range Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS). The reference to the "TIP" would be BCAG's short-range programming document known as the Butte County Federal Transportation Improvement Program (FTIP).

PUBLIC PARTICIPATION PLAN (PPP) – UPDATES & OUTREACH

BCAG updated the PPP in April 2022 in an effort to address any updated regulations or requirements that may be needed. Public workshops were held at the following locations in February 2022:

Northern Valley Indian Health Clinic - Chico, CA
 African American Family Cultural Center - Oroville, CA
 Bethel AME Church Health Fair – Chico, CA

A public workshop was also held via Zoom in March 2022.

STATE & FEDERAL FUNDS MANAGED BY BCAG

The following table (Table 1-BCAG State & Federal Funds) represents the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO as a designated recipient.

FUNDS		Expenditures
Federal funds directed toward Public Transportation/Non-motorized Transportation		FY 2020/21
*	FHWA Metropolitan Planning	\$ 847,805
*	FTA Section 5303	\$ 66,604
*	FTA Section 5304	\$ 153,859
+	FTA Section 5307 (Operating)	\$ 1,629,434
+	FTA Section 5307 (Capital)	\$ 626,028
+	FTA Section 5311 (Operating)	\$ 765,737
+	FTA Section 5311(f) (Operating)	\$ 300,000
+	FTA 5339 (Capital)	\$ 1,767,769
*	CMAQ (rolled into 5307)	\$ 15,432
*	Highway Planning & Construction	\$ 0
	Total	\$ 6,172,668
* Denotes funding received directly		
+ Denotes amounts directed to Butte Regional Transit		

Source: BCAG Schedule of Expenditures of Federal Awards, DOT contracts

ANALYSIS OF DISPARATE IMPACTS

BCAG currently does not have any disparate impacts.

BCAG, as the MPO, conducts an annual Unmet Needs Public Outreach forum to address any service impacts as well as receive any public comments on service needs and/or changes. The comments received are used in consideration of service impacts that may affect residents in lower income households, minorities, limited English speaking persons and persons with disabilities. These hearings were held on the following dates:

- March 28, 2019
- March 26, 2020
- March 25, 2021



PLANNING AND SELF-CERTIFICATION OF MPO

The Regional Transportation Plan (RTP) & Sustainable Communities Strategy (SCS) is prepared by BCAG, the federally designated Metropolitan Planning Organization (MPO) and the state designated Regional Transportation Planning Agency (RTPA) for Butte County.

The 2020 RTP/SCS was adopted in December 2020. It specifies the policies, projects, and programs necessary over a 20+ year period to maintain, manage, and improve the region's transportation system. It covers the 24-year period between 2016 and 2040. The RTP/SCS is required to be updated every four years and will be updated for 2024.

The RTP/SCS provides a foundation for transportation decisions by local, regional, and state officials. This foundation is based on a vision of an efficient and environmentally sound multi-modal system. The RTP/SCS also serves as the foundation for the development of the:

- Federal Transportation Improvement Program
- Regional Transportation Improvement Program
- Interregional Transportation Improvement Program

The RTP/SCS and Public Participation Plan as described above is intended to eliminate language, mobility, temporal, and other obstacles to allow minority communities with opportunities to get involved on the transportation planning process.

BCAG in its capacity as the MPO, RTPA & Transit Administration is subject to 5310, 5311, and other state funding reviews as well as the Triennial Review from FTA.

Sub-Recipients and Potential Sub-Recipients

At the time of preparing BCAG's 2022-24 Title VI Program, BCAG as a direct recipient of federal funds, does not have any sub-recipients, and two potential sub-recipients.

BCAG assists with preparation of grant funding documentation to two local, private, non-profit organizations; HelpCentral.org (Butte 2-1-1) and Work Training Center (WTC). In addition, BCAG conducts workshops for non-profit organizations, State or local governmental authorities, and Native American Tribal Governments.

- 1) Help Central is a local non-profit organization established to facilitate and improve public access to essential health and human services. They work with partner agencies to create a caring community that links individuals and families to the support services they need.

The HelpCentral.org website provides a way to quickly find low-cost and no-cost health and human services in Butte and Glenn counties. This free online resource can be accessed 24 hours a day, seven days a week by any Internet user.

The database contains more than 750 programs providing services from over 400 agencies in Butte and Glenn counties. Services include obtaining emergency food, parenting classes, recreational programs, support groups, drug treatment, tax assistance, in-home help, after school programs, hospice, counseling, and subsidized day care. The website identifies services for more than twenty specialized population groups such as families, seniors, or teens.

- 2) Incorporated in 1960, Work Training Center (WTC) provides habilitation and rehabilitation services for approximately 550 adults with severe developmental and physical disabilities. WTC's primary service area is Butte County.

Work Training Center's mission is "to assist and support people with disabilities to enhance the quality of their lives through increased independence in work and leisure activities."

WTC services include: Supported Employment for adults with developmental disabilities; a Work Activities Program for adults with moderate to mild developmental disabilities; an Activity Center for adults with moderate developmental disabilities; two Adult Developmental Programs for adults with severe and profound disabilities, as well as therapeutic recreation and socialization programs for all ages and types of disabilities. Many Work Training Center program participants have multiple secondary physical disabilities in addition to a primary disability of mental retardation.

Opportunities for vocational training and employment at WTC include: Supported employment in private businesses such as janitorial services, manufacturing, and restaurant services; commercial and residential landscape maintenance; proprietary services recycling glass, aluminum, and newspaper; workshops providing subcontract manufacturing and assembly in woodworking, sewing and light assembly.

Other Work Training Center programs provide opportunities for integration into community activities and employment and supplement the above services.

WTC provides services under contract with the Department of Developmental Services and Rehabilitation, local governments, and the private sector. Community fundraising efforts, private foundations, and public agency grants provide additional funding which allows WTC to operate it's ten facilities with locations in Chico, Oroville, and Paradise.



BCAG / BRT TITLE VI-CHAPTER IV CHECKLIST RESPONSE

BCAG / BRT staff have completed the required elements provided on the most current federal and state provided checklists for guidance available at the time of this Title VI program update.

Because some of the data obtained with the latest U.S. Census process has been configured differently this cycle, especially within the 2020 American Community Survey data tables available, the agency has and will be researching and utilizing guidance from relative data platforms and software. These may be obtained from a paid or no-cost service. The agency continues to diligently work during the 3-year Title VI Program cycle to use its current resources in developing analysis and updates indicated by ongoing data collection in relation to the program scope.

These resources are assisting BCAG in adhering to the requirements noted in Chapter IV of the Title VI program. These requirements include:

- Instant demographic impact analysis using the latest US Census data from the American Community Survey (i.e. Minority, Population, Poverty, Senior, Disabled, Youth & Limited English);
- Title VI Service Equity Analysis by using Title VI methodology (i.e. calculating the change borne by low-income and minority populations, comparing the percentage change to the average in the service area, getting the population near a route, including its low income and minority percentage, etc.)

Appendix A

DEFINITIONS

Adverse Effect means having a harmful or undesired effect.

Discrimination refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, or national origin.

Limited English Proficient (LEP) Persons are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

Low-Income Population means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

Minority Individuals

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
4. Hispanic or Latino, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian and Other Pacific Islanders, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

National Origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.

