MONTANA
Department of Transportation

Federal Transit Administration

Title VI Program Implementation Plan

FFY 2024

OFFICE OF CIVIL RIGHTS
2701 PROSPECT AVENUE - PO BOX 201001
HELENA, MT 59620-1001

Telephone: Voice (406) 444-6334
TTY 1-800-335-7592

Alternative accessible formats of this document will be provided on request. Persons who need an alternative format should contact the Office of Civil Rights, Montana Department of Transportation, 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620. Telephone 406-444-5416 or Montana Relay Service at 711.

Table of Contents

Introduction to MDT 3
Mission & Vision 3
Organization 3
Policy Statement 5
Title VI Notice to the Public 6
Title VI Program Administration 7
Dissemination of Title VI Information 8
Nondiscrimination Complaint Procedures 11
Processing Complaints 12
Tracking Complaints 12
Public Involvement 13
Language Assistance Plan 14
Transit Committee 15
Subrecipient Monitoring 16
Site Determination and Equity Analysis 17
Demographics and Mapping 17
Attachment 1 – Assurances 18
Attachment 2 – Title VI Coordinator Designation 28
Attachment 3 – Department Outline 29
Attachment 4 – Nondiscrimination/Accommodation Notice 30
Attachment 5 – Transit Funding & Minority Population Maps 34
Attachment 6 – Montana Minority Population by County Map 42
Attachment 7 – Title VI Complaint Form 43
Attachment 8 – Title VI Plan Template for Subrecipients 44
Attachment 9 – Title VI Equity Analyses 51

Introduction to MDT

Mission & Vision

The mission of the Montana Department of Transportation (MDT) is to plan, build, operate, and maintain a safe and resilient transportation infrastructure to move Montana forward. The department's guiding vision to accomplish this mission is that MDT will set the gold standard for a highly effective, innovative, and people-centric department of transportation.

The core values that guide all MDT employee behavior, actions and approach are:

- We are **B**usiness focused,
- We **U**nify the organization,
- We **I**nnovate at all levels,
- We **L**ead by example,
- We are **D**edicated to MDT,
- We **E**mpower our employees,
- We **R**espect each other, and
- We **S**erve Montana with pride.

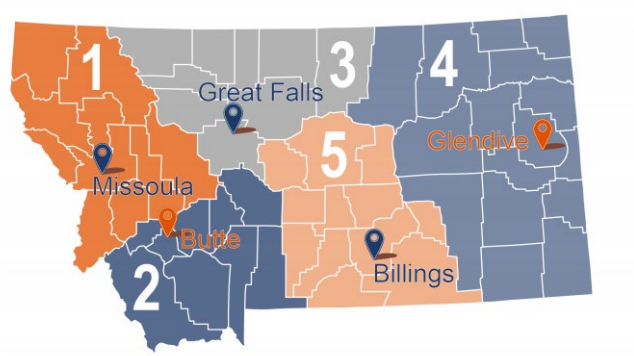
Team MDT – We are **B.U.I.L.D.E.R.S.**

Organization

MDT is responsible for the planning, design, maintenance, operation, and management of Montana's state-owned roadways, walkways, rest areas, airports, and numerous public-use facilities. The departmental structure helps staff at the state, regional, and local level efficiently deliver transportation improvements, comply with relevant rules and regulations, and maintain and operate transportation infrastructure to enable daily movement of goods and people across the state.

Each division within the department provides a critical function toward meeting MDT's mission of ensuring Montana's transportation network continues to remain a quality resource for all users. As transportation funding changes on both the federal and state levels, efficient management of resources to address needs will make all the difference in how Montana's transportation network continues to support the growth of businesses, communities, and the Montana way of life. MDT's leaders, employees, and partners are focused on the future of our state and finding the best ways to move Montana forward, together.

Montana's geographic and demographic diversity means regions in Montana face different travel demands and transportation challenges. Larger, metropolitan areas with a need to expand urban roadways or manage congested intersection operations may vary from rural Montana's need to reduce roadway departure crashes or manage the movement of large trucks through small towns. To address these unique challenges, the state is split into five transportation districts, each managed by district administrators focused on the individual transportation needs within their jurisdiction.



District 1 - Missoula
Phone: 406.523.5800

District 2 - Butte
Phone: 406.494.9600

District 3 - Great Falls
Phone: 406.454.5880

District 4 - Glendive
Phone: 406.345.8200

District 5 - Billings
Phone: 406.252.4138

As a recipient of federal financial assistance from the United States Department of Transportation (USDOT), Federal Transit Administration (FTA), MDT is committed to comply with Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations, and authorities to deliver its federally assisted programs, services, and activities in a fair and nondiscriminatory manner. This Implementation Plan sets forth the requirements that govern MDT's compliance with Title VI Program responsibilities for FTA.

Policy Statement

MONTANA DEPARTMENT OF TRANSPORTATION

FTA TITLE VI PROGRAM POLICY STATEMENT

The Montana Department of Transportation (MDT), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and all related statutes and regulations, will make every effort to ensure that no person shall on the grounds of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MDT programs or activities.

I have signed the USDOT Standard Title VI/Non-Discrimination Assurances, which is included as Attachment 1. I have also designated MDT's Office of Civil Rights Title VI Specialist, Kim Vietz, as the Agency-wide Title VI Coordinator for the MDT Title VI Program. The Title VI Program Coordinator is responsible for initiating and monitoring Title VI activities and preparing required reports. See Attachment 2 for designation of MDT Agency-wide Title VI Program Coordinator.

I have delegated sufficient responsibility and authority to the Title VI Program Coordinator and to the MDT Administrators to effectively implement MDT's Title VI Program for FTA. See Attachment 2 for delegation.

The MDT Title VI Program Coordinator is responsible for the implementation of MDT's Title VI obligations which involve education, training, and prevention and investigation of claims of discrimination under Title VI. The Title VI Program Coordinator coordinates all complaints filed, conducts investigations, and maintains the files on all Title VI complaints.

By signing below, I certify that this Title VI Program Plan for FTA has been reviewed and approved by the Director of the Montana Department of Transportation.

Lawrence J. Flynn, Interim Director
Montana Department of Transportation

4/1/24
Date

Title VI Notice to the Public

MDT posts the Public Notice of Title VI Program Rights in all public-accessed facilities and uploads the Notice to MDT's website where members of the public may access the Notice.

For MDT's Public Notice of Title VI Program Rights, please see MDT's website located at: mdt.mt.gov/other/webdata/external/civilrights/Title_VI_Public_Notice.pdf

Public Notice of Title VI Program Rights

The Montana Department of Transportation (MDT) gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall, on the ground of race, color, national origin, sex, age, disability, income level or limited English proficiency be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who desires more information regarding MDT's Title VI Program can contact its Title VI Program Specialist – Kim Vietz -- at the address noted below.

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or limited English proficiency, has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Kim Vietz
Office of Civil Rights
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620
406-444-6334
kvietz@mt.gov

Title VI Program Administration

The MDT Director has delegated sufficient responsibility and authority to MDT's Office of Civil Rights and MDT Administrators to effectively deliver its programs and activities in compliance with Title VI. See Attachment 2.

Office of Civil Rights

MDT's Office of Civil Rights (OCR) is responsible for administering MDT's Title VI Nondiscrimination Program. MDT's Title VI Specialist serves as the Agency-wide Title VI Program Coordinator. With support from the OCR Bureau Chief, the Title VI Advisory Team and MDT's Administrators, the Title VI Program Coordinator is responsible for administering MDT's Title VI Program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position.

OCR is administratively attached to the MDT Professional Services Division and has direct and independent access to the MDT Director. The MDT organizational chart, included as Attachment 3, depicts the relationship between OCR and the MDT Director.

<u>OCR Bureau Chief/MDT's Agency-wide Title VI Program Coordinator:</u>

The OCR Bureau Chief and Title VI Specialist work with the Title VI Advisory Team to administer the Title VI program, process discrimination complaints, and provide technical assistance and guidance to MDT Administrators and program managers. Specifically, the Title VI Specialist has the authority and responsibility to:

- Recommend, develop, disseminate, monitor, and pursue policies, guidelines, and best practices on the implementation of Title VI.
- Review, evaluate, and monitor programs and activities related to Title VI and effectuate changes to ensure consistency and program effectiveness.
- Ensure complaints are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations.
- Review MDT's agreements for Title VI compliance. Attachment 4 is included in all contracts.
- Analyze MDT Directives for Title VI implications.
- Advise the Director and Administrative staff concerning significant developments in the implementation of MDT's Title VI Program.
- Submit USDOT Title VI Assurances to the MDT Director for signature (after securing approval of Legal Counsel).
- Partner with MDT Administrators to resolve any deficiencies found by FTA.
    - Provide technical assistance to Transit, Safety and Planning Bureau to ensure subrecipients, including Metropolitan Planning Organizations (MPOs), effectively address and comply with Title VI and language assistance plans and requirements.
- Conduct Title VI compliance reviews of MDT's internal program areas.

- Develop procedures for prompt processing of Title VI Complaints.
- Develop procedures for collecting statistical data of participants in, and beneficiaries of, State transit programs.
- Conduct required Title VI reviews of subrecipients and third parties receiving Federal aid transit funds.
- Develop Title VI training materials; conduct training on Title VI Program and related statutes; and provide resource information on the MDT website for MDT employees, subrecipients, and stakeholders.
- Prepare and present MDT's Title VI Implementation Plan to Title VI Advisory Team for review and submit approved document to FTA.
- Prepare recommendations to Title VI Advisory Team for implementing the Title VI Plan and schedule quarterly meetings for follow-up.
- Develop Title VI information for dissemination to the public consistent with the Limited English Proficiency (LEP) guidelines.

Dissemination of Title VI Information

MDT's Rail, Transit, and Planning Division (RTPD) has both FTA and FHWA Title VI responsibilities. RTPD provides a broad range of multimodal transportation planning functions and analyses to enable project selection and programming for MDT's short and long-range transportation and grant programs. The principal duties in this division which have Title VI impacts are planning, public involvement, contractual/consultant services procurement, grant/sub-grant recipients, equipment procurement, rail transit, special studies and sub-allocated pass-through funding to governmental subdivisions.

For these areas, RTPD ensures that:

- Grant and sub-grant programs for non-governmental organizations are publicized through the state to assure that protected groups receive appropriate notification and are able to participate in identified programs;

- Existing statistical data identifying concentrations of protected group populations is used in the development of MDT Public Involvement strategies; and

- Procurement of consultant services and equipment will be accomplished in accordance with State and Federal law.

The statewide transportation planning process includes the development, administration, and update of highway, transit, rail and bicycle/pedestrian plans and programs in accordance with federal and state laws, regulations, and policies. The process relies heavily on cyclical and ongoing public involvement efforts to involve stakeholders, the public, and other state, tribal and local agencies, and governments in the decision-making process. Products include plans, reports, and studies that guide MDT decision makers in carrying out MDT's statutory responsibilities as the Montana agency responsible for comprehensive statewide transportation planning and policy.

FTA regulations governing 49 USC § 5305 (5305) for statewide transportation planning), 49 USC § 5310 (5310) for elderly and disabled transportation, 49 USC § 5311 (5311) funds for non-urban transportation, and 49 USC § 5339 (5339) funds for bus and bus facilities require that the state management plan include:

- A description of the process by which the state develops the annual program of projects submitted to FTA as part of its 5311 grant application, especially the method used to ensure fair and equitable distribution of funds, including to Native American tribes where present.

- A description of the state's efforts to assist subrecipients[1] in applying for 5311 funds, especially any efforts made to assist minority applicants.

- A description of the state's criteria for selecting transit providers to participate in the program, especially its efforts to include sub-recipients serving significant minority populations.

- A description of the state's ongoing process to monitor subrecipient compliance with Title VI, such as ongoing site visits to each subrecipient and review checklists.

Transit Section and Rail Planner

The Transit Section and MDT's Rail Planner are responsible for ensuring that Montana residents are aware of transit and rail issues and programs and that the benefits of MDT's services are equitably distributed. This is accomplished by publicizing the availability of assistance in regional, local and minority newspapers, the MDT newsletter, and direct mail. Staff solicits participation from throughout Montana including the seven tribal reservations.

Staff also provides opportunities for the public to participate in transit and rail planning and decision-making processes through public meetings, surveys, toll-free telephone

[1] "Subrecipient" is a local government or other entity receiving pass-through federal funds from MDT.

numbers, online zoom meetings (when appropriate) and consultant studies. MDT provides reasonable accommodations upon request.

MDT staff ensures that applicants and recipients of assistance have access to processes for corrective or remedial actions. Complaint procedures are in place that will facilitate resolution of problems at the lowest possible level. Staff also ensures that decisions on locations of services and facilities and the level and quality of transit services comply with Title VI requirements.