Race means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

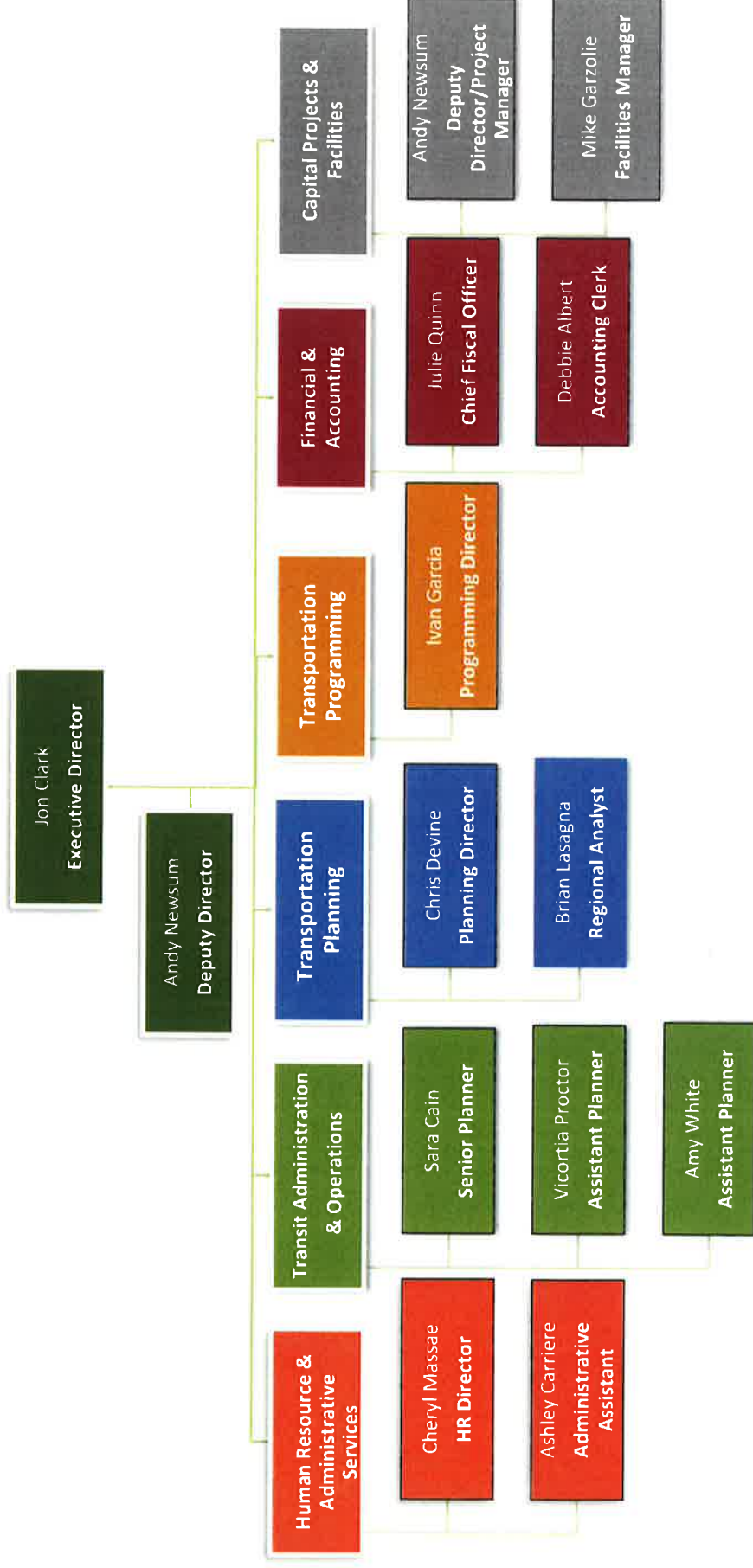
Recipient means one that has received or is receiving Federal financial assistance. The term includes subrecipients of a recipient and subrecipients in FTA State administered programs.

Retaliation Any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

Vital Documents are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

APPENDIX B

2022/23 BCAG STAFF ORGANIZATIONAL CHART



Your Rights Under Title VI of the Civil Rights Act of 1964

APPENDIX C

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the Butte Regional Transit System may file a written complaint with the Butte County Association of Governments, Title VI Administrator or the Federal Transit Administration (FTA) Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590. Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident.

To request additional information on B-Line's non-discrimination obligations or to file a Title VI Complaint, please submit your request to:

Butte Regional Transit (B-Line)
Attention: Title VI Administrator
326 Huss Drive, Suite 150
Chico, CA 95928
(530) 809-4616 – Fax (530) 879-2444

- To obtain services or copies in an alternate format or language, please call (530) 809-4616, or visit the website www.BLineTransit.com.

**Complaint Forms can also be obtained on B-Line's
Website at www.BLineTransit.com**



Title VI is the Law

Koj Cov Cai Nyob rau hauv Title VI

APPENDIX C

ntawm qhov Civil Rights Act of 1964

Title VI yog ib seem ntawm qhov Civil Rights Act of 1964 uas qhia tias yuav tsum "Tsis pub ib tug neeg twg nyob rau hauv lub tebchaws United States siv haiv neeg, xim nqaij daim tawv los yog lub teb chaws twg tuaj, los ua ib yam kev txwv lossis tshem tawm kev koom tes nyob rau hauv, raug tsis kam lees cov kev pab cuam, los yog yuav raug siv ua ib yam kev ntub ntxaug nyob rau hauv tej kev pab cuam los yog kev ua uas tau txais tsoom fwm teb chaws kev pab nyiaj txiag." Nco ntsoov tias Title VI tsis hais txog kev ntub ntxaug raws yus yog txivneej los pojniam. Nws tsuas hais txog haiv neeg, xim nqaij daim tawv thiab lub teb chaws twg tuaj xwb. Lwm cov Civil Rights cai txwv tsis pub muaj kev ntub ntxaug raws yus yog txivneej los pojniam.

Leejtwg uas pom tau tias nws raug tshem tsis pub tau los yog txiav tsis tau txais tej kev pab cuam, lossis raug ntub ntxaug los ntawm Butte Regional Transit System los, tsis hais nws tus kheej lossis yog vim nws yog ib tug neeg txawv haiv neeg, xim tawv nqaij, los yog lub teb chaws twg tuaj, muaj cai ua ib daim ntawv tsis txaus siab rau Butte County Association of Governments, Title VI Administrator lossis rau Federal Transit Administration (FTA) Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590. Nom tswv tebchaw thiab lub xeev txoj cai lij choj qhia kom yuav tsum tau ua daim ntawv no tsis pub dhau ib-puas yim-caum (180) hnub ntawm hnub kawg uas muaj qhov xwmtxheej ntawd.

Yog xav paub ntiv txog B-Line cov kev tswj tsis pub muaj kev ntub ntxaug lossis yog xa ua ntawv tsis txaus siab Title VI Complaint, thov qhia lossis tivtauj:

Butte Regional Transit (B-Line)
Attention: Title VI Administrator
326 Huss Drive, Suite 150
Chico, CA 95928
(530) 809-4616 – Fax (530) 879-2444

- Xav tau kev pab los si ntawv txhais lwm yam lus, thov hu (530) 809-4616, los si mus rau qhov website www.Blinetransit.com

Muab tau cov ntaub ntawv Kev Tsis Txaus Siab ntawm B-Line
qhov website ntawm www.Blinetransit.com thiab



Title VI yog Txoj Kev Cai Lij

Rev. 01/18/2019

Sus derechos Bajo Título VI

APPENDIX C

De la Ley de Derechos Civiles de 1964

Título VI es una sección de la Ley de Derechos Civiles de 1964, exigiendo que "ninguna persona en los Estados Unidos por motivos de raza, color o origen nacional, excluida de participar, ni se le negarán beneficios, ni será sujeta a discriminación bajo ningún programa o actividad que reciba asistencia financiera federal." Tenga en cuenta que el título VI no refiere la discriminación de género. Únicamente se refiere a la raza, color y origen nacional. Otras leyes de derechos civiles prohíben la discriminación por motivos de género.

Cualquier persona que se siente que él o ella, individualmente o como miembro de cualquier clase de personas, sobre la base de raza, color o origen nacional ha sido excluido o negado los beneficios de, o sometidos a discriminación causada por el Sistema de Transporte Regional de Butte, podrá presentar una queja por escrito con la asociación de gobiernos de condado de Butte, Título VI o the Federal Transit Administration (FTA) Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590. Las leyes estatales y federales quejas requiere ser presentado dentro de los ciento ochenta (180) días calendario a partir del último presunto incidente.

Para solicitar información adicional sobre B-Line las obligaciones de no discriminación o presentar un título VI denuncia, envíe su solicitud a:

Butte Regional Transit (B-Line)
Attention: Title VI Administrator
326 Huss Drive, Suite 150
Chico, CA 95928
(530) 809-4616 – Fax (530) 879-2444

- Para recibir servicios o copias en otro formato o idioma, contacte a (530) 809-4616 o visite el sitio web www.BLineTransit.com.

**Hojas de reclamaciones también se pueden obtener
en el sitio web de B-Line www.BLineTransit.com**



Título VI es la Ley

Rev. 01/18/2019

APPENDIX D



TITLE VI COMPLAINT FORM

Before filling out this form, please read the Butte Regional Transit Title VI Complaint Procedures located on our website or by visiting our office.

The following information is necessary to assist us in processing your complaint. If you require assistance in completing this form, please call the number below. Complaints must be filed within 180 calendar days after the date alleged discrimination occurred.

Mailing address: 326 Huss Drive, Suite 150, Chico, CA 95928
Telephone: 530-809-4616 Fax: 530-879-2444

Section I:

Complainant's Name: _____

Address:

City: _____ State: _____ Zip Code: _____

Telephone Number (Home): _____ Other: _____

Email address:

Accessible format requirements?

Large Print	☐	Audio Tape	☐
TDD	☐	Other	☐

Section II:

Are you filing this complaint on your own behalf? Yes: ☐ No: ☐

*If this is on your own behalf, please skip to Section III.

Person discriminated against (if someone other than complainant):

Name:

Address:

City: State: Zip Code:

Relationship with of the person for whom you are reporting:

Please confirm you've obtained the permission of this party to file this complaint:

Please explain why you are filing for a third party?

Section III:

Date of alleged discrimination:

Which of the following best describes the reason you believe the discrimination took place?

Was it because of your: Race/Color: ☐ National Origin: ☐

Have you previously filed a complaint with **this** agency? Yes: ☐ No: ☐

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? Yes ☐ No ☐

If yes, check each box that applies:

Federal Transit Administration ☐ Dept of Transportation ☐ Dept of Justice ☐
EEOC ☐

Other:

Have you filed a lawsuit regarding this complaint: Yes ☐ No ☐

Please provide information for a contact person at the agency/court where the complaint has already been filed:

Name: Title:

Agency:

Address:

Telephone:

Note: If litigation is pending regarding the same issues, we defer to the decision of the court.