The procedure MDT follows to provide FTA financial assistance to subrecipients is detailed further in the Montana State Transit Management Plan[2]. Applications are scored on items including need for transportation services, compliance with state and federal regulations, and coordination plans; and not based on any protected statuses. Applicants that satisfy program minimum requirements are considered as potential grant candidates. Transit Section staff assist applicants and recipients, including those that may serve predominantly minority populations, on requirements of the programs to ensure compliance with state and federal regulations. The Transit Section conducts triennial compliance reviews of subrecipients. OCR reviews this information, and if issues are identified, will work with subrecipients during on-site reviews to ensure compliance with non-discrimination requirements.

Transit Section staff and the Rail Planner are also involved in the following activities:

- Review data to determine if concentrations of Title VI protected populations exist and may affect decision-making;
- Review of Metropolitan Planning Organization (MPO) Title VI plans to ensure the plans effectively address and comply with Title VI requirements;
- Review of FTA 5310 and 5311 transportation providers on a three-year rotational basis with one-third being reviewed each year;
- Reviews of MPOs on a three-year rotational basis to ensure compliance with Title VI requirements;
- Review of urban areas without formal transportation plans as appropriate or as changes in federal-aid property projects may dictate; and
- Other RPTD Title VI Activities.

[2] MDT Transit State Management Plan: https://www.mdt.mt.gov/publications/docs/plans/mt-state-transit-mgmt-plan.pdf

Nondiscrimination Complaint Procedures

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987:

> Any person who believes they, or any specific class of persons, were subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FTA.

When MDT receives a complaint that relates to transit facilities, funding, or services, MDT coordinates with the transit provider to have them investigate and/or enter into mediation to provide an opportunity to resolve the situation. MDT will provide assistance to the transit provider throughout the process and will summarize and track complaints as noted below.

Complaints alleging violations of Title VI by MDT or its subrecipients may be filed in writing with the following agencies:

> Montana Department of Transportation
> Office of Civil Rights
> 2701 Prospect Ave
> PO Box 201001
> Helena, Montana 59601
> Phone: 406-444-6334
> TTY: 800-335-7592
> Fax: 406-444-7243
> Email: mdtcrform@mt.gov
>
> Office of Civil Rights
> US Department of Transportation
> Federal Transit Administration
> 1200 New Jersey Ave SE
> Washington DC 20590

If information is needed in another language, please contact MDT's Office of Civil Rights at 406-444-6334.

NOTE: Additional information regarding the FTA Title VI complaint process can be found at: https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta.

Confidentiality and Retention: Complaints and investigative files are confidential. The contents of such files will only be disclosed to appropriate MDT personnel and federal authorities in accordance with federal and state laws. MDT will retain files consistent with records retention schedules and all federal guidelines.

Processing Complaints

OCR has the primary responsibility for processing Title VI external discrimination complaints received by MDT. All discrimination complaints received by staff and management must be referred to OCR for review and action. OCR processes complaints consistent with FTA's *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*.

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. If a person makes a verbal complaint to an MDT employee, that person shall be interviewed by OCR. If necessary, OCR will assist the person in documenting the complaint in writing and submitting the written version to the person for signature. Within ten (10) days of receipt of the complaint, OCR will acknowledge receipt, inform the complainant of action proposed or taken, and forward the complaint to the appropriate regulatory agency if necessary.

See Attachment 7 for MDT's Complaint Form. The Complaint form may be accessed electronically at: https://www.mdt.mt.gov/business/contracting/civil/eeo.aspx.

Tracking Complaints

All complaints of discrimination are tracked and monitored in the Civil Rights Complaint Tracking Database. They include the following information:

- Name and contact information of the person filing the complaint.
- Basis of complaint.
- Authority of the complaint (Title VI, Title VII, ADA, Affirmative Action).
- Membership in protected class.
- Name and contact information of person alleged to have engaged in discriminatory behavior or conduct.
- Name of the investigator.
- Date of complaint filing and case number.
- Investigative notes and outcome of investigation.
- Origin of complaint (MDT, State of Montana Department of Justice, contractor, subrecipient, Montana Human Rights, EEOC, or United States Department of Justice (USDOJ)).

For the period October 1, 2020 to September 30, 2023 there were no Title VI complaints filed against transit providers in the state of Montana.

All Title VI-related formal complaints received by or filed against MDT, its contractors, recipients, or subrecipients will be investigated by MDT and a written report will be sent to the coordinating federal agency (FAA, FHWA, FTA, FMCSA or NHTSA).

Public Involvement

All capital funding requires public notices. All available funding opportunities are published on the MDT website and discussed at transit related conferences and workshops. MDT ensures that all applicants provide public notice of funding in their annual application. Lack of public notice disqualifies an applicant. All applicants are made aware of this requirement per the application guidelines, conferences, and workshops.

All subrecipients are provided information regarding public involvement at the Montana Transit Association Spring Conference as well as the MDT Fall Transit Management Workshop. A list of trainings where subrecipients received information regarding public involvement are listed in the table below. Emails are also sent throughout the year to schedule meetings and provide discussion items that will be covered. The Transit Section also distributes a quarterly newsletter. As with the CAR Meeting, the public is not invited to these meetings due to being able to provide comment per public notice distributed by each agency during the application period. The public can attend the Montana Transportation Association Spring Conference and MDT Fall Workshop, but they are required to pay the fee associated with the meetings.

MDT Transit Public Involvement Activities 2021-2023		
Date	**Event**	**Location**
April 25-25, 2021	New Manager Training	Billings, MT
August 19-20, 2021	New Manager Training	Billings, MT
September 29-30, 2021	Fall Transit Training Workshop	Bozeman, MT
March 30-31, 2022	New Manager Training	Helena, MT
June 6-August 11, 2022 (various dates)	Advanced Defensive Driving Course	Lewistown, MT
June 7, 8, 15, 2022	NCATT State Technology Summit	Billings, MT
September 22-23, 2022	FTA Drug and Alcohol Training	Missoula, MT
September 26-27, 2022	FTA Drug and Alcohol Training	Billings, MT
September 28, 2022	New Manager Training	Billings, MT
October 5-6, 2022	Fall Transit Training Workshop	Billings, MT
June 5-August 11, 2023 (various dates)	Advanced Defensive Driving Course	Lewistown, MT
August 23-24, 2023	New Manager Training	Helena, MT
September 20-21, 2023	Fall Transit Training Workshop	Lewistown, MT
October 11-12, 2023	Montana League of Cities and Towns	Helena, MT

One of several MDT public involvement processes is the telephone survey[3], which provides MDT policymakers and planners with a statistically valid sample of different groups of Montanans and their transportation needs and preferences. The race and gender percentages of survey respondents are within the sampling margin of error of the corresponding percentages from the most current Census data at the time of survey. Age, income distribution, and MDT region are also factors within the survey. The survey and other public involvement activities ensure that all Montanans, including minority and lower income populations, are able to identify current needs of Montana's transportation system as well as future demands.

Transit staff are readily available to assist any applicant that needs additional assistance applying for available funding streams. Contact information is included on each public notice, and applicants are directed appropriately to the planner that oversees and works directly with their provider's region.

For more information about MDT's agency-wide public involvement process, please see MDT's Public Involvement Plan: https://www.mdt.mt.gov/pubinvolve/

Language Assistance Plan

Title VI of the Civil Rights Act of 1964, along with Executive Order 13166, *Improving Access to Services by Persons with Limited English Proficiency* (LEP), requires federal agencies to:

> Assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP, cannot fully and equally participate in or benefit from those programs and activities. LEP individuals are those who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English due to their national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The USDOJ's LEP Guidance advises each federal department or agency to "take reasonable steps to ensure 'meaningful' access to LEP individuals to the information and services they provide." It further explains that the identification of "reasonable steps" to ensure meaningful access will be contingent on the following four factors:

- The number or proportion of LEP persons in the eligible service population.
- The frequency with which LEP individuals come in contact with the program.
- The importance of the service provided by the program.
- The resources available to the agency.

[3] See TranPlanMT Public Involvement Surveys and TranPlanMT Transportation Stakeholder Surveys on MDT's website: https://www.mdt.mt.gov/publications/surveys.aspx

MDT used the above four factors to factors to evaluate its obligation to provide LEP Services.

Statewide census data indicated 0.76% of Montanans spoke English less than very well with Spanish (0.3%) being the most commonly spoken non-English language. Census identified 11 (of 56) counties in Montana where more than 1% of the population spoke English less than very well; however, no geographic area had a language use percentage other than English greater than 2.8%.[4]

Montana's demographic makeup does not meet the Federal threshold that requires mandatory written translation in any language, but OCR has resources available to provide language assistance if needed. MDT provides the Language Identification and Assistance Guide to MDT employees, which gives guidance for how to provide interpretation services when interacting with LEP individuals. mdt.mt.gov/other/webdata/external/civilrights/Language-Assistance-Guide.pdf

The current version of MDT's Language Assistance Plan for LEP individuals is located at: mdt.mt.gov/other/webdata/external/civilrights/limited_english_proficiency_plan.pdf.

OCR will review the Language Assistance Plan annually to evaluate its effectiveness in serving LEP individuals and will modify it accordingly.

Transit Committee

MDT's Transit Section utilizes a Capital Assistance Review (CAR) Committee to review and score capital awards. Members are selected from across the state. The Committee consists of eight people from across the state. It is made up of transit providers, riders, and individuals working in the aging and disability services fields. The racial breakdown of current Capital Assistance Review Committee members is as follows:

[4] ACS Table C16001 as refined by CEIC to be Montana-specific is available upon request.

Body	African American / Black	American Indian/ Alaskan Native	Native Hawaiian/ Other Pacific Islander	Asian	Hispanic / Latino	White
Montana Population[5]	0%	6%	0%	1%	4%	83%
Capital Assistance Review Committee	0%	12.5%	0%	0%	0%	87.5%

MDT consulted with the State of Montana Governor's Office on Indian Affairs to ensure equal representation for tribal members on the Committee. The Office of Indian Affairs instructed MDT to select a member from one of the tribes that is currently receiving funding though our programs to represent tribal interests on the Committee. Committee assignments were established based on MDT's State Management Plan. A representative of the MDT OCR attends these meetings as an observer to help ensure fair and equitable distribution of funding.

The MDT Director reviews and approves all recommendations that come from the CAR Committee. The Director ensures that all capital is spread equitably across the state throughout the regions based on the amount of available funding. In the event that the CAR Committee coincidentally awards no capital to an area or region of the state, the Director can direct the Transit staff to make equitable changes in order to place capital funding in the missed areas.

Subrecipient Monitoring

MDT will monitor subrecipients that receive FTA funding through MDT for compliance with Title VI requirements as identified in FTA C 4702.1B. Prior to receiving funding, subrecipients will sign an agreement with MDT that includes assurances of nondiscrimination in accordance with USDOT Order 1050.2A.

MDT will require subrecipients to implement Title VI plans that align with FTA Title VI requirements and guidance, which must be updated every three years. A Title VI Plan Template for Subrecipients is provided in Attachment 8. As set forth in MDT's most recent State Management Review, MDT will provide training to subrecipients on the

[5] U.S. Census Bureau. "HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE." Decennial Census, DEC 118th Congressional District Summary File, Table P9, 2020, https://data.census.gov. Accessed on March 27, 2024.

requirements and will have 5310 and 5311 providers submit updated Plans by July 1, 2024, and every three years thereafter.

MDT Transit Staff conduct sub-recipient compliance reviews, which include several Civil Rights topics, every three years. If any subrecipient Title VI Plan or compliance review deficiencies are identified, MDT will work with the subrecipient to correct the deficiencies, including developing a corrective action plan and providing technical assistance.

Site Determination and Equity Analysis

From October 1, 2020 - September 30, 2023, MDT prepared five Equity Analyses for transit providers that were applying to build new facilities. These analyses included demographics that identify minority and or low-income residents and take into account how actions can potentially impact these residents. Additionally, the analyses take into account the transportation needs and ability for these persons to utilize transportation services. Analyses were conducted on the following sites in Montana: Jordan, Lewistown, Livingston, Malta and Ronan. Complete copies of these Equity Analyses are located in Attachment 9.

Demographics and Mapping

To comply with FTA Circular 4702.1B, Chapter V, MDT compiles demographic information about the State of Montana, the locations of minority populations, and the distribution of funding. Based on this information, MDT analyzes the impacts of the funding distribution and identifies if there were disparate impacts based on any protected status.

Maps to identify Montana's Census Population of Minorities and Funding are available in Attachment 5. As shown in these maps, the western half of the state has a higher overall population, and the seven reservations have the highest minority populations. Based on a visual review of the mapping information, MDT determined there are no disparate impacts based on any protected status and the distribution of funds coincides with the locations of Montana's more populated areas, including minority populations. A map identifying Montana's minority population percentage by county is available in Attachment 6.

Attachment 1 – Assurances

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Montana Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), and National Highway Traffic Safety Administration (NHTSA), it is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, FTA, FAA or NHTSA programs:

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

2. 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 FHWA, FTA, FAA and NHTSA programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   "*The Montana 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 ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.*"

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and 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 real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

    a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
    b. the period during which the Recipient retains ownership or possession of the property.