In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. You should include specific details such as names, dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of the allegations. Please also provide any other documentation that is relevant to this complaint.

Complainant's Signature:

Date:

APPENDIX D



Nqe lus VI Daim Ntawv Hais Kev Tsis Txaus Siab

Ua ntej ua tiav daim ntawv no, thov nyeem Butte Regional Transit Title VI ntawm lub website lossis ntawm peb chaw ua haujlwm.

Cov ntaub ntawv hauv qab no yuav los pab peb teb koj cov lus tsis txaus siab. Yog tias koj xav tau kev pab sau daim ntawv no, thov hu rau tus xov tooj hauv qab no. Cov lus tsis txaus siab yuav tsum xa tuaj tsis pub dhau 180 hnuv tom qab hnuv raug kev ntub ntxaug tshwm sim.

Chaw Nyob Xa Ntawv: 326 Huss Drive, Suite 150, Chico, CA 95928
Xov tooj: 530-809-4616 Fax naj npawb: 530-879-2444

Tshooj I:

Tus Neeg Tsis Txaus Siab Lub Npe: Koj lub npe

Chaw Nyob: Koj qhov chaw nyob

City: City Xeev: Xeev Zip Code: ZIP

Xov Tooj: Xov Tooj Lwm yam: Lwm yam

Email chaw nyob: Email

Hom kev cai xav tau?

Tshaj Ntawv Sau	☐	Suab Lus	☐
TDD	☐	Lwm yam	☐

Tshooj II:

Koj puas ua daim ntawv tsis txaus siab no rau koj tus kheej?

Yog: ☐ Tsis yog: ☐

* Yog tias qhov no yog ntawm koj tus kheej, thov hla mus rau Tshooj III.

Tus neeg raug kev ntub ntxaug (yog tias lwm tus tsis yog tus tsis txaus siab):

Lub Npe: Lub Npe

Chaw Nyob: Chaw Nyob

City: City Xeev: Xeev Zip Code: ZIP

Kev txheeb ze nrog tus neeg uas koj tau tshaj tawm: Kev txheeb ze rau koj.

Thov qhia kom meej tias koj tau txais kev pom zoo ntawm tus neeg sab nrauv los ua qhov kev tsis txaus siab no: Tau? Tsis yog?

Thov piav qhia yog vim li cas koj ua ntaub ntawv thov rau lwm tus neeg sab nraud??
Vim li cas?

Tshooj III:

Hnub ntawm kev sib liam ntub ntawm: Hnub ntawm kev sib liam ntub ntawm.

Yam twg hauv qab no qhia txog qhov koj xav tias qhov kev ntub ntawm tau tshwm sim?

Yog vim yog koj: Haiv Neeg / Xim Neeg: ☐ Keeb Kwm Tebchaws: ☐

Koj puas tau ua ntawv tsis txaus siab nrog **lub** koom haum no? Tau: ☐ Tsis tau: ☐

Koj puas tau sau daim ntawv tsis txaus siab no nrog lwm lub xeev lossis hauv zej zos; los yog nrog tsev hais plaub hauv tsoom fwm lossis hauv xeev?

Tau ☐ Tsis tau ☐

Yog muaj, kos rau txhua lub npov uas siv tau:

Federal Transit Administration ☐ Dept of Transportation ☐ Dept of Justice ☐ EEOC ☐

Lwm yam: Lwm yam

Koj puas tau ua ntawv foob txog qhov tsis txaus siab no: Tau ☐ Tsis tau ☐

Thov muab cov ntaub ntawv rau ib tus neeg tiv tauj hauv lub koom haum / lub tsev hais plaub uas tau muab qhov kev tsis txaus siab twb tau teev tseg:

Lub Npe:: Sib cuag Lub npe Npe: Npe

Lub Koom Haum: Lub Koom Haum

Chaw Nyob: Chaw Nyob

Xov tooj: Xov tooj

Lus Cim: Yog hais tias tseem tsis tau txiav txim plaub ntug es tseem muaj qhov teeb meem qub, peb yuav cia rau lub tsev txiav txim plaub ntug txiav txim.

Ntawd koj tus kheej cov lus, piav qhia txog kev ntub ntxaug. Piav seb muaj li cas thiab tus neeg koj ntseeg tias yog lub luag haujlwm. Koj yuav tsum muaj cov ntsiab lus tseem ceeb xws li cov npe, cov hnub, lub sijhawm, cov xov tooj, cov neeg tim khawv, thiab lwm yam ntaub ntawv uas yuav pab tau peb hauv kev tshawb nrhiav txog cov lus sib liam. Thov muab lwm cov ntaub ntawv uas muaj feem xyuam rau qhov kev tsis txaus siab no.

Thov piav qhia txog qhov teeb meem, siv ntau qhov chaw raws li xav tau.

Tus Neeg Tsis Txaus Siab Kos Npe: Sau lub npe thiab kos npe rau hauv qab no.

D noj: Hnub no lub hnub

APPENDIX D



Formulario de Queja del Título VI

Antes de completar este formulario, lea los Procedimientos de reclamación del Título VI de tránsito regional de Butte que se encuentran en nuestro sitio web o visitando nuestra oficina.

La siguiente información es necesaria para ayudarnos a procesar su reclamo. Si necesita ayuda para completar este formulario, llame al siguiente número. Las quejas deben presentarse dentro de los 180 días calendario posteriores a la fecha en que ocurrió la supuesta discriminación.

Dirección de envío: 326 Huss Drive, Suite 150, Chico, CA 95928

Número de Teléfono: 530-809-4616 Número de Fax: 530-879-2444

Sección I:

Nombre del decunante: _____

Dirección:

Ciudad: Estado: Código postal:

Su teléfono de casa: Otro:

E-mail:

¿Requisitos de formato accesible?

Letra grande	☐	☐	Cinta de audio	☐	☐
TDD	☐	☐	Otro	☐	☐

Sección II:

¿Está presentando esta queja por usted mismo? Si: ☐ No: ☐

* Si esto es para usted, ve a la Sección III.

Persona discriminada (si no es usted):

Nombre:

Dirección:

Ciudad:

Estado:

Código postal:

Su relación con la persona discriminada:

Confirma que tienes permiso para presentar esta queja:

Explique por qué está presentando una demanda para la persona discriminada?

Sección III:

Fecha de presunta discriminación:

¿Cuál de las siguientes opciones describe mejor la razón por la que cree que se produjo la discriminación?

¿Fue por tu: Raza/Color: ☐ Origen Nacional: ☐

¿Ya ha presentado una queja con **esta** agencia? Si: ☐ No: ☐

¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local? ¿Ha presentado esta queja ante cualquier tribunal federal o estatal? Si ☐ No ☐

En caso afirmativo, marque cada casilla que corresponda:

Federal Transit Administration ☐ Dept of Transportation ☐ Dept of Justice ☐ EEOC ☐

Otro:

¿Ha entablado una demanda con respecto a esta queja?: Si ☐ No ☐

Proporcione información para una persona de contacto en la agencia / tribunal donde la queja ya ha sido presentada:

Nombre:

Título:

Agencia:

Dirección:

Teléfono:

Nota: Si el litigio está pendiente con respecto a los mismos asuntos, diferimos a la decisión del tribunal.

En sus propias palabras, describa la supuesta discriminación. Explica qué sucedió y quién crees que fue el responsable. Debe incluir detalles específicos tales como nombres, fechas, horas, números de ruta, testigos y cualquier otra información que nos ayude en nuestra investigación de las alegaciones. También proporcione cualquier otra documentación que sea relevante para esta queja.

La firma del Complainant:

Date:



APPENDIX E

NON-DISCRIMINATORY STATEMENT

It is the policy of Butte County Association of Governments (BCAG) / Butte Regional Transit (BRT) that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of BCAG/BRT as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of BCAG/BRT, including its contractors and anyone who acts on behalf of BCAG/BRT. This policy also applies to the operations of any department or agency to which BCAG/BRT extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.



Jon Clark
Executive Director, BCAG

4-20-22
Date

APPENDIX F

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A

The California Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), 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 *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. § 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 shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the FHWA.

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 all programs or activities for which the Recipient receives Federal financial assistance:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 € 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. 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 or activities for which the Recipient receives Federal financial assistance, and in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The California Department of Transportation, in accordance with the provisions of 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 insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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 of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or 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.

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

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

California Department of Transportation
(Name of Recipient)

by original signed by Toks Omishakin
(Signature of Authorized Official)

DATED 09/17/2021

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, 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, national origin, age, sex, or disability 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 the 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.
3. **Solicitation for Subcontracts, 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, national origin, age, sex, or disability.

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 Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 1. withholding payments to the contractor under the contract until the contractor complies; and/or
 2. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including 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 subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the California Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23 U.S.C., the regulations for the administration of the preceding statute, and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance 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 California Department of Transportation 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 the California Department of Transportation 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 California Department of Transportation, its successors and assigns.

The California Department of Transportation, in consideration of the conveyance of said lands and interest 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 California Department of Transportation will use the lands and interests in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to 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, 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 lands, and that above described land and facilities will thereon revert to and vest in 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 purpose of Title VI.)