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

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Montana Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing FHWA, FTA, FAA and NHTSA 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 FHWA, FTA, FAA and NHTSA. You must keep records, reports, and submit the material for review upon request to FHWA, FTA, FAA and NHTSA, 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 Montana Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA, FTA, FAA and NHTSA. This ASSURANCE is binding on Montana, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA, FTA, FAA and NHTSA funded programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Montana Department of Transportation

by _____

Lawrence J. Flynn, Interim Director

DATED 3/28/24

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 (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) and National Highway Traffic Safety Administration (NHTSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulation, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.

3. **Solicitations 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, or national origin.

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, FTA, FAA and NHTSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, FTA, FAA and NHTSA, 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, FTA, FAA and NHTSA may determine to be appropriate, including, but not limited to:

    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including 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, FTA, FAA and NHTSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERING 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 Montana Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) and National Highway Traffic Safety Administration (NHTSA) Programs, and the policies and procedures prescribed by the FHWA, FTA, FAA and NHTSA of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, 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 Montana 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 Montana 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 Montana Department of Transportation, its successors and assigns.

The Montana Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Montana Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, 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 land, 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 Montana 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, Montana 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 Montana 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 Montana 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 Montana 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 furnishing of services thereon, no person on the ground of race, color, or national origin will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Montana Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Montana Department of Transportation will there upon revert to and vest in and become the absolute property of Montana 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 Federal 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 CFR 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 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of 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 at 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 non-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*).

Attachment 2 – Title VI Coordinator Designation

MONTANA
Department of Transportation

Lawrence J. Flynn, Interim Director

2701 Prospect • PO Box 201001
Helena MT 59620-1001

April 1, 2024

Cindy Terwilliger
Regional Administrator, Region VIII
Federal Transit Administration
Bryon Rogers Building
1961 Stout Street, Suite 13301
Denver, CO 80294-3007

Subject: Title VI Program Implementation Plan, FFY 2024

Dear Ms. Terwilliger:

I am designating the Montana Department of Transportation (MDT) Office of Civil Rights (OCR) Title VI Specialist as the Agency-wide Title VI Coordinator for the MDT Title VI Program. I am delegating sufficient responsibility and authority to the Title VI Program Coordinator and to MDT's Administrators to effectively implement MDT's Title VI Program for the Federal Transit Administration.

The contact information for MDT's Title VI Coordinator is as follows:

Kim Vietz
Title VI Specialist
Office of Civil Rights
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620
Office: (406) 444-6334
kvietz@mt.gov

Sincerely,

Lawrence J. Flynn
Interim Director

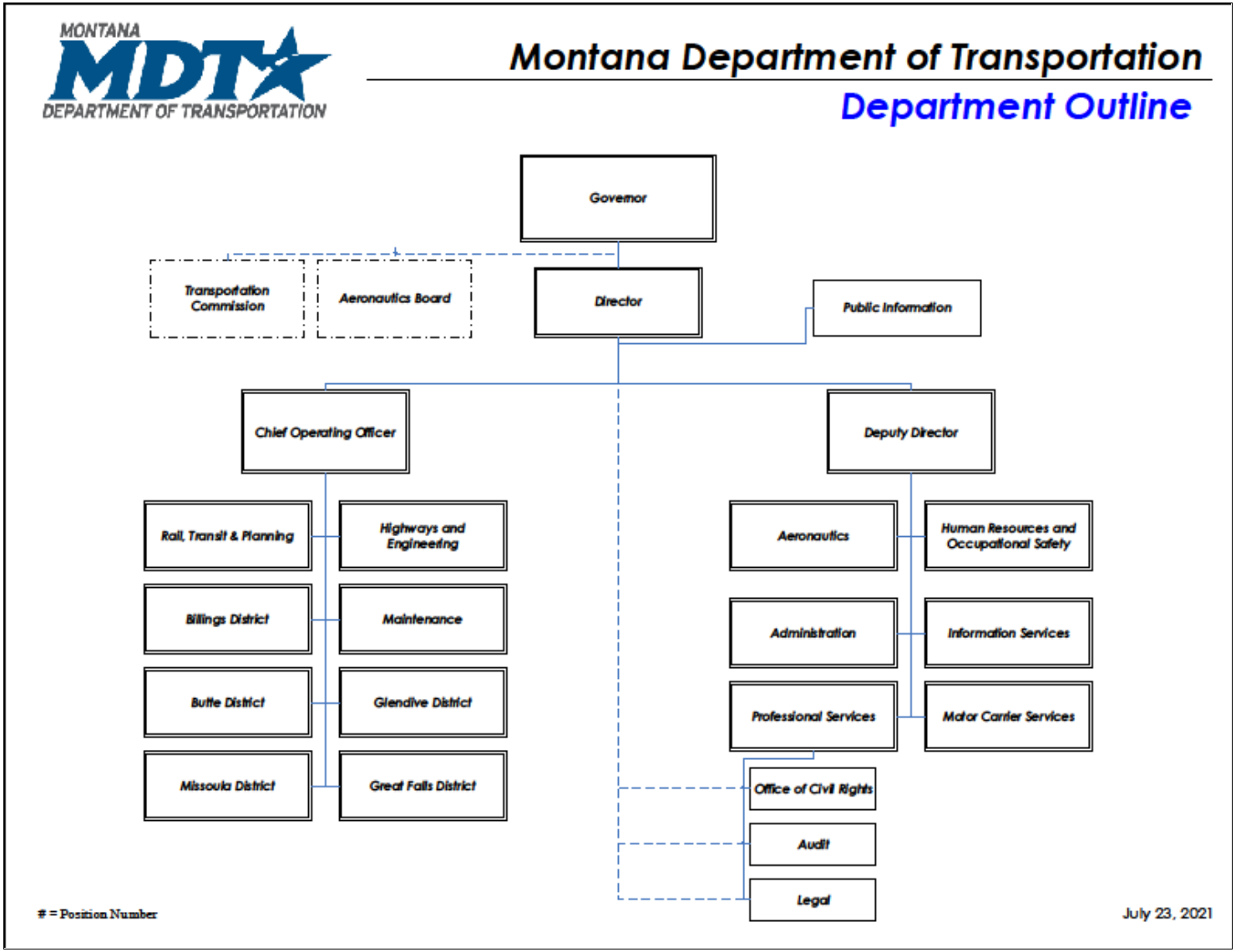
Copies: Dwane Kailey, MDT Chief Operations Officer
Megan Handl, MDT OCR Bureau Chief
Chris Nygren, MDT Chief Legal Counsel

Director's Office
Phone: (406) 444-6201
Fax: (406) 444-7643

An Equal Opportunity Employer

Web Page: www.mdt.mt.gov
Road Report: (800) 226-7623 or 511
TTY: (800) 335-7592

Attachment 3 – Department Outline



Attachment 4 – Nondiscrimination/Accommodation Notice

Rev. 12/2021
(Transit)

MDT NONDISCRIMINATION AND DISABILITY ACCOMMODATION NOTICE

Montana Department of Transportation ("MDT") is committed to conducting all of its business in an environment free from discrimination, harassment, and retaliation. In accordance with State and Federal law MDT prohibits any and all discrimination and protections are all inclusive (hereafter "protected classes") by its employees or anyone with whom MDT does business:

Federal protected classes	State protected classes
Race, color, national origin, sex, sexual orientation, gender identity, age, disability, income-level & Limited English Proficiency	Race, color, national origin, parental/marital status, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth, religion/ creed, social origin or condition, genetic information, sex, sexual orientation, gender identification or expression, ancestry, age, disability mental or physical, political or religious affiliations or ideas, military service or veteran status, vaccination status or possession of immunity passport

For the duration of this contract/agreement, the PARTY agrees as follows:

(1) Compliance with Regulations: The PARTY (hereinafter includes consultant) will comply with all Acts and Regulations of the United States and the State of Montana relative to Non- Discrimination in Federally and State-assisted programs of the U.S. Department of Transportation and the State of Montana, 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:

a. The PARTY, with regard to the work performed by it during the contract, will not discriminate, directly or indirectly, on the grounds of any of the protected classes in the selection and retention of subcontractors, including procurements of materials and leases of equipment, employment, and all other activities being performed under this contract/agreement.
b. The PARTY will provide notice to its employees and the members of the public that it serves that will include the following:
    i. A statement that the PARTY does not discriminate on the grounds of any protected classes.
    ii. A statement that the PARTY will provide employees and members of the public that it serves with reasonable accommodations for any known disability, upon request,

pursuant to the Americans with Disabilities Act as Amended (ADA).

iii. Contact information for the PARTY's representative tasked with handling non- discrimination complaints and providing reasonable accommodations under the ADA.

iv. Information on how to request information in alternative accessible formats.

c. In accordance with Mont. Code Ann. § 49-3-207, the PARTY will include a provision, in all of its hiring/subcontracting notices, that all hiring/subcontracting will be on the basis of merit and qualifications and that PARTY does not discriminate on the grounds of any protected class.

(3) Participation by Disadvantaged Business Enterprises (DBEs):

a. If the PARTY receives federal financial assistance as part of this contract/agreement, the PARTY will make all reasonable efforts to utilize DBE firms certified by MDT for its subcontracting services. The list of all currently certified DBE firms is located on the MDT website at mdt.mt.gov/business/contracting/civil/dbe.shtml

b. By signing this agreement, the PARTY assures that:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 and the MDT DBE Program in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

c. The PARTY must include the above assurance in each contract/agreement the PARTY enters.

(4) Solicitation for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation, made by the PARTY 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 PARTY of the PARTY's obligation under this contract/agreement and all Acts and Regulations of the United States and the State of Montana related to Non-Discrimination.

(5) Information and Reports: The PARTY will provide all information and reports required by the Acts, Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MDT or relevant US DOT Administration 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 PARTY will so certify to MDT or relevant US DOT Administration, as appropriate, and will set forth what efforts it has made to

obtain the information.

(6) Sanctions for Noncompliance: In the event of a PARTY's noncompliance with the Non-discrimination provisions of this contract/agreement, MDT will impose such sanctions as it or the relevant US DOT Administration may determine to be appropriate, including, but not limited to:

a. Withholding payments to the PARTY under the contract/agreement until the PARTY complies; and/or
b. Cancelling, terminating, or suspending the contract/agreement, in whole or in part.

(7) Pertinent Non-Discrimination Authorities: During the performance of this contract/agreement, the PARTY, for itself, its assignees, and successor in interest, agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Federal

- 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 CFR 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 Airways 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 prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation,

and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;

- 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 prevents 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.*).

- Executive Order 13672 prohibits discrimination in the civilian federal workforce on the basis of gender identity and in hiring by federal contractors on the basis of both sexual orientation and gender identity.

State

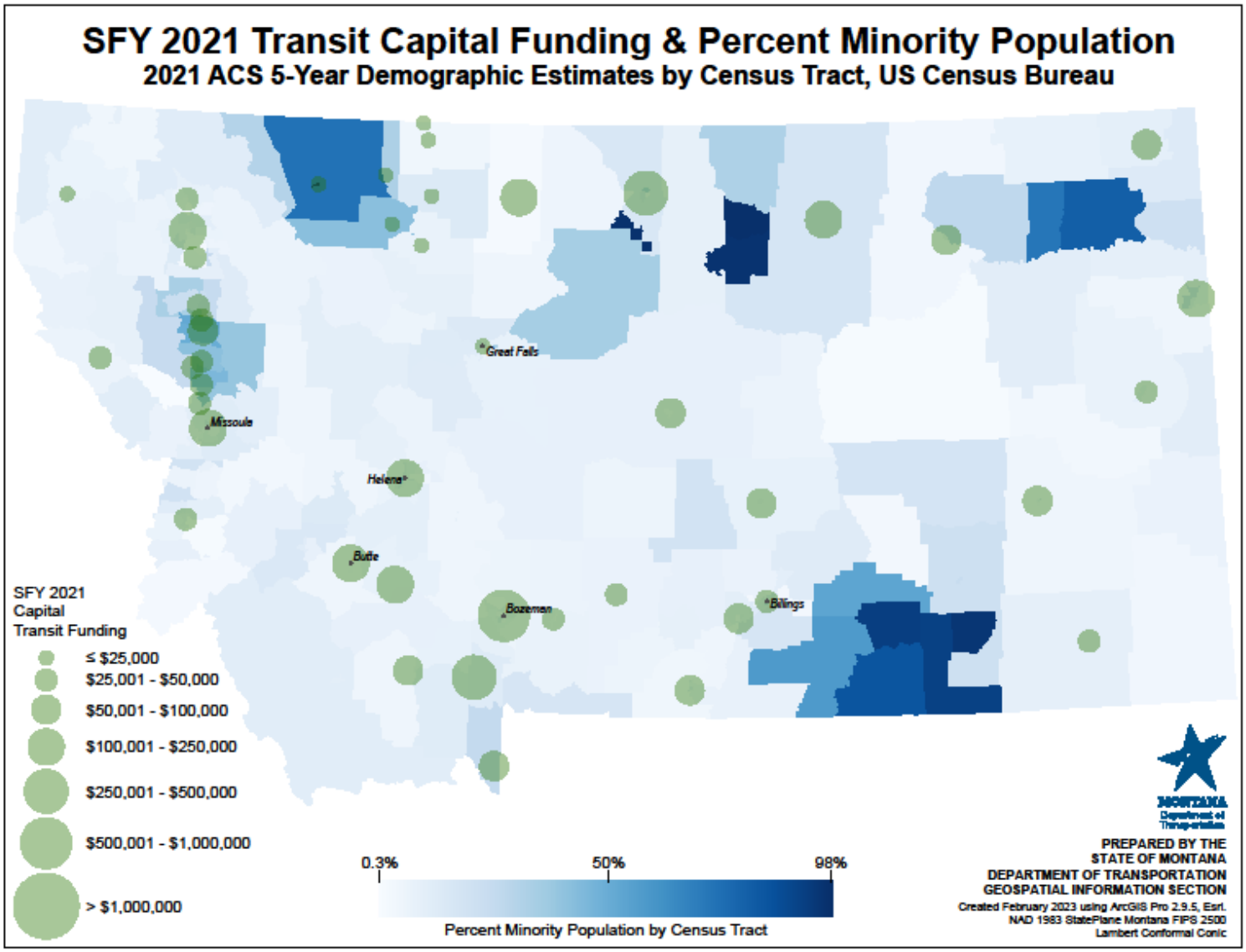
- Mont. Code Ann. § 49-3-205 Governmental services;