APPENDIX C

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

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

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

- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the California Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the California Department of Transportation and its assigns.*

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

APPENDIX D

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

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

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

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

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), prohibits discrimination on the basis of sex;
- 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 CR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, 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 49 C.F.R. parts 37 and 38;

- 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);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- 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 with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq*).

APPENDIX G



BUTTE COUNTY ASSOCIATION OF GOVERNMENTS RESOLUTION NO 2021-22-16



RESOLUTION OF THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS BOARD OF DIRECTORS APPROVAL OF THE 2022-2024 TITLE VI PROGRAM

WHEREAS, the Butte County Association of Governments (BCAG) is the Metropolitan Planning Organization (MPO), Regional Transportation Planning Agency (RTPA), and Owner and Operator of Butte Regional Transit, also known as the *B-Line*;

WHEREAS, BCAG is responsible for managing the day-to-day Operations and Maintenance of Butte Regional Transit;

WHEREAS, in accordance with Section 601 of the Title VI of the Civil Rights Act of 1964 states: *No person in the United State shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

WHEREAS, in accordance with the Federal Transit Administration Circular 4702.1B to help FTA recipients to:

- a. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- b. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- c. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

WHEREAS, in accordance with the U.S. Department of Justice (DOJ) Title VI regulations 28 CFR Section 42.401 et seq., and 28 CFR Section 50.3, and the U.S. Department of Transportation (DOT) Title VI implementing regulations 49 CFR part 21;

NOW, THEREFORE, BE IT RESOLVED THAT, that the BCAG Board of Directors approves the Title VI Program presented at the April 28, 2022, meeting.

BE IT FURTHER RESOLVED THAT, the Butte County Association of Governments authorizes its staff to submit the Title VI Program for the years 2022-2024 to FTA for final approval and compliance.

PASSED AND ADOPTED by the Butte County Association of Governments on the 28th day of April 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

JODY JONES, CHAIR
BUTTE COUNTY ASSOCIATION OF GOVERNMENTS

ATTEST:

JON A. CLARK, EXECUTIVE DIRECTOR
BUTTE COUNTY ASSOCIATION OF GOVERNMENTS

APPENDIX H

CALTRANS DIVISION OF MASS TRANSPORTATION TITLE VI PROGRAM CHECKLIST

(Chapter III)

Agency Name: Butte County Association of Govt's / Butte Regional Transit

Agency Contact: Amy White

Email: awhite@bcag.org

Phone: 530-809-4616 x1135

Caltrans District #: District 3

Page # Select
One

- | | | |
|--------------------------------------|----------------------------------|---|
| <input type="text" value="Apx C"/> | <input type="text" value="Yes"/> | 1. Notice to the public |
| <input type="text" value="Apx C"/> | <input type="text" value="Yes"/> | a. Race, color and national origin (Sample notice in Appendix B) |
| <input type="text" value="Apx C"/> | <input type="text" value="Yes"/> | b. Translated into non-English languages and consistent with the agency's Limited English Proficiency (LEP) Plan (Chapter III-4) |
| <input type="text" value="4"/> | <input type="text" value="Yes"/> | 2. List of locations where notice is posted, at a minimum (Chapter III-4) |
| <input type="text" value="4"/> | <input type="text" value="Yes"/> | a. Agency's website |
| <input type="text" value="4"/> | <input type="text" value="Yes"/> | b. Public areas of the agency's office(s), including reception desk and meeting rooms |
| <input type="text" value="4"/> | <input type="text" value="Yes"/> | c. Stations or stops |
| <input type="text" value="4"/> | <input type="text" value="Yes"/> | d. Transit vehicles |
| <input type="text" value="11"/> | <input type="text" value="Yes"/> | 3. How to file a title VI discrimination complaint and complaint form must be on agency's website (Chapter III-5 and Appendix C and D) |
| <input type="text" value="18"/> | <input type="text" value="Yes"/> | 4. List of any public transportation Title VI investigations, complaints or lawsuits filed since last submission (see Appendix E) |
| <input type="text" value="Attch 1"/> | <input type="text" value="Yes"/> | 5. Public Participation Plan - Promoting Inclusive Public Participation (Chapter III-5) |
| <input type="text" value="Attch 1"/> | <input type="text" value="Yes"/> | a. Summary of outreach efforts made |
| <input type="text" value="Attch 1"/> | <input type="text" value="Yes"/> | b. Outreach plan to engage minority and limited English proficient populations (can be a component of a larger outreach for those that are traditionally underserved) |
| <input type="text" value="19-27"/> | <input type="text" value="Yes"/> | 6. Limited English Proficiency (LEP) Plan |
| <input type="text" value="19-23"/> | <input type="text" value="Yes"/> | a. Four Factor Analysis (Chapter III-7) |
| <input type="text" value="20"/> | <input type="text" value="Yes"/> | i. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient. |
| <input type="text" value="22"/> | <input type="text" value="Yes"/> | ii. The frequency with which LEP persons come into contact with the program. |
| <input type="text" value="22"/> | <input type="text" value="Yes"/> | iii. The nature and importance of the program, activity, or service provided by the program to people's lives. |
| <input type="text" value="23"/> | <input type="text" value="Yes"/> | iv. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach. |
| <input type="text" value="26"/> | <input type="text" value="Yes"/> | b. Safe Harbor Provision – applies to the translation of written documents only (Chapter III-9) |
| <input type="text" value="24"/> | <input type="text" value="Yes"/> | c. Describe how the agency provides language assistance services by language (Chapter III-8) |
| <input type="text" value="24"/> | <input type="text" value="Yes"/> | d. Describe how the agency provides notice to LEP persons about the availability of language assistance |

26	Yes
26	Yes

- e. Describe how the agency monitors, evaluates and updates the language access plan
- f. Describe how the agency trains employees to provide timely and reasonable language assistance to LEP populations

28	Yes
----	-----

7. Table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils or committees. Also a description of efforts made to encourage minority participation (Chapter III-9 and Appendix F)

n/a	n/a
-----	-----

8. If a facility has been constructed, a Title VI equity analysis must have been conducted during the planning stage regarding the location. A copy of the analysis must be provided. (Chapter III-11)

Appx G	Yes
--------	-----

9. Board Resolution or similar approving the Title VI Plan (Chapter III-1)

Comments:

FIXED ROUTE TRANSIT PROVIDERS – TITLE VI PROGRAM REQUIREMENTS (Chapter IV)

Page #	Select One
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- | | | |
|-------|-----|---|
| 31-34 | Yes | 1. Requirements are tiered – All fixed route transit providers must complete 2 and 3.
Threshold: If an agency operates more than 50 fixed route vehicles in peak service and is located in an UZA of 200,000 or more, then all requirements of Chapter IV apply. |
| 31-34 | Yes | 2. Requirement to set system-wide service standards (Chapter IV-4 and Appendix G) |
| 31 | Yes | a. Vehicle load for each mode |
| 31 | Yes | b. Vehicle headway for each mode |
| 33 | Yes | c. On-time performance for each mode |
| 34 | Yes | d. Service availability for each mode |
| 34 | Yes | 3. Requirement to set service policies (Chapter IV-6 and Appendix H) |
| 34 | Yes | a. Distribution of transit amenities for each mode |
| 34 | Yes | i. Seating (i.e., benches, seats at stops/stations) |
| 34 | Yes | ii. Bus and rail shelters |
| 34 | Yes | iii. Rail platform canopies |
| 34 | Yes | iv. Passenger information |
| 34 | Yes | 1. Printed signs, system maps, route maps and schedules |
| 34 | Yes | 2. Digital equipment such as next vehicle arrival time signs along bus routes and at fixed guideway stations |
| n/a | n/a | v. Escalators |
| n/a | n/a | vi. Elevators |
| 34 | Yes | vii. Waste receptacles (including trash and recycling) |
| 34 | Yes | b. Vehicle assignment for each mode |

Comments:

Reviewer's Signature

Title VI Admin, BCAG

Date

4/20/2022

Compliance Branch Chief Signature

Date

BUTTE COUNTY ASSOCIATION OF GOVERNMENTS

DRAFT 2022 PUBLIC PARTICIPATION PLAN



DRAFT

Prepared by:



**326 Huss Drive, Suite 150
Chico, CA 95928
(530) 809-4616
www.bcag.org**

Please direct comments/questions to: Iván García, Transportation Programming Specialist for BCAG at 530-809-4616 or by email at igarcia@bcag.org

Preparation of this document was financed by the Federal Highway Administration, Federal Transit Administration, California Department of Transportation and the Metropolitan Planning Organization.

**Butte County Association of Governments
Board of Directors
(Updated March 2022)**

Supervisor Bill Connelly	District 1
Supervisor Debra Lucero	District 2
Supervisor Tami Ritter	District 3
Supervisor Tod Kimmelshue	District 4
Supervisor Doug Teeter	District 5
Councilmember Chuck Nichols	City of Biggs
Vice Mayor Kasey Reynolds – <i>Vice Chair</i>	City of Chico
Councilmember J Angel Calderon	City of Gridley
Mayor Chuck Reynolds	City of Oroville
Councilmember Jody Jones – <i>Chair</i>	Town of Paradise

In accordance with Title VI of the Civil Rights Act of 1964, the MPO does not discriminate based on race, color, national origin, religion, and/or disability in the execution of this Public Participation Plan.

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Appendices

Appendix A – Policy for Government-to-Government Consultation with Federally
Recognized Native American Tribal Governments

Appendix B – Outreach Efforts & Publications Listing

Appendix C – Comments Received

Appendix D – BCAG Resolution

I. Purpose and Background

Purpose

As the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for Butte County, the Butte County Association of Governments (BCAG) is required to implement a transportation planning process that is continuous, cooperative, and comprehensive, resulting in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. BCAG is required to include a proactive public participation process that provides complete information, timely public notice, public access to key decisions, and supports early and continuing involvement of the public in developing all transportation plans and improvement programs.

The Public Participation Plan (PPP) includes, but is not limited to, lower income households, minorities, persons with disabilities, representatives from community and service organizations, tribal councils, affordable housing advocates, neighborhood groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, home owner associations, and other public agencies. The PPP also assists in identifying and addressing environmental justice and social equity issues. Citizen participation objectives include involvement of interested citizens, stakeholders, and representatives of community organizations.



Broad-based community participation is essential to the success of programs, plans and projects of BCAG. Ideas for public participation include:

- Value public participation and promote broad-based involvement by members of the community;
- Provide varied opportunities for public review and input;
- Treat all members of the public fairly by respecting and considering all citizen input as an important component of the planning and implementation process;
- Promote a culture of dialogue and partnership among residents, property owners, the business community, organizations, other interested citizens, and public officials;
- Use existing community groups and other organizations, as feasible;
- Encourage active public participation at the initial stages of the process, as well as throughout the process;
- Provide communication and agency reports that are clear, timely, and broadly distributed.

Background

In an effort to reach out to the people of Butte County, and in response to the passage of the Fixing America's Surface Transportation Act (FAST Act), BCAG has updated its Public Participation Plan (PPP). This plan serves to formalize and follow public outreach strategies involving the populace in transportation planning decisions. BCAG is providing and implementing this PPP to reflect its current and future public involvement in response to federal and state guidelines and requirements.

The development of this PPP was done in consultation with BCAG's advisory committees. A series of public workshops were held in Chico, Gridley and Oroville. In an effort to educate and inform individuals who are normally not involved in the transportation planning process, BCAG partnered with Butte County Public Health in a series of public health fairs and vaccine clinics to underrepresented communities in Butte County. Social media for both BCAG and Butte Regional Transit was used as well as advertisements on the Butte Regional Transit fleet. A press release was made to all of its advisory committees, BCAG Board of Directors, BCAG website and local media. Announcement of the workshops and an invitation to provide comments or participate in the development of the PPP and other BCAG planning and programming projects were distributed to FHWA's regional state and federal contacts provided to BCAG, major freight carriers, social service agencies, BCAG's website and the local Tribal Governments. BCAG also advertised in the local newspapers of general circulation. BCAG's website also has webpage to post relevant material at: <http://www.bcag.org/Resources/Public-Participation-Plan-PPP/index.html> . Appendix A identifies BCAG's outreach efforts and publication listing.

II. Compliance with Federal and State Requirements

MAP 21

The Moving Ahead for Progress in the 21st Century Act (Map 21) by Congress in 2012 was subsequently succeeded by the FAST Act in 2015. While the Infrastructure Investment and Jobs Act passed on November 15, 2021 by President Biden, there are not any significant changes to the PPP. MAP 21 continued the strong federal emphasis on public participation, requiring that the public participation plans of metropolitan planning processes "be developed in consultation with all interested parties and provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan".

As outlined in the bill, methods to accommodate these goals, to the maximum extent possible, include:

- Holding any public meetings at convenient and accessible locations and times;
- Employing visualization techniques to describe plans;

- Making public information available in electronically accessible formats and means, such as the World Wide Web, as appropriate, to afford reasonable opportunity for consideration of public information.

Metropolitan public participation or involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs, and reduce redundancies and costs.

SAFETEA-LU and MAP 21 expanded definition of participation by “interested parties” and is carried forward. Broadly defined, BCAG includes as its partners, groups and individuals who are affected by or involved with transportation in Butte County and the surrounding region. Examples include citizens, affected public agencies, representatives of public transportation employees, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

MAP 21 required that public meetings be held at convenient and accessible times and locations, that all plans and the Transportation Improvement Program (TIP) be available by website, and that documents be written in easy, understandable language utilizing visual components. These elements are addressed in Section IV of this plan.

The Coronavirus disease (COVID 19) in 2019 brought a halt to public gatherings for a two year period. Many agencies including BCAG resorted to alternative public engagement methods such as remote zoom, webX, phone conference meetings and socially distant gatherings.

Senate Bill 375 – Sustainable Communities Strategy

Senate Bill 375 (Steinberg) prompts regional planning to reduce greenhouse gas (GHG) emissions from cars and light trucks through coordinated planning for long range transportations plans and regional land use plans and provides emissions-reducing goals for which regions can plan, and provides incentives for local governments and developers to follow new strategically-planned growth patterns.

As required by the legislation, BCAG shall develop a sustainable communities strategy (SCS) and alternative planning strategy (APS), if needed, as an additional element of the regional transportation plan. The legislation includes specific public participation requirements for the development of the SCS and APS, if needed, which have been addressed in the PPP. A summary of these requirements are listed below.

- Expanded stakeholder groups and consultation with agencies;
- Inclusion of multiple workshops and public hearings to inform the public regarding the development of the RTP and SCS/APS; and
- Broaden visual presentation of the RTP and SCS/APS.

Title VI of the Civil Rights Act of 1964

Title VI states that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Title VI serves as the legal foundation for what is today referred to as environmental justice. Under Title VI, the U.S. Department of Transportation (DOT) has oversight responsibility for ensuring that recipients do not use DOT funds to subsidize discrimination based on race, color or national origin.

Presidential Executive Order 13166 requires federal agencies to implement measures to ensure that people who speak limited English have meaningful access to programs and activities that are conducted and/or funded by the federal government, consistent with Title VI of the Civil Rights Act of 1964. Both DOT and the Federal Transit Administration (FTA) have implemented guidance or directives in furtherance of Executive Order 13166.

FTA Circular 4702.1B took effect on October 1, 2012 to provide recipients of FTA financial assistance with guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005).”

Circular 4702.1B requires that MPOs submit to the state and FTA every three years a Title VI Program that includes:

A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission. A recipient's targeted public participation plan for minority populations may be part of efforts that extend more

broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.



In compliance with guidance and rules issued by DOT and FTA, the BCAG Board adopted a Plan for Special Language Services to Limited English Proficient (LEP) Populations (LEP Plan) in December 2018 and will be updated in 2022. BCAG's Title VI Program, including the LEP Plan, was submitted to FTA in December 2018 and is posted on BCAG's website. BCAG continues to take reasonable steps to ensure that all persons have meaningful access to its programs, services, and information, at no additional cost.

Environmental Justice

Executive Order 12898 — Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations,” was signed by President Clinton on February 11, 1994. This order requires that disproportionately high and adverse human health or environmental effects on minority and low-income populations be identified and addressed in order to achieve environmental justice. The Order defines minority populations as Black/African American, Hispanic, Asian/Pacific Islander, American Indian and Alaskan Native. Low-income populations are defined in the Order as persons whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines, with those at 80 percent of median income classified as low income and those at 50 percent of median income classified as very-low income.



III. Goals, Objectives and Policies

It is important to have an ongoing program to involve citizens through the use of the advisory committees, public workshops, email interest sign ups, press releases and other public outreach activities. The effectiveness of any program and policy plan depends upon its success in meeting the expectations of the public. Further, plans and programs need to be reassessed periodically to determine if the public's evolving needs and expectations are adequately provided for through the plan. In order to ensure that this occurs, the public must be kept informed of activities, and must be given a meaningful opportunity to participate in the development and review of public policy plans and programs.

Public Participation Goal: The proactive public and agency involvement process for transportation planning shall provide complete information, timely public notice, and public access to key decisions; and shall support early and continuing involvement of the public in developing TIP's.

Objective 1: Public input/consideration shall be an integral part of the BCAG decision-making process.

Policy 1.1 BCAG shall provide a 45-day comment period on the PPP prior to adoption by the BCAG Board of Directors. BCAG shall distribute the PPP to all member jurisdictions, the media, state and federal agencies, public libraries and other affected agencies within the region. In addition, BCAG

will provide a noticed public hearing prior to adoption of the public involvement policies. The PPP will be posted online at BCAG's website.

Policy 1.2 BCAG shall provide a 30-day comment period prior to adoption of the Regional Transportation Plan (RTP), Federal Transportation Improvement Program (FTIP) and Air Quality Conformity Analysis and Findings. BCAG shall notice the public comment period on internet web media, the BCAG website and other media as available or appropriate. Local groups which may work with Limited English Proficiency residents will be specifically contacted to assist in extending the invitation to comment and participate. Copies of all documents included in the notice shall be available at the BCAG office, website and public libraries during the comment period.