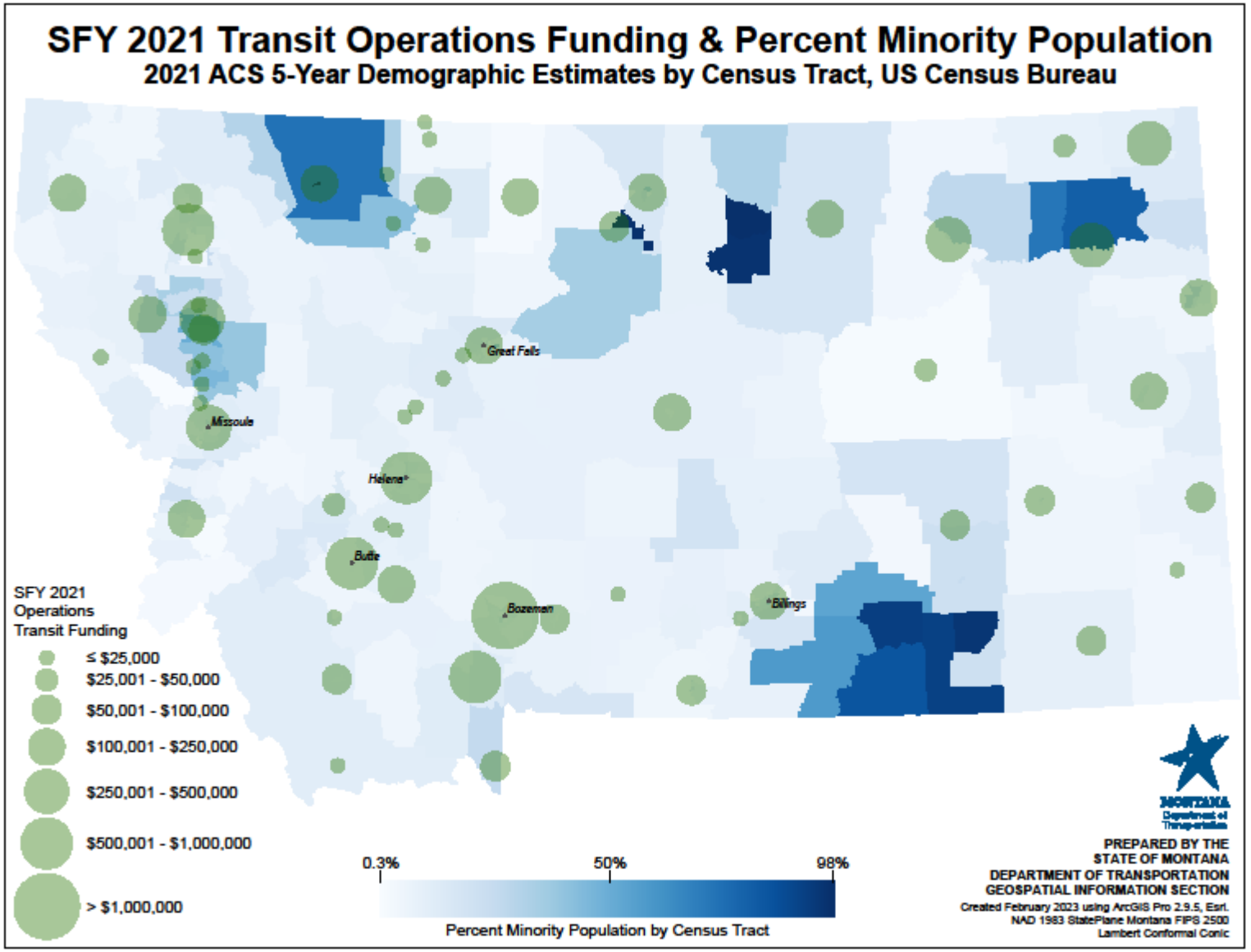
- Mont. Code Ann. § 49-3-206 Distribution of governmental funds;

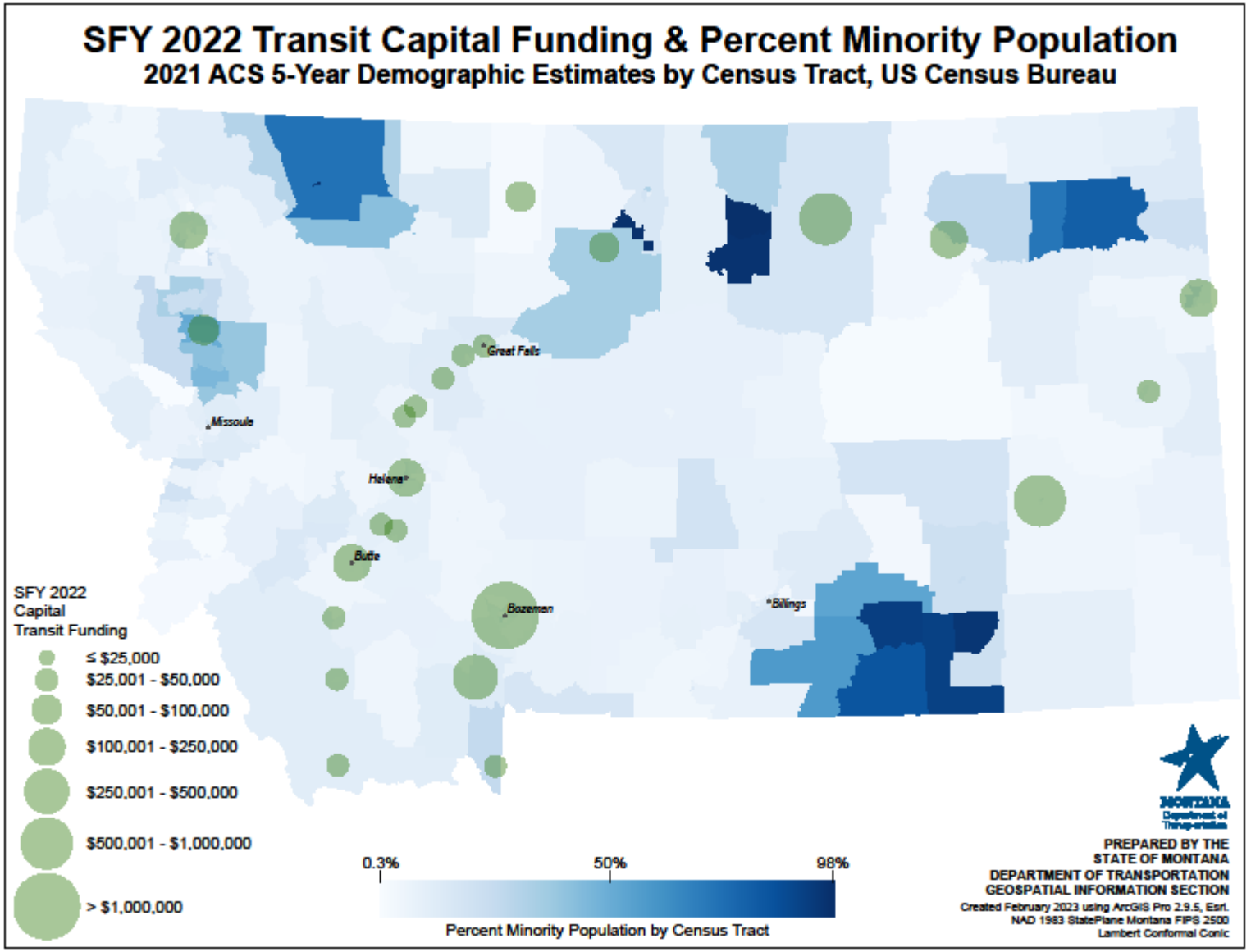
- Mont. Code Ann. § 49-3-207 Nondiscrimination provision in all public contracts.

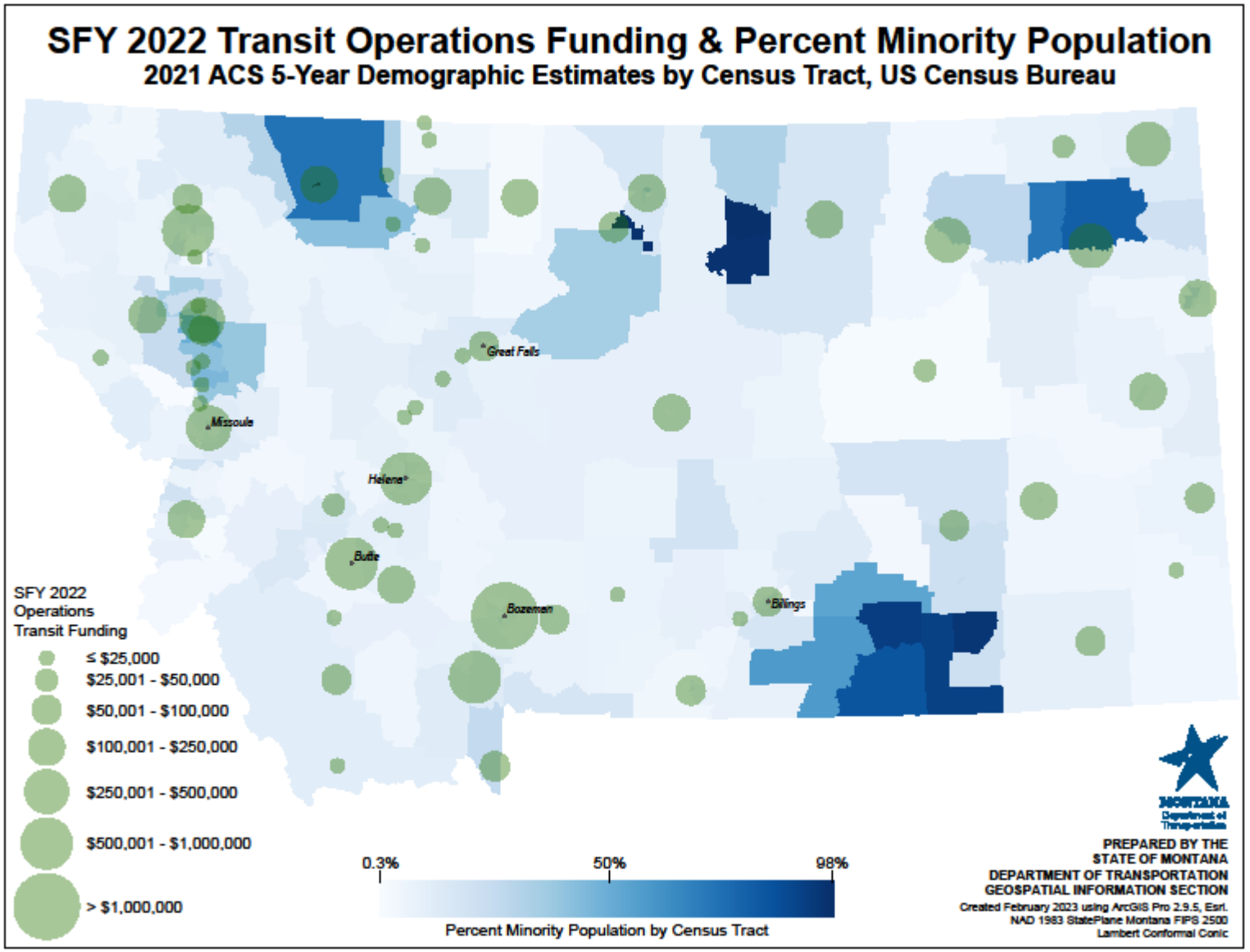
(8) Incorporation of Provisions: The PARTY will include the provisions of paragraph one through seven in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and/or directives issued pursuant thereto. The PARTY will take action with respect to any subcontract or procurement as MDT or the relevant US DOT Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the PARTY becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the PARTY may request MDT to enter into any litigation to protect the interests of MDT. In addition, the PARTY may request the United States to enter into the litigation to protect the interests of the United States.