In addition, BCAG shall provide a public hearing prior to adoption of the fore-mentioned plans. These required review periods allow agencies involved in the consultation process and the public to submit written comments to the draft document and supporting material. BCAG will have available bilingual assistance to assist in communication between Limited English Proficient residents.

An opportunity to provide comments in person will be made available with bilingual staff for the development of the FTIP and RTP. Announcements of the opportunity will be distributed on the B-Line Transit fleet which reaches most of the region.

Policy 1.3 BCAG shall document and respond upon request, in writing, to comments received during the comment period provided for the RTP, TIP and the Air Quality Conformity Determination. Copies of all written comments and accompanying responses will be included as an appendix in the appropriate document.

Policy 1.4 BCAG shall provide an additional 30-day comment period in those instances where significant public comment on a draft RTP or TIP requires additional public review. An additional notice on the transit fleet will be posted in Spanish and Hmong in a further attempt to reach Limited English Proficient residents in the region.

Objective 2: Public Access. The public shall be provided timely notice and reasonable access to information about transportation issues and processes.

Policy 2.1 All BCAG plans and documents shall be made available for the public to review at the BCAG office and website. Copies of the RTP shall be distributed to public libraries in Butte County and, via the Transportation Advisory Committee, to local planning departments and other participating agencies. Access and copies of information shall be provided to the public and member agencies upon request. Individuals may formally make a

single request to be placed on an email notification distribution list for information concerning a specific program or project.

Policy 2.2 Notices and agendas of all BCAG Board meetings shall be available to the public at a minimum of 3 calendar days (72 hours) before, except in cases of emergency meetings when 24 hours is allowed under the Ralph M. Brown Act (the Brown Act). Agendas will be posted at the BCAG office, on the website and at the meeting location where the BCAG Board meetings are scheduled to be held.

Policy 2.3 BCAG shall provide reasonable access to technical and policy information used in the development of plans, the RTP and the TIP's. Notices in Spanish and Hmong will be posted on the B-Line Fleet. BCAG's website now has Google Translation available to assist residents that may not be proficient in English.

Policy 2.4 In compliance with the Americans with Disabilities Act (ADA), individuals needing special accommodations to participate in meetings should contact BCAG at least three working days prior to the scheduled meeting.

Policy 2.5 All meetings and workshops of the BCAG Board and its advisory committees are open to the public, except as allowed by the Brown Act.

Objective 3: Public outreach. Opportunities shall be created for all segments of the public to learn and become informed, particularly for those who can be expected to be directly affected by the outcome or those with special needs that may not be well-served by the existing transportation system.

Policy 3.1 Information pertaining to the adoption, revision, or amendment of all BCAG plans and transportation project priorities shall be available 72 hours prior to the date of the final action, unless in the course of an emergency meeting as allowed under the Brown Act.

Policy 3.2 BCAG shall inform the public about issues and proposals under consideration through public workshops, newsletters, maps, electronic simulations, exhibits or other techniques, during the development of each of the transportation plans, program, studies, and projects for which BCAG is responsible. To the extent possible, material will be posted on-line at BCAG's website in which the material can be translated through Google Translation. Should BCAG be contacted directly or if there is an interest by an individual or group that may exist, BCAG will strive to ensure bilingual staff is available to assist and communicate with that person or group.

Objective 4: Public Participation Plan review.

Policy 4.1 BCAG shall annually review the PPP public involvement process as part of the annual certification of BCAG's Overall Work Program & Budget, in cooperation with Caltrans, FHWA, and FTA. BCAG shall also annually review the PPP policies in terms of effectiveness in soliciting broad-based public input and inclusiveness of transportation stakeholders and traditionally underserved groups.

Subsequent revisions to the PPP will be submitted to each of the mentioned agencies for review and comments prior to approval by the BCAG Board of Directors.

IV. Description of Public Participation/Involvement Activities

In order to raise public awareness and educate members of the public regarding BCAG and the issues under consideration, BCAG utilizes the following:

- **Publications** - BCAG produces the BCAG Bulletin, an agency newsletter featuring updates on BCAG projects, programs and staff. The newsletter is circulated to approximately 350 agencies, businesses and individuals. The newsletter is also available upon request and is posted on the BCAG website.

Informational brochures are typically developed to assist in providing general information on a project, as well as comment sheets to provide feedback.

- **Board Meetings** - BCAG holds monthly Board of Directors' meetings the 4th Thursday of each month. The Board meetings are subject to compliance with the Brown Act; agenda's are posted a minimum of 72 hours prior to the meeting and are open to the public. All agenda materials are currently available to the public at the meetings or online.

Members of the public have the opportunity to speak at these meetings during public hearings and/or on agenda items when called upon by the Chair. For items not on the agenda, a public comment period is held during the "Items from the floor" portion of the meeting. Board action items, minutes and resolutions are made available at the BCAG office and on the website.

- **Media Relations** – Board agendas are provided to television, newspaper and other media contacts in an effort to keep them informed of upcoming issues and actions reviewed and/or voted on at the monthly Board of Directors meetings. Staff will continue to be responsive to media personnel requests in a timely manner.
- **Website** – *BCAG Online* provides an additional means to communicate with member agencies, state/federal agencies and the public. BCAG offers substantial

information about the agency, its programs, projects, and events via the Internet, including:

Calendar of Events	Board agendas/minutes
Overall Work Program & Budget	Major projects/studies
Regional Plans/Programs	Transit schedules & information
Demographics/Census Data	Weather/road conditions
Committee agendas	Traffic counts
Newsletter, maps & forms	
Links to other sites	

BCAG has posted information in an archive section that allows web users to access, view and print many documents. This archive section contains older records such as complete copies of past transportation plans, board minutes/agendas, fiscal and performance audits.

Web sites: www.bcag.org
www.BLineTransit.com
www.buttehcp.com

- **Events** – BCAG has incidental public outreach events to keep the public informed of current projects. Examples of these events include public educational workshops on how to utilize the transit system, Spare the Air Week, and public outreach workshops for current projects that staff is involved in. In addition, staff will participate in other appropriate community events where an opportunity to reach and educate individuals who normally do not participate in the regional planning process can be included. Events for example may include Public Health Fairs, Bike Rodeos, California State University Chico events, Farmers Markets etc. In addition, interested individuals may sign up to be included in any BCAG planning or programming project or activity.

- **Public Notice and Review** – In order to inform the public that BCAG is seeking public input, announcements for public meetings, hearings, and/or workshops may be issued to local media including: Chico Enterprise Record, Oroville Mercury Register, Paradise Post, and the Gridley Herald. Advertisements may also be placed on local television channels as appropriate or a press release issued.

When requested or deemed appropriate, BCAG will translate these notices and /or announcements into other languages (as determined by the Environmental Justice Analysis of the subject or project area). A 30-day public review period and public hearing is required for the Unmet Transit Needs Assessment.

- **Public Hearings, Public Workshops, Public Comments** - Public hearings or workshops are also offered in order to give more attention to a specific item. As in the case of public forums, public hearings and workshops are held at an early stage in the process so that suggestions can be integrated into the final proposal. All significant comments made during these public hearings and workshops will receive due

consideration, a formal response, and will be included in the final document. In compliance with the Brown Act, all committee and board meetings include a formal public comment period. Past workshops have included topics such as habitat conservation, the Unmet Transit Needs process, and general transit. Public workshops are also held during the planning process for the RTP, the FTIP, and other plans of special interest including the development of this Public Participation Plan.

- **Written Materials** - Written information regarding BCAG activities is available on an ongoing basis. When preparing these documents, it is the goal of staff to make the information understandable to the layperson in the community, make the documents as concise as possible, reduce or eliminate jargon, and explain acronyms.

For staff reports, brief background and discussion sections are included in order to give proper context regarding an issue. Plans and all handouts and other documents for public review include summaries, pictures, graphs, maps and/or other visual aids in an effort to make them understandable and reader-friendly.

- **Accommodations** - Currently, every effort is made to schedule public events at locations accessible by transit users and all buildings for public events are ADA accessible for wheelchairs. Information regarding bicycle lockers/storage can also be researched upon request. Interpreters or other auxiliary aids will be arranged if requested at least 3 days prior to the meeting. Public meeting times vary between day and evening depending on the actual meeting and/or topic. Some public hearings are held in conjunction with BCAG's monthly Board of Directors meeting. Due to COVID 19 and social distancing, Governor Newsom allowed agencies to conduct remote meetings such as zoom as an alternative to meet in person while fulfilling public outreach objectives. The practice of zoom or remote meetings will be kept to enable an alternative participation method to the public.

V. Outreach to Traditionally Underserved Groups, Resource Agencies, and Additional Stakeholders

Federal requirements for public participation plans include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low income and/or minority groups.

Representatives of low income communities have pointed out that these individuals are focused on meeting their survival needs, and public meetings are generally a low priority. However, if a project affects them directly, they are very interested and every effort should be made to include them in the process.



Executive Order 13166 – Limited English Proficiency

Executive Order 13166 directs federal agencies, recipients and sub-recipients of federal financial assistance to examine the services provided, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system providing services so LEP individuals have meaningful access to these services. As a recipient of federal funds, BCAG offers accommodations to individuals with special needs as appropriate and needed for the specific project or plan.

Social Services Transportation Advisory Council (SSTAC) & Transit Administrative Oversight Committee (TAOC)

BCAG reaches out to low income communities and others traditionally underserved populations through the Social Services Transportation Advisory Council (SSTAC) and the Transit Administrative Oversight Committee (TAOC). The purpose of these committees is to recommend transit services that should be provided to the transit dependent community, which often includes low income individuals, as well as the elderly and disabled.

The SSTAC and TAOC may advise the BCAG Board of Directors regarding other transit issues, such as the coordination of specialized transportation services. As key plans are being developed, the SSTAC and TAOC are briefed by BCAG staff for input into the planning process. Comments are then presented to the BCAG Board for review. BCAG shall utilize the existing SSTAC required under California's Transportation Development Act (TDA), to identify unmet transportation needs within the planning area.

Tribal Governments

BCAG provides outreach to the following Northern California tribal organizations in Butte County: Mechoopda Indian Tribe of the Chico Rancheria, Berry Creek Rancheria, Enterprise Rancheria, KonKow Valley Band of Maidu Indians and Mooretown Rancheria. Each tribal organization has been invited to participate on BCAG's Transportation Advisory Committee. In addition, BCAG has adopted a separate "Policy for Government-to-Government Consultation with Federally Recognized Native American Tribal Governments." This has been included as Appendix A.

Resource Agencies

BCAG engages resource agencies in plan development, specifically with the RTP/SCS, by distributing notifications of preparation for the RTP/SCS and the federal TIP for review and comment. These agencies include: state and local agencies, economic development, environmental protection, airport operations, tribal, land use management, natural resources, transportation, freight movement, congestion management, conservation and historic preservation agencies. The Resource Agency Listing for State and Federal Resource Agencies is maintained by the California State Department of Transportation (Caltrans), Division of Transportation Planning, and is

updated periodically. BCAG adds local organizations and contacts to this list and will update as necessary.

Additional Stakeholders

In addition to those groups listed above, BCAG strongly encourages public involvement from individuals and groups of individuals who reside, or do business in a given area that may be affected by transportation decisions. They are the following:

- Private and public providers of transportation services, including, but not limited to, the trucking and rail freight industries, rail passenger industry, transit operators, taxi cab operators and airports.
- Specialized transportation service operators, including school buses and social service agencies providing transportation for seniors, and persons with disabilities.
- Those persons who utilize non-motorized modes of transportation such as bicyclists and pedestrians.
- Affordable housing advocates, neighborhood groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and home owner associations.

BCAG shall involve these groups through those methods and activities listed in Section IV of this plan.

VI. Description of Committees Contributing to the Planning Process

Advisory Committees

BCAG has a variety of committees that assist in its planning and decision-making process. As a local government entity operating within the State of California, BCAG is subject to the State's open meeting laws identified in the Ralph M. Brown Act.

All monthly meetings of the BCAG Board of Directors and advisory committees are noticed and open to the public. Each of the committees meet as follows:

- **Transportation Advisory Committee** – 1st Thursday of every month, 10:00 am as needed
- **Social Service Transportation Advisory Council** – As necessary
- **Transit Administrative Oversight Committee** – Quarterly, 3:00 pm
- **BCAG Board of Directors** – 4th Thursday of every month, 9:00 am

The following is a description of the composition and function of each BCAG advisory committee:

The BCAG ***Transportation Advisory Committee (TAC)*** includes representatives from each of the local jurisdiction's public works, planning, city and county technical staff, representatives from the Air District, Caltrans, and other affected agencies that have a

technical interest in the BCAG planning process as well as appointed citizens. The TAC is a vital link in the transportation planning process in that the committee provides the technical level analysis and input required in transportation project/program development. The TAC meets on a monthly basis as needed.

The BCAG ***Social Services Transportation Advisory Council (SSTAC)*** was established under the requirements of the Transportation Development Act (TDA), to ensure that unmet transit needs are identified within Butte County. The SSTAC meets on an as needed basis during the year to review information on possible unmet transit needs within Butte County, as part of the unmet transit needs process. The SSTAC also provides a forum to address other transportation issues facing disabled citizens. The SSTAC is a direct advisory council to the BCAG Board of Directors, and includes representation as directed by statute.

The BCAG ***Transit Administrative Oversight Committee (TAOC)*** was established as a result of the transit consolidation in Butte County. This committee includes administrative and staff representatives from the county, cities, town and BCAG. This committee meets as necessary to review and provide guidance concerning the B-Line transit service. The committee also provides recommendations to the BCAG Board of Directors on the Annual Transit Service Plan and Budget and other transit issues that may arise during the year that are not included in the plan. All transit policy and financial issues are reviewed with this committee prior to a recommendation being made to the BCAG Board of Directors. The TAOC meets on an as needed basis at least once a year.

The BCAG ***Board of Directors*** includes representatives from each of the local government entities within Butte County. The BCAG Board of Directors specifically includes one council representative from each of Butte County's five incorporated cities and town, and each of the five representatives of the Butte County Board of Supervisors. The BCAG Board of Directors is responsible for all policy decisions under the authority of BCAG, as the designated Metropolitan Planning Organization and Regional Transportation Planning Agency.

VII. Public Participation Measures of Effectiveness

The strategies contained in the Public Participation Plan will be reviewed annually to determine if modification of any particular strategy is necessary or if additional strategies need to be incorporated into the plan. Evaluation tools to measure effectiveness in terms of reaching desired demographic groups or attaining stated goals will also be employed. Evaluation strategies may include, but not be limited to:

- Tabulation of media coverage
- Surveys
- Comment/feedback cards
- Website polling

- Periodic review and update of outreach mailing lists

As a result of the review process, BCAG has placed emphasis in participating as appropriate in other community sponsored events such as Public Health events or other community gatherings.

VIII. Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS)

The long-range Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prioritizes and guides all Butte County transportation development over a 20 year minimum period. The RTP/SCS is the comprehensive blueprint for transportation investment (transit, highway, local roads, bicycle and pedestrian projects), and establishes the financial foundation for how the region invests in its surface transportation system by identifying how much money is available to address critical transportation needs and setting the policy on how projected revenues may be spent. The RTP/SCS is updated at least once every four years to reflect reaffirmed or new planning priorities and changing projections of growth and travel demand based on a reasonable forecast of future revenues available to the region.

BCAG may prepare two technical companion documents for RTP/SCS updates: a program-level Environmental Impact Report per California Environmental Quality Act (CEQA) guidelines, and a Transportation Air Quality Conformity Analyses per federal Clean Air Act requirements. Certain revisions to the RTP/SCS may warrant a revision or update to these technical documents.

Updating and Revising the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

A complete update of an existing regional transportation plan / sustainable communities strategy is required at least once every four years. The RTP/SCS may also be revised in between major updates under certain circumstances, as described in the table on page 12 and narrative below:

RTP/SCS Update

An RTP /SCS update is a complete update of the most current long-range regional transportation plan, which is prepared pursuant to state and federal requirements.

RTP/SCS updates include extensive public consultation and participation involving residents, public agency officials and stakeholder groups over a two to three year period. BCAG's advisory committees play key roles in providing feedback on the policy and investment strategies contained in the plan.

RTP/SCS Amendment

An amendment is a revision to the long-range RTP/SCS, including adding or deleting a project, major changes in project/project phase costs, initiation dates, and/or design concept and scope (e.g., changing project locations or the number of through traffic lanes). Changes to projects that are included in the RTP/SCS only for illustrative purposes (such as in the financially unconstrained “vision” element) do not require an amendment. An amendment requires public review and comment, demonstration that the project can be completed based on expected funding, and/or a finding that the change is consistent with federal transportation conformity mandates. Amendments that require an update to the air quality conformity analysis will be subject to the conformity and inter-agency consultation process.

RTP/SCS Administrative Modification

This is a minor revision to the RTP/SCS for minor changes to project/project phase costs, funding sources, and initiation dates. An administrative modification does *not* require public review and comment, demonstration that the project can be completed based on expected funding, or a finding that the change is consistent with federal transportation conformity requirements. Changes to projects that are included in the RTP/SCS’s financially unconstrained list may be changed without going through this process.

Updating and Revising the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

Public Participation for RTP Update				[Procedures may not occur in order shown]		
1 Extensive public participation plan developed and executed over many months to provide early and continuing opportunities to comment Public Outreach and Involvement Program reviewed with advisory committees	2 Numerous targeted workshops with BCAG advisory committees and stakeholder groups BCAG database is used to notify public of opportunities to participate	3 Opportunities to participate via the Web Key draft documents posted to the Web for public review and comment and available for viewing at the BCAG offices	4 Inter-governmental consultation, as appropriate Review as appropriate based on Air Quality Conformity Protocol	5 Draft plan is released for 30-day public review At least one formal public hearing before BCAG Board of Directors Extend public review period by 5-days if final RTP differs significantly from draft and raises new issues	6 Adoption by the BCAG Board of Directors at a public meeting	
Public Participation for SCS/APS				[Procedures may not occur in order shown]		
1 After receipt of the technical report from the regional targets advisory committee (RTAC), BCAG shall conduct one public workshop within the region.	2 Two informational meetings for members of the board of supervisors and city/town councils on the SCS/APS. One meeting may be conducted if it is attended by representatives from the board of supervisors and city council members representing a majority of the population in the incorporated areas. Notice of the meeting shall be sent to the clerk of the board of supervisors and to each city clerk.	3 Public workshop to provide the public with information and tools necessary to provide a clear understanding of the issues and policy choices. The workshop, to the extent practicable, shall include urban simulation computer modeling to create visual representations of the SCS and APS, if one is prepared.	4 Preparation and circulation of a draft SCS and APS, if one is prepared, not less than 55 days before adoption of a final RTP.	5 BCAG database is used to notify the public and stakeholders of opportunities to participate. Database is a means for the public and stakeholders to receive notification based on a single request.	6 Two public hearings on the draft SCS and APS, if one is prepared. To the maximum extent feasible, the hearings shall be in different parts of the region.	7 Adoption by the BCAG Board of Directors at a public meeting.