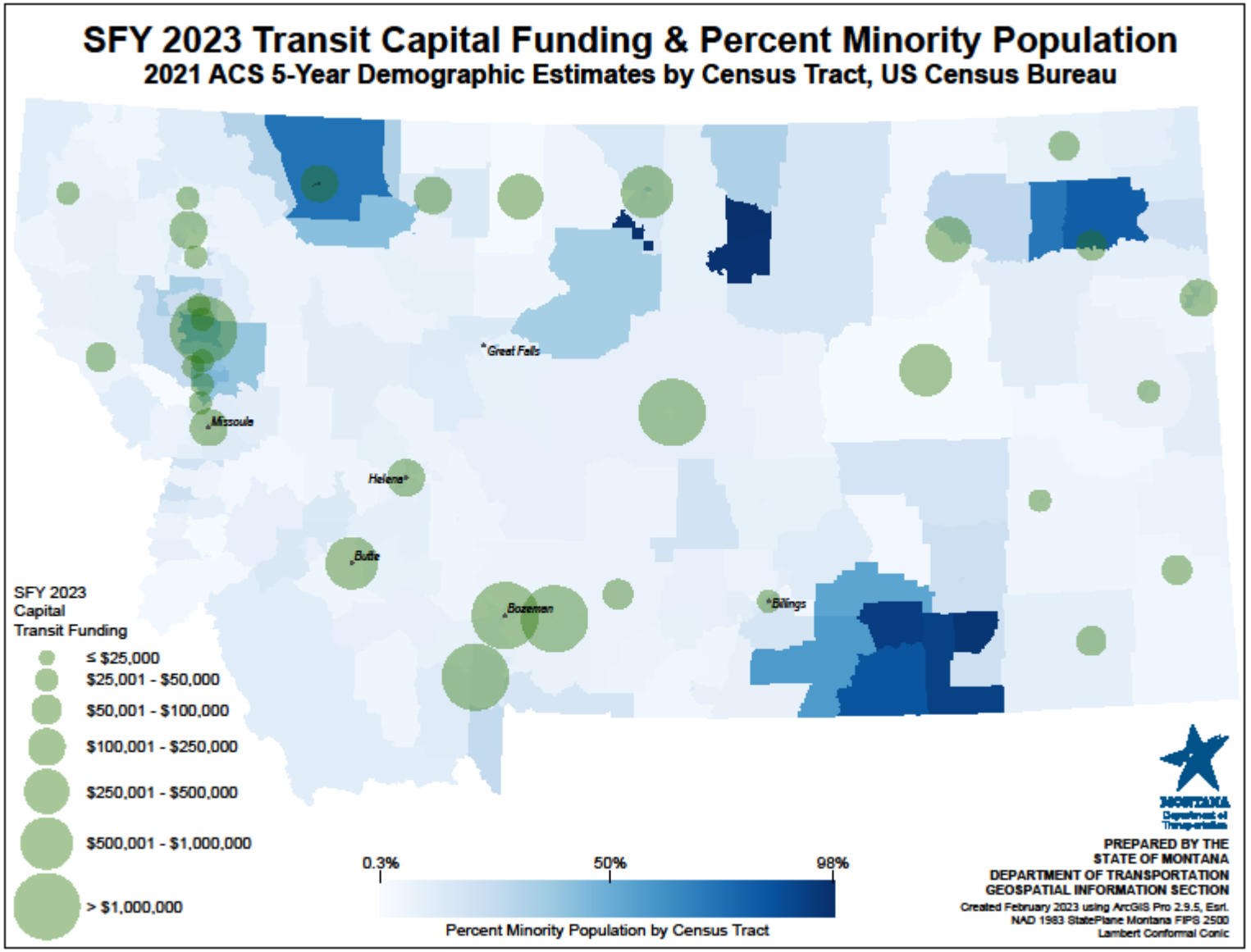
Attachment 5 – Transit Funding & Minority Population Maps

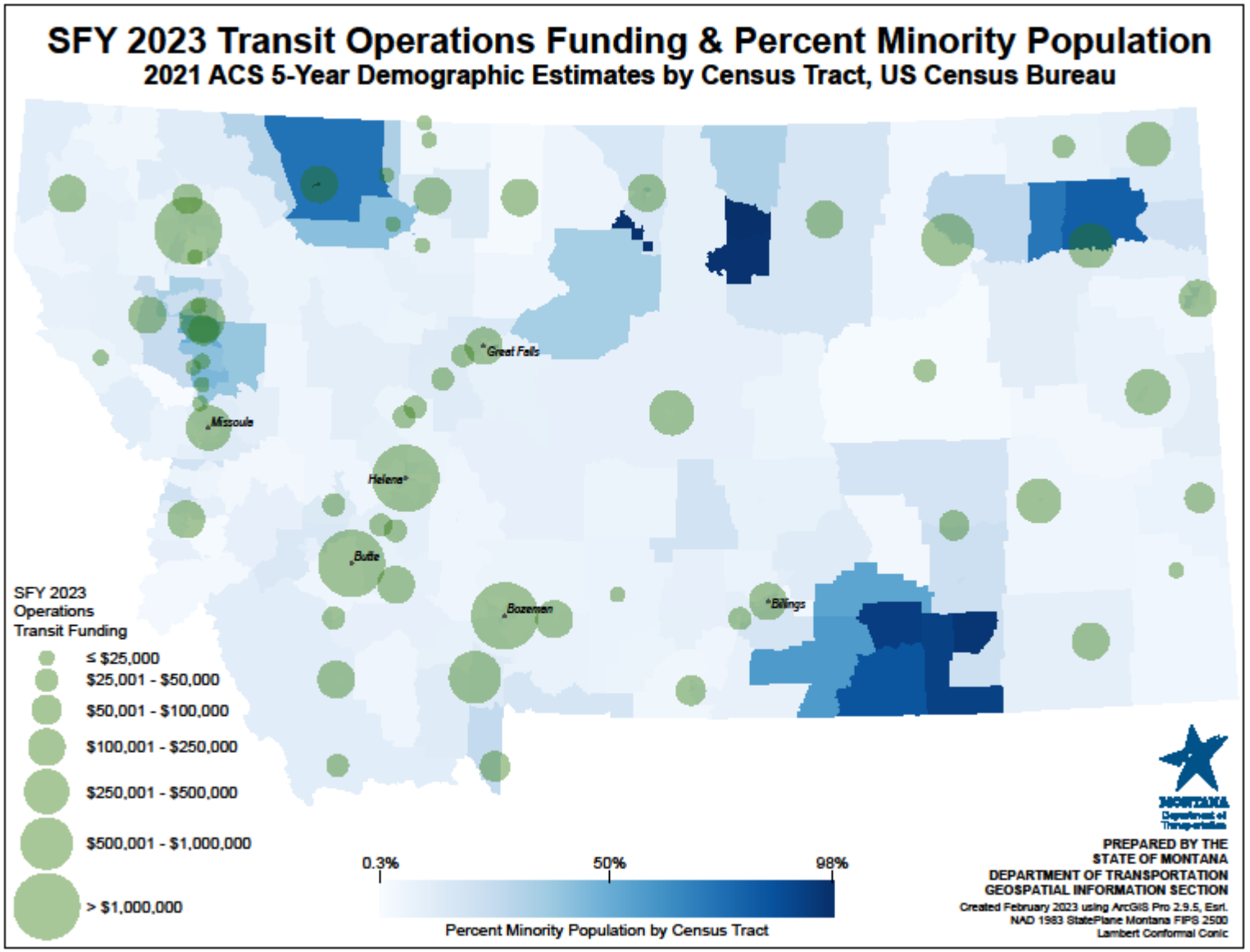


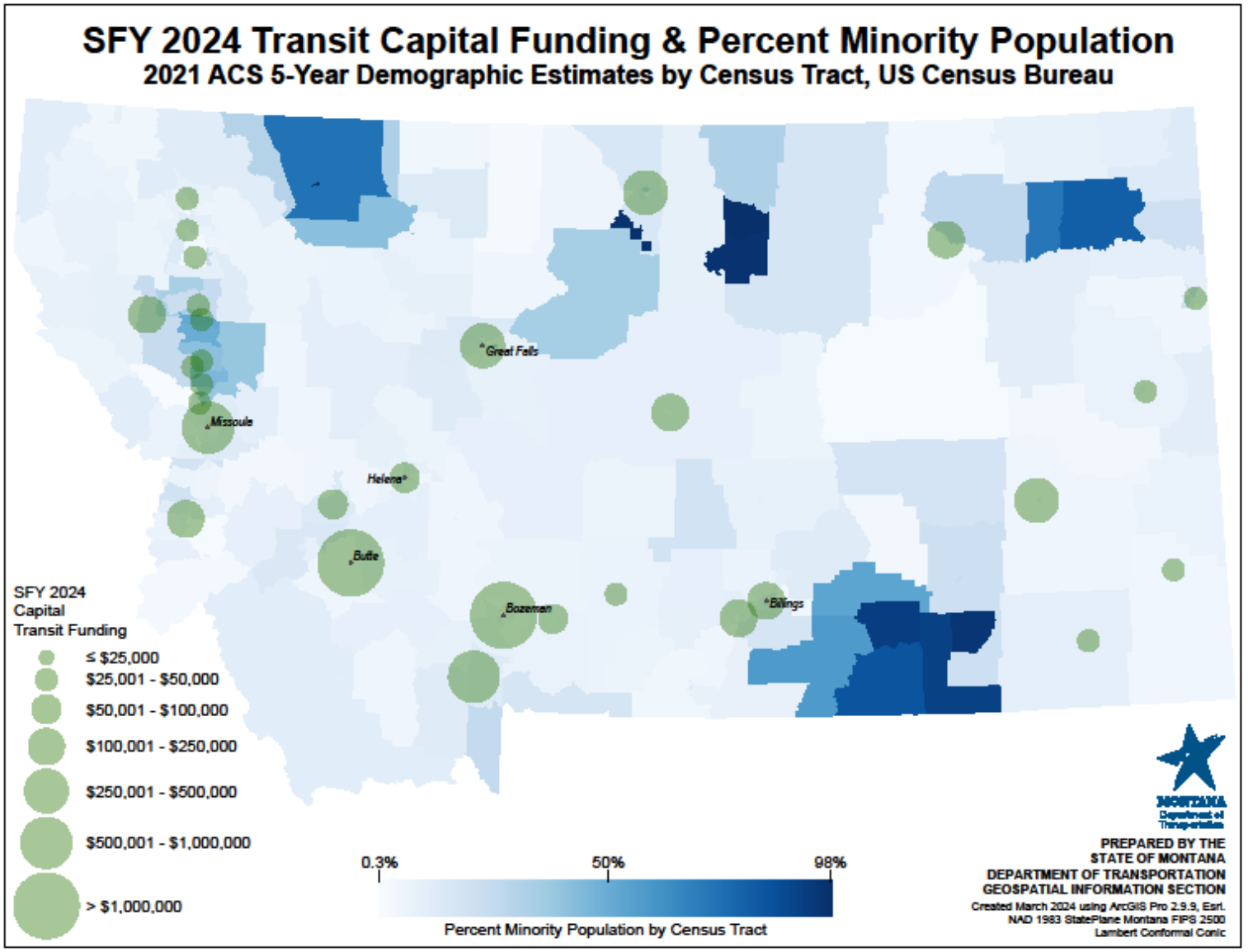

SFY 2021 Transit Operations Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2021
Operations
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created February 2023 using ArcGIS Pro 2.9.5, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic

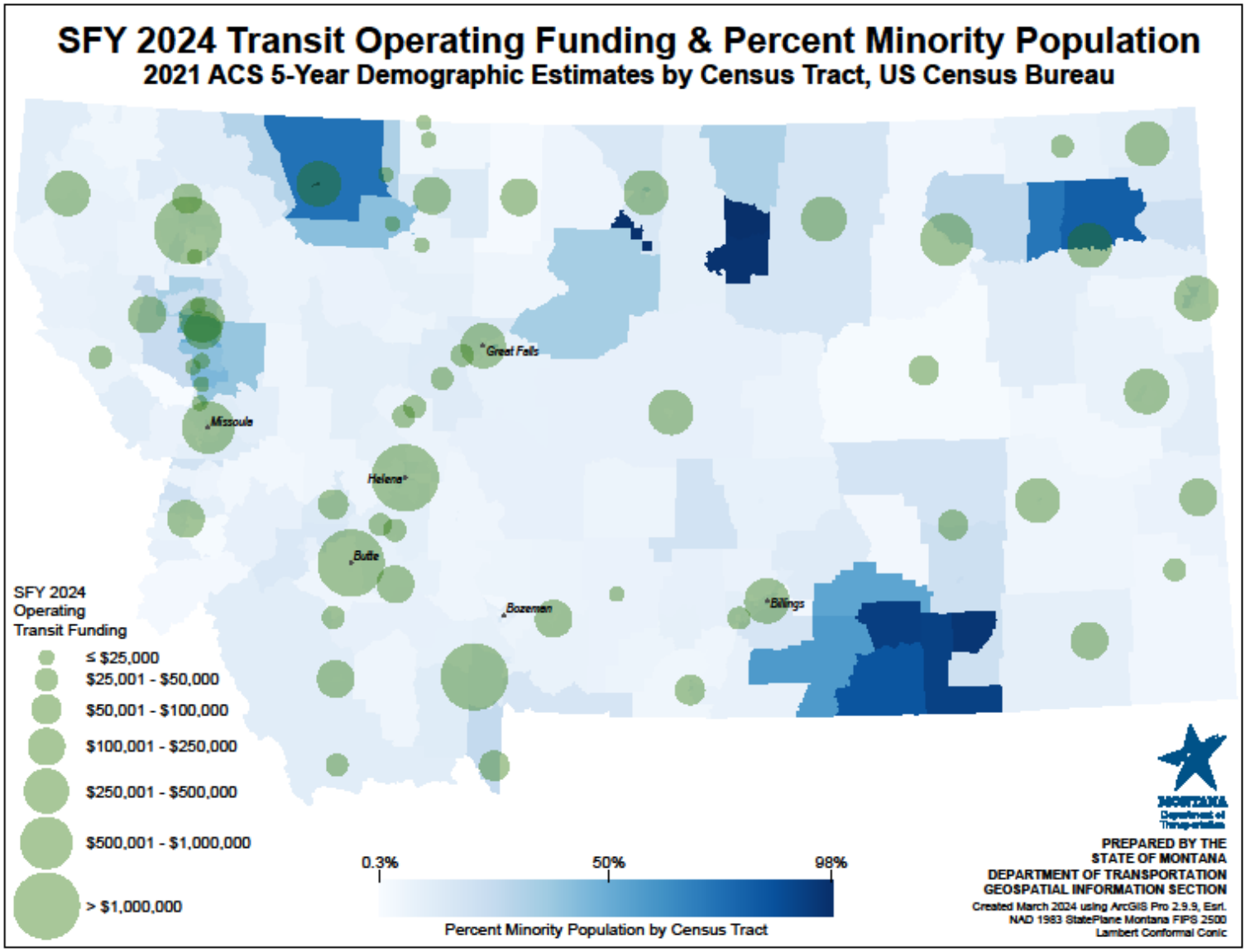

SFY 2022 Transit Capital Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2022
Capital
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created February 2023 using ArcGIS Pro 2.9.5, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic


SFY 2022 Transit Operations Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2022
Operations
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
MONTANA
Department of Transportation
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created February 2023 using ArcGIS Pro 2.9.5, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic

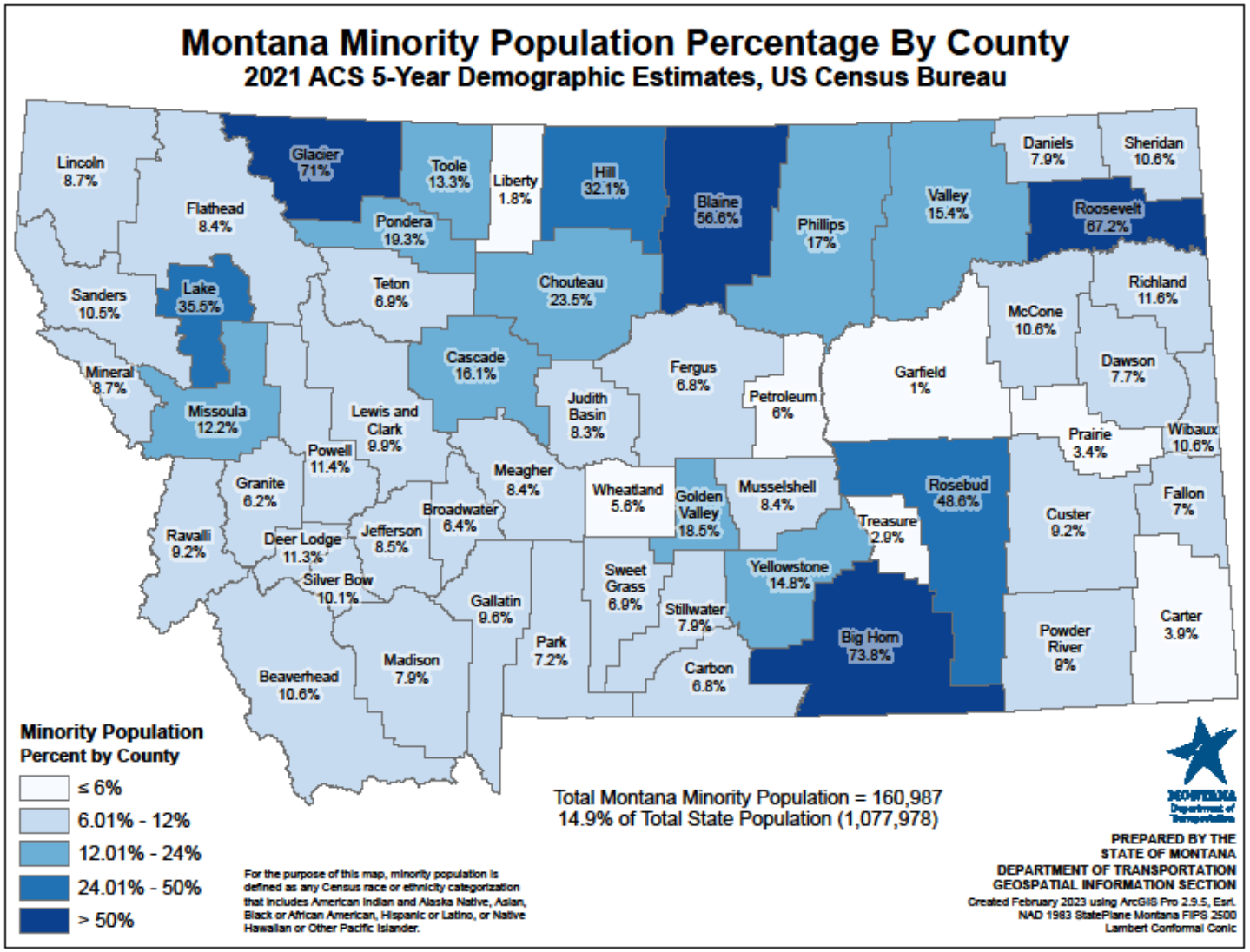

SFY 2023 Transit Capital Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2023
Capital
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
PREPARED BY THE
STATE OF MONTANA
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Lambert Conformal Conic


SFY 2023 Transit Operations Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2023
Operations
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
MONTANA
Department of Transportation
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created February 2023 using ArcGIS Pro 2.9.5, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic


SFY 2024 Transit Capital Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena
Butte
Bozeman
Billings
SFY 2024
Capital
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created March 2024 using ArcGIS Pro 2.9.9, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic


SFY 2024 Transit Operating Funding & Percent Minority Population
2021 ACS 5-Year Demographic Estimates by Census Tract, US Census Bureau
Great Falls
Missoula
Helena*
Butte
Bozeman
Billings
SFY 2024
Operating
Transit Funding
≤ $25,000
$25,001 - $50,000
$50,001 - $100,000
$100,001 - $250,000
$250,001 - $500,000
$500,001 - $1,000,000
> $1,000,000
0.3%
50%
98%
Percent Minority Population by Census Tract
PREPARED BY THE
STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION
GEOSPATIAL INFORMATION SECTION
Created March 2024 using ArcGIS Pro 2.9.9, Esri.
NAD 1983 StatePlane Montana FIPS 2500
Lambert Conformal Conic

Attachment 6 – Montana Minority Population by County Map



Attachment 7 – Title VI Complaint Form

Civil Rights Discrimination Complaint Form

Instructions:
You MUST file your complaint within 180 calendar days of the last alleged act of discrimination. You are not required to use this form to file a complaint. In your complaint, please provide in detail how you believe were discriminated against. Include all relevant names and dates. Attach any supporting documentation to your complaint. A representative from the Office of Civil Rights will contact you **within seven (7) business days** of receipt of the complaint.

MONTANA
Department of Transportation

Submit complaint to:
Montana Department of Transportation
Office of Civil Rights
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
Email: mdtcrform@mt.gov
Voice: (406) 444-6334
TTY: (800) 335-7592
Fax: (406) 444-7243

Nondiscrimination & Accessibility
ADA, Title VI, and Title VII

For more information on ADA, Title VI, Title VII, or nondiscrimination at MDT, visit our website:

mdt.mt.gov/business/contracting/civil/eeo.aspx

Montana Department of Transportation (MDT) is committed to conducting all of its business in an environment free of discrimination, harassment, and retaliation. In accordance with state and federal laws, MDT prohibits discrimination against its employees, job applicants, or anyone with whom MDT chooses to do business based on a person's protected class(es).

Alternative accessible formats of this document will be provided on request. Persons who need an alternative format should contact the Office of Civil Rights, Montana Department of Transportation, 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001. Telephone: (406) 444-5416 or Montana Relay Service at 711.

This document is printed at state expense. Information on the cost of producing this publication may be obtained by contacting the Department of Administration.

Rev 12/2023

Basis of Complaint: (Mark all that apply)

Federal Protected Classes
- Age
- Color
- Disability
- Gender Identity
- Income Level
- Limited English Proficiency
- National Origin
- Race
- Sex
- Sexual Orientation

Montana State Protected Classes
- Ancestry
- Gender Expression
- Genetic Information
- Mental / Physical Disability
- Military Service / Veteran Status
- Parental / Marital Status
- Political or Religious Affiliations/Ideas
- Pregnancy
- Childbirth
- Medical conditions related to Pregnancy / Childbirth
- Religion / Creed
- Social Origin / Condition
- Vaccination Status

Complaint (Mark all that apply)
- Harassment
- Discrimination
- Retaliation

Complaint Details

I am filing a complaint on behalf of:
- Myself
- Someone else (Specify who) _____

Date of last alleged act of discrimination: _____

Name, address, and phone number of the individual(s) you are filing the complaint against: _____

Name, address, and phone number of Witness(es): _____

Description of why you are filing your complaint: (attach additional pages if needed)

_____

Contact Information

Please provide your contact information in the event that we need to reach you during our investigation.

Name: _____ Phone Number: _____

Address: _____ Email: _____

_____ Preferred method of contact: ☐ Phone ☐ Email

_____ _____

Signature Date

Attachment 8 – Title VI Plan Template for Subrecipients

MONTANA
Department of Transportation

Requirements for Federal Transit Administration Subrecipients

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

The Montana Department of Transportation Rail, Transit and Planning Division is responsible for managing funds from the Federal Transit Administration (FTA). These funds are used for the planning, development, operation, and integration of transit and rail into the statewide transportation system. The Office of Civil Rights works with the Planning Division to implement and monitor compliance with FTA's civil rights requirements.

Title VI Program

FTA Circular 4702.1B, Chapter 3 for FTA Subrecipients:

Title VI Requirements & Guidelines for FTA Recipients

FTA's *Title VI Circular 4702.1B* provides guidance to grantees on how to comply with Title VI regulations, as well as to ensure grantees provide meaningful language access to persons who are limited English proficient. The FTA requires all subrecipients of FTA financial assistance to develop a Title VI plan and ensure nondiscrimination on the basis of race, color and national origin. As the primary recipient of FTA funding, MDT is required to monitor subrecipients for compliance with Title VI, including collecting and reviewing subrecipient Title VI plans.

The following template is intended to assist subrecipients in developing a Title VI plan consistent with FTA requirements. By completing this document, you are stating that your board of directors, appropriate governing entity, or officials responsible for policy decisions and/or approval of board meeting minutes understand the required *FTA Circular 4702.1B, Chapter 3* regulations and agree to adopt all MDT procedures to comply with FTA Title VI Program guidelines:

Agency: **XXXX**

TITLE VI PLAN

Year: XXXX

Title VI Contact Name: XXXX
Title VI Contact Phone: 406-XXX-XXXX
Title VI Contact Email: _____

Introduction to Agency

Describe your organization, what it does, and explain briefly about the services you provide with the 5310 or 5311 grant funds. Additionally, explain how long you have been a grantee, and briefly about your organizational structure.