Public Participation for RTP/SCS Amendment <i>[Procedures may not occur in order shown]</i>					
1 Notify public via Notification (e-mail)	2 Review by BCAG Transportation Advisory Committee or BCAG Board of Directors Posted in BCAG office Posted on BCAG Web site	3 Amendment Category	4 Public Hearing Requirement	5 Public Review Period, # of Days	6 Approval
		<u>Category 1 - Administrative</u>	n/a	n/a	BCAG Exec. Director
		<u>Category 2 - Formal Changes that do not impact the existing conformity determination</u>	No	7	BCAG Exec. Director
		<u>Category 3 - Formal – Relying on existing conformity determination</u>	No	7	BCAG Board
		<u>Category 4 - Formal – Requires a new conformity determination</u>	Yes	14	BCAG Board / FHWA approves conformity

IX. Transportation Improvement Program

The Transportation Improvement Program (TIP) implements the policy and investment priorities expressed by the public and adopted by BCAG in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In this way, public comments made as part of the RTP/SCS are reflected in the TIP as well. The TIP covers a four- or five-year timeframe, and all projects included in the TIP must be consistent with the RTP/SCS, which covers a minimum of 20 years. The TIP is a comprehensive listing of surface transportation projects including transit, highway, local roadway, bicycle and pedestrian investments in Butte County that:

- receive federal funds, or are
- subject to a federally required action, or are
- regionally significant, for federal air quality conformity purposes.

The TIP includes a financial plan that demonstrates there are sufficient revenues to ensure that the funds committed (or “programmed”) to the projects are available to implement the projects or project phases. Adoption of the TIP also requires a finding of conformity with federal transportation-air quality conformity mandates.

Individual project listings may be viewed at the BCAG website at:

<http://www.bcag.org/Planning/FTIP/index.html> . As part of BCAG’s commitment to public involvement, many projects in the TIP are mapped to present the online reader with a visual location of the project. BCAG’s mapping project is posted at: https://gicwebsrv.csuchico.edu/webmaps/bcag_projects/prod/. Individuals without access to the Internet may view a printed copy of the project listings at the BCAG office at 326 Huss Drive, Suite 150 in Chico.

FTA “Program of Projects” and the TIP

Individual FTA funded projects are included in the TIP. The opportunity for public participation for FTA funded projects or grants are therefore included and implied as part of the development of the TIP including applicable amendments. Therefore, public involvement activities and time established for public review and comments on the TIP satisfies the Program of Projects (POP) requirements for the FTA. This language was accepted by the Federal Transit Administration and the FTA Triennial Reviewers.

Updating and Revising the TIP

Federal regulations require that the TIP be updated at least once every four years. From time to time, circumstances dictate that revisions be made to the TIP between updates. BCAG will consider such revisions when the circumstances prompting the change are compelling, and the change will not adversely affect transportation-air quality conformity or negatively impact the financial constraint findings of the TIP.

In addition to a TIP update, revisions to the TIP may occur as TIP Amendments, TIP Administrative Modifications and TIP Technical Corrections. Further explanation about TIP updates and how the types of amendments are processed are shown in the table on page 19 and narrative that follows.

BCAG maintains a free, subscription-based e-mail distribution list of individuals, transportation officials and staff interested in being informed of TIP-related changes and actions. Pertinent information may be distributed to recipients as needed to alert the individuals of notices and information regarding the development and approval of a new TIP and updates, such as the notice of a TIP update, notice and approval of the TIP amendments, and other information as deemed appropriate. This is a tool to help facilitate public review and comments as well as coordination with transportation and other public agencies. Anyone may sign up for the service by contacting BCAG by phone at 530-809-4616 or by email at www.bcag.org/about_bcag/contact_us.html.

TIP Update

This is a complete update of the existing TIP, to reflect new or revised transportation investment strategies and priorities. An update of the TIP is required at least once every four years. Because all projects included in the TIP are consistent with the RTP/SCS, BCAG's extensive public outreach for development of the RTP/SCS is reflected in the TIP as well. The TIP implements, in the short-term, the financially constrained element of the RTP/SCS and is responsive to comments received during the development of the RTP/SCS. TIP updates will be subject to the conformity and interagency consultation procedures.

TIP Amendment

This is a revision that involves a major change to the TIP, such as the addition or deletion of a project; a major change in project cost or project/project phase initiation date; or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or an air quality conformity determination. Amendments requiring a transportation-air quality conformity analysis will be subject to the conformity and interagency consultation procedures. TIP amendment procedures are in conformance with the latest available federal guidance. The public review period depends if a new regional emissions analysis is prepared. If so, then a 14 day minimum review period is required. If there is not a new regional emissions analysis, a minimum 7 day public review period is required. In most cases, the effected project has already been included in the RTP which has gone thru a more extensive review period.

TIP Modification

A modification includes minor changes to a project's costs or to the cost of a project phase; minor changes to funding sources of previously included projects; and minor changes to the initiation date of a project or project phase. A modification does not require public review and comment, re-demonstration of fiscal constraint, or conformity

determination. Approved modifications are posted online at BCAG's website at: <http://www.bcag.org/Planning/FTIP/index.html>.

TIP Technical Correction

Technical corrections may be made by BCAG staff as necessary. Technical corrections are not subject to a modification or amendment requirements, and may include revisions such as: changes to information and projects that are included only for illustrative purposes; changes to information outside of the TIP period; changes to information not required to be included in the TIP per federal regulations; or changes to correct data entry errors. These technical corrections cannot impact the cost, scope, or schedule within the TIP period, nor will they be subject to a public review and comment process, re-demonstration of fiscal constraint, or a conformity determination.

Updating and Revising the Transportation Improvement Program (TIP)

TIP Update <i>[Procedures may not occur in order shown]</i>					
1 Notify public via Notification (e-mail) Notify public, including RTP/SCS participants, via U.S. mail; use appropriate lists within BCAG's database	2 Review by BCAG Transportation Advisory Committee	3 Intergovernmental consultation, as appropriate 30-day public review and comment period Draft TIP at BCAG office and mail to public libraries in Butte County Post on BCAG Web site	4 Inform media, as appropriate BCAG's response to significant comments compiled into an appendix in the final TIP Extend public review period by 5-days if final TIP differs significantly from draft TIP and raises new material issues	5 Review by BCAG Transportation Advisory Committee	6 Adoption by BCAG Board of Directors at a public meeting Approval by Caltrans Approval by Federal Highway and Federal Transit administration (FHWA/FTA)
TIP Amendment <i>[Procedures may not occur in order shown. All procedures in accordance with Federal guidance]</i>					
1 Notify public via Notification (e-mail)	2 Review by BCAG Transportation Advisory Committee or BCAG Board of Directors Post in BCAG office Post on BCAG Web site (FTIP Webpage)	3 Amendment Category <u>Category 1 - Modification</u>	4 Public Hearing Requirement n/a	5 Public Review Period, # of Days n/a	6 Approval BCAG Exec. Dir. / Caltrans
		<u>Category 2 - Formal</u> Changes that do not impact the existing conformity determination	No	7	BCAG Exec. Director, Approval by Caltrans & FHWA/FTA
		<u>Category 3 - Formal – Relying on existing conformity determination</u>	No	7	Approval by Caltrans & FHWA/FTA
		<u>Category 4 - Formal – Requires a new conformity determination</u>	Yes	14	Approval by Caltrans & FHWA/FTA

TIP Technical Correction <i>[Procedures may not occur in order shown]</i>		
❶ No public review	❷ Corrections by staff in CTIPS database	❸ No approval required

X. Annual Listing of Obligated Projects

By federal requirement, BCAG publishes at the end of each calendar year an annual listing of obligated projects, which is a record of project delivery for the previous year. The listing is also intended to increase the awareness of government spending on transportation projects to the public. Annual obligation reports are posted at: <http://www.bcag.org/Planning/FTIP/index.html>. Copies of this annual listing may be obtained by contacting BCAG.

XI. Comments

To submit comments or for more information about Butte County Association of Governments please visit our website at www.bcag.org.

This document has been translated to Spanish. BCAG staff is available to discuss any planning or programming project in Spanish. In addition, any transportation concern, including transit needs can be communicated in Spanish by phone or email.

Comments can be directed to:

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