Title VI Program Requirements

Public Notice

[Agency] posts the Public Notice of Title VI Program Rights (below) in the following locations: TYPE HERE WHERE THE NOTICE IS POSTED. At a minimum it must be posted online (include link) and in the public areas of the agency's/transit provider's office(s). This notice should also be posted at stations, stops, and on transit vehicles

Public Notice of Title VI Program Rights

The [Agency] gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall, on the ground of race, color, national origin, sex, age, disability, income level or limited English proficiency be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who desires more information regarding MDT's Title VI Program can contact [Title VI contact name] at the address noted below. Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or limited

English proficiency, has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Title VI Contact Name
Agency Name
Agency Address
Title VI Contact Phone Number
Title VI Contact Email

A complainant may file a complaint directly with the Federal Transit Administration at the following address:

Office of Civil Rights
Federal Transit Administration
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave SE
Washington, DC 20590

If information is needed in another language, please contact MDT's Office of Civil Rights at 406-444-6334.

Complaints

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987:

Any person who believes they, or any specific class of persons, were subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FTA.

[Agency] has adopted MDT's complaint form, which is located on our website: [link] and hard copies in the [list locations – i.e. transit facility and vehicles].

Complaints alleging violations of Title VI by [Agency] may be filed in writing with the following agencies:

Agency Name
Agency Address
Title VI Contact Phone Number
Title VI Contact Email

Montana Department of Transportation
Office of Civil Rights
2701 Prospect Ave
PO Box 201001
Helena, Montana 59601
Phone: 406-444-6334
TTY: 800-335-7592
Fax: 406-444-7243
Email: mdtcrform@mt.gov

Office of Civil Rights
US Department of Transportation
Federal Transit Administration
1200 New Jersey Ave SE
Washington DC 20590

If information is needed in another language, please contact MDT's Office of Civil Rights at 406-444-6334.

[Agency] adopts MDT's complaint processing procedures, which are consistent with FTA's *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*. Additional information can be found in MDT's Title VI Plan: [link] and FTA's website: https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta.

Complaint Log

[Agency] tracks civil rights complaints in the following table and submits to MDT Office of Civil Rights on an annual basis.

For the period October 1, 2020 to September 30, 2023 there were [XX] Title VI complaints filed against [Agency].

Investigation (I), Lawsuit (L), or Complaint (C)	Date Filed	Basis of Complaint (Race, Color, National Origin or Disability)	Summary of Allegation	Status	Action(s) Taken	Final Findings

Public Participation Plan

[Agency] engages the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys.

As an agency receiving federal financial assistance, [Agency] made the following community outreach efforts and activities to engage minority, Limited English Proficient populations, or other traditionally underserved populations since the last Title VI Plan submittal to MDT Office of Civil Rights.

> *List dates for outreach efforts include public notices in local media, attending meetings of area minority populations or groups (e.g.: Native American reservations, minority alliances), limited English proficiency (LEP) groups, or other traditionally underserved populations (group homes, senior centers, nursing homes, etc.), creating mailing lists and disseminating information to groups on the list.*

Language Assistance Plan

[Agency] adopts MDT's Language Assistance Plan:
mdt.mt.gov/other/webdata/external/civilrights/limited_english_proficiency_plan.pdf

Montana's demographic makeup does not meet the Federal threshold that requires mandatory written translation in any language, but [Agency] has resources available to provide language assistance if needed. MDT provides the Language Identification and Assistance Guide to transit providers, which gives guidance for how to provide interpretation services when interacting with LEP individuals.
mdt.mt.gov/other/webdata/external/civilrights/Language-Assistance-Guide.pdf

[Agency] evaluates its ridership and populations within its service area and will coordinate with MDT Office of Civil Rights if the frequency of interactions with LEP individuals would require written translation.

Transit Committee

[Agency] [has/does not have] a transit-related, non-elected [board, committee, advisory council, etc.]. The racial breakdown of membership on the [board, committee, advisory council, etc.] is as follows:

Body	African American / Black	American Indian/ Alaskan Native	Native Hawaiian/ Other Pacific Islander	Asian	Hispanic / Latino	White
[Service Area – indicate city or counties included] Population	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%
TYPE THE NAME OF THE COMMITTEE HERE	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%
TYPE THE NAME OF THE COMMITTEE HERE	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%	**TYPE % HERE**%

[Agency] takes the following efforts made to encourage participation of minorities or other traditionally underserved populations:

> *(Example: Outreach efforts may include identifying designated minority groups or populations (e.g.: Native American reservations, minority alliances) and contacting them regarding committee membership, posting openings on all vehicles, focusing on individual riders, and/or recruiting board members through financial partners and/or area senior centers. If there are no designated groups or populations in your area indicate that a description is not applicable (N/A)).*

Equity Analysis

A transit provider planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may be impacted by the siting of the facility. MDT Office of Civil Rights will conduct a Title VI equity analysis to compare various siting alternatives prior to selection of the preferred site.

[Agency did not develop new transit facilities covered by these requirements OR Agency's Title VI equity analysis is located in Attachment __.]

System-wide Service Standards and Policies

Based on size of transit providers and population, none of MDT subrecipients meet the additional requirements for fixed route transit providers. However, all transit providers that operate fixed route service must have system-wide standards and policies. [List whether Agency is a fixed route service and where standards and policies are located (website, etc.)]

Title VI Equity Analysis

Facility Site Selection

Garfield County: Jordan, MT

May 5, 2021

Background and Project Description

Garfield County Transit proposed to construct a transit facility in Jordan, Mt. The lot where the Transit Facility Building would be constructed is vacant, rural land that is adjacent to the Bureau of Land Management Building. The location is 190 Brusett Road. The square footage of the proposed facility and parking lot would be 60x100=6000 square feet. The number of bus bays, including wash bay =3. Office size would be roughly 29'x20'. Number of restrooms would be 2 10'x10' feet square. A break room 10x10 square. The facility will have a well as it water source. Parking lot will be 100'x50' and the water drainage will slope to the south. Description of adjacent property to lot is Airport runway is approximately 630 feet away to the north and the BLM building is approximately 300 feet to the east. The land is owned by Garfield County and the Transit Facility is compatible with current zoning requirements. The zone is compatible with existing zoning for the Transit Facility on County Property. The land was donated to the transit provider Big Dry Transit from the county. They service the surrounding area as well as providing transportation to Billings and Miles City weekly. They had no existing facility to house the buses. Had to battle weather elements year-round.

Study Purpose

Completed the review for your Jordan Transit Facility 190 Brusett Road Project. They discussed the approach for this Project and have decided to conduct a bit of a deeper desktop analysis. Due to this new approach, no mitigation will be required from Garfield County for this Project. They are good to go and obtain any permits you may need, no contribution to the Stewardship Account will be required for this Project. Per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected.

Title VI Compliance

Garfield County Council on Aging is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, "In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 9 CFR part 21, Appendix

C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Montana Department of Transportation’s Office of Civil Rights is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility.
- Compare impacts of various siting alternatives.
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.

Site Selection Process



190 Brusett Road

Property Record Card
Tax Year 2019
Print

Summary

Try Cadastral Beta

Print Button workarounds

Primary Information

Property Category: RP
Subcategory: Government Property
Geocode: 50-2816-12-3-03-01-0000
Assessment Code: 00000R7014
Primary Owner:
GARFIELD COUNTY
PO BOX 7
JORDAN, MT 59337-0007
PropertyAddress:
COS Parcel:
NOTE: See the Owner tab for all owner information
Certificate of Survey:
Subdivision:
Legal Description:
S12, T18 N, R37 E, S2S2 LESS PT SW4SW4 SW'LY DIAGONAL OF N2SW4
Last Modified: 9/27/2019 6:15:56 PM

General Property Information

Neighborhood: 250.001
Property Type: EP - Exempt Property
Living Units: 0
Levy District: 50-1377-1R
Zoning:
Ownership %: 100
Linked Property:
No linked properties exist for this property
Exemptions:
No exemptions exist for this property
Condo Ownership:
General: 0
Limited: 0

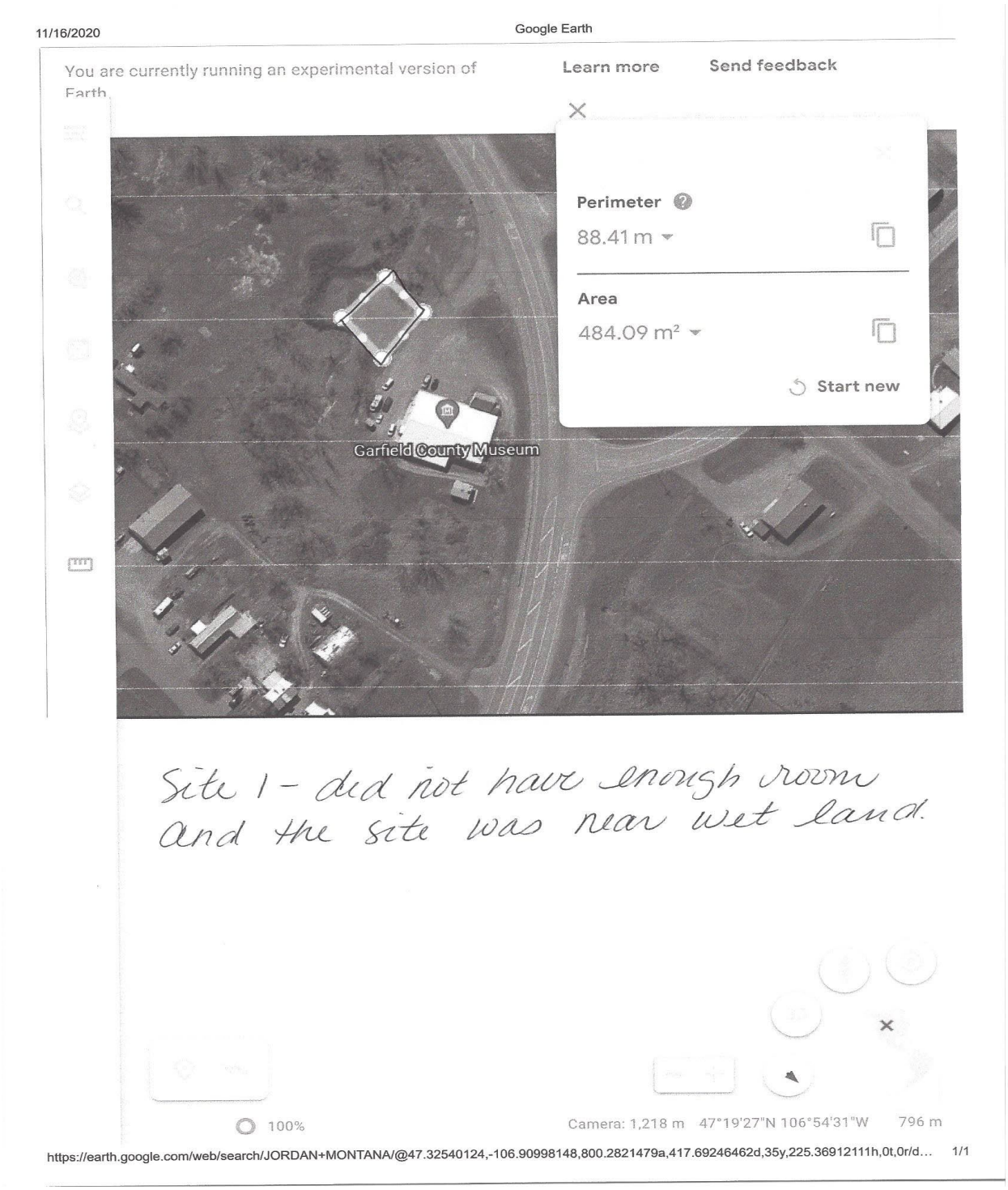
Property Factors

Topography: 8
Fronting: 0 - None
Utilities: 0
Parking Type:
Access: 0
Parking Quantity:
Location: 0 - Rural Land
Parking Proximity:

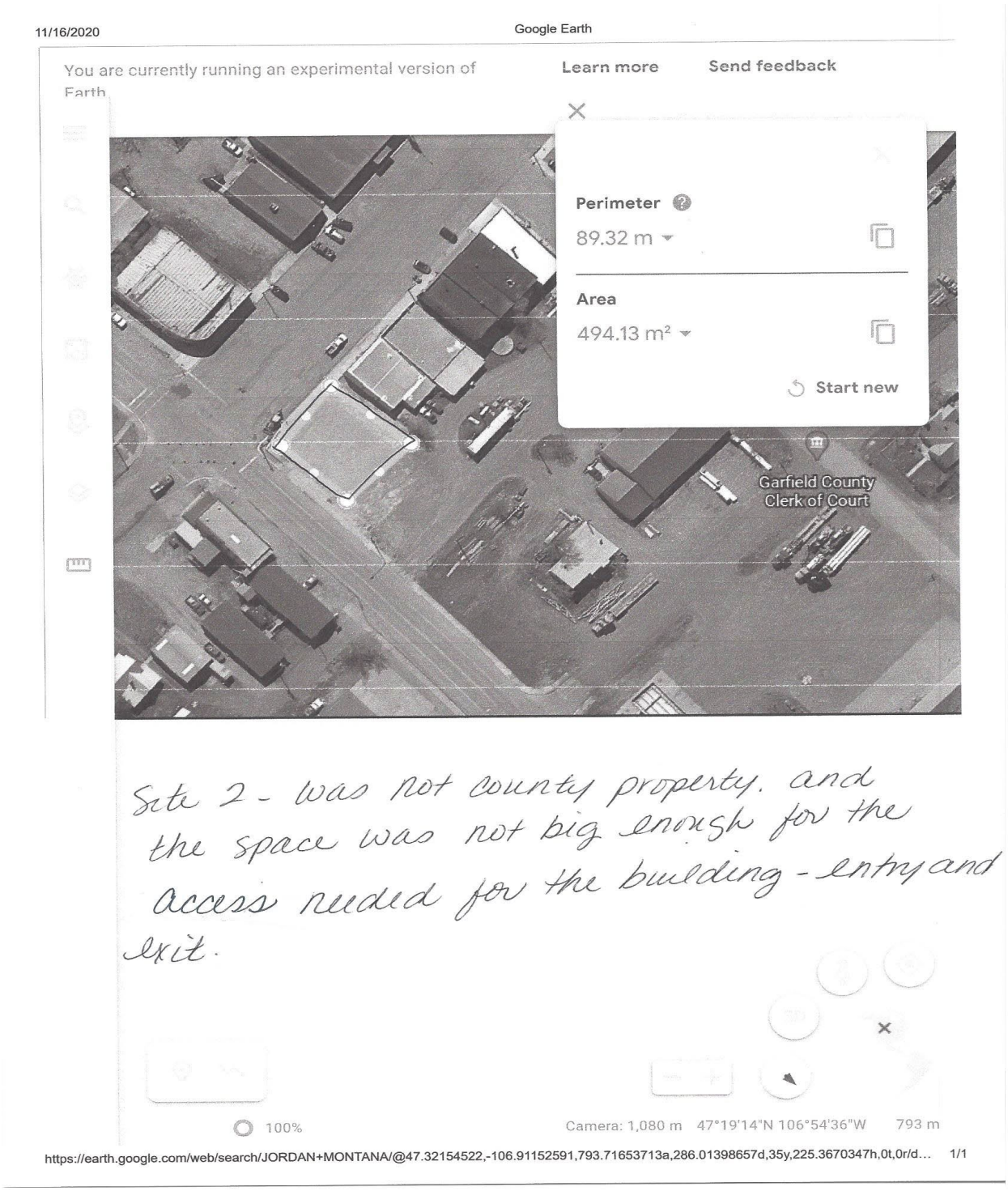
Land Summary

Land Type	Acres	Value
Grazing	0.000	11,940.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00

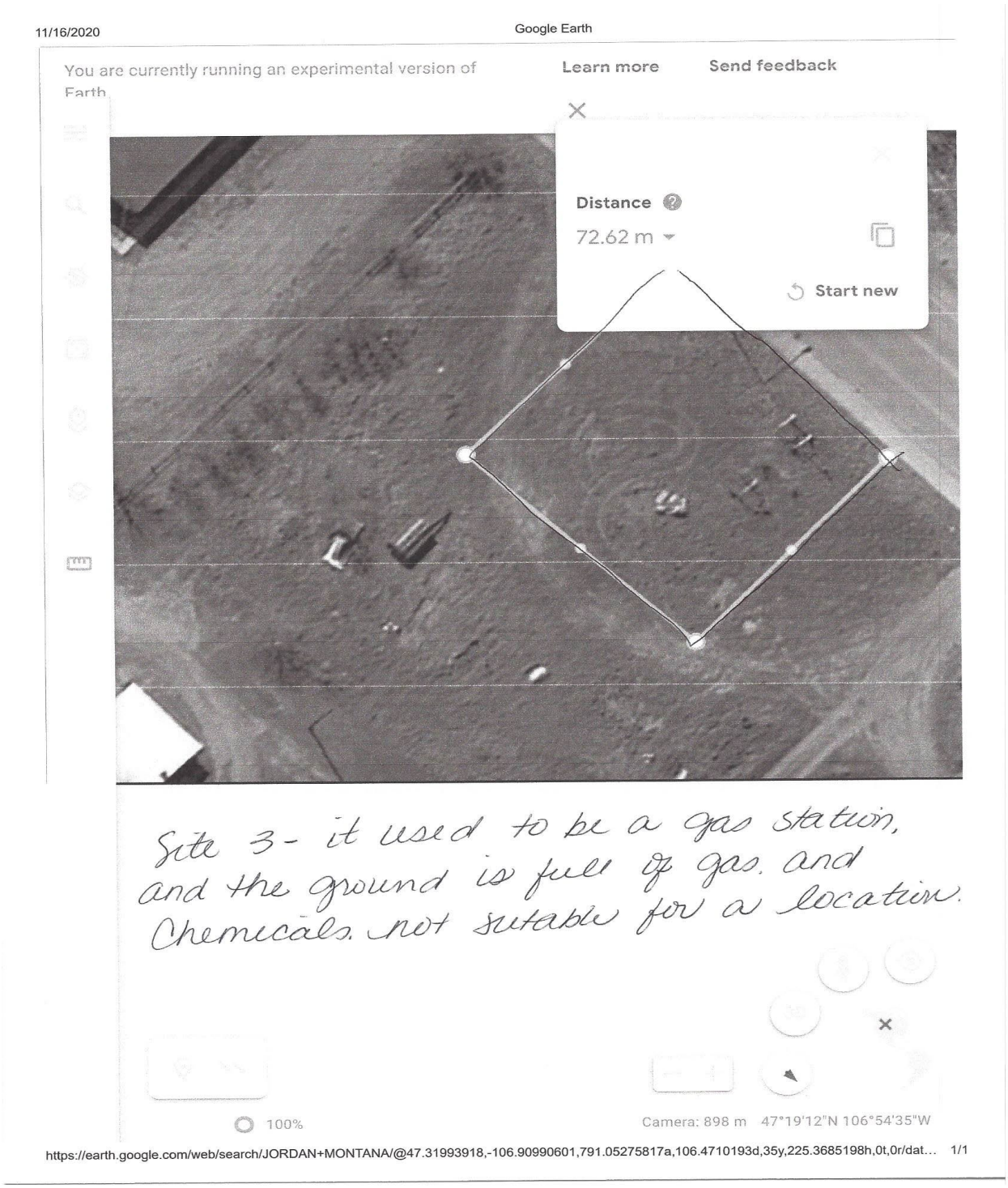
Owners
Appraisals
Market Land Info
Dwellings
Other Buildings/Improvements
Commercial
Ag/Forest Land



922 Jordan Ave



401 Main Street



437 Jordan Ave

Community Outreach

There was a public notice issued for this project. Public meetings in the past have not been well attended by the public. Public involvement process starts with a public notice. What comments were received were very positive.

Public Notice - Affidavit 6-3-21 (2).p

Benefits and Burdens Analysis

The county donated the land on which the bus barn will be built. I do not see any burdens for that location. Other location of consideration had issues with size of lot and contamination of ground.

Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
Garfield County (Jordan) 190 Brusett Road	The land was donated by Garfield County.	I do not see any burdens associated with this site.
Land looked at: Site 1 922 Jordan Ave	There were no benefits	Deemed not to have enough room and the site was near wet land.
Land looked at: Site 2 401 Main Street	There were no benefits	Space was not big enough for the access needed for the building, entry and exit.
Land looked at: Site 3 437 Jordan Ave	There were no benefits	The site used to be a gas station and the ground is full of gas and chemicals not stable for location.

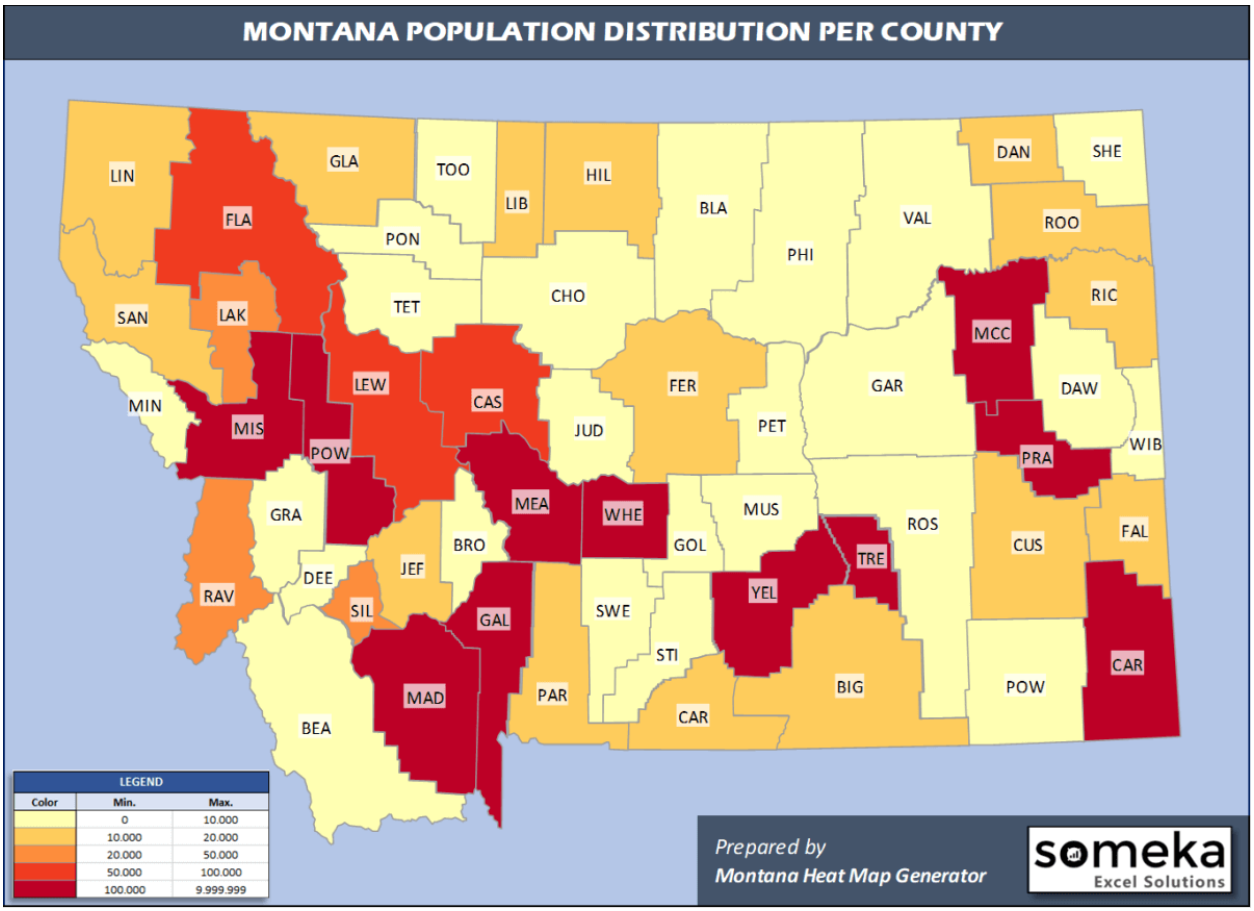
Site Location Map

Big Dry Transit

190 Brusett Road

Jordan MT, 59337





Population Estimates July, 2019 of Garfield County Montana = 1,258

Alternatives Equity Analysis and Cumulative Impacts

While location, size, price, and other criteria were used to select the candidate sites, MDT analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin. MDT looked at U.S. Census Tract Block Groups 1 of the existing sites compared to demographics for the City of Jordan as a whole. Jordan has such a small service area that wherever they build, the comparison to the demographic data will be identical.

Table 2: Demographic Data

	Jordan Garfield County Council on Aging 190 Brusett Road Jordan MT, 59337 Block Group 1, Census Tract 000100, Garfield County, Montana	
Total Population		442
White		435
Non-White		7
Non-White %		1.6%
Population under Poverty Line		23
Percentage under Poverty Line		5.2%
Median Income (Households)		$41,806.00
LEP %	0%	0%

Source: Data from U.S. Census 2012-2016 American Community Survey 5 Year Estimates

Conclusions

The location identified and evaluated for consideration for a new Garfield County Council on Aging (Big Dry Transit) Bus barn, Operations, and Maintenance Facility was selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate (non-white), and LEP rate for the site showed no adverse impacts. This site is in a block group 1.

Title VI Equity Analysis

Facility Site Selection

Fergus County: Lewistown, MT

March 23, 2021

Background and Project Description

As the premier provider of senior-related programs, services, and information within the Central Montana area of Fergus County, the Council on Aging will be the first contact for persons seeking assistance with aging issues. As a Private Montana Non-profit Service Organization with a dedicated Board of Directors, Council on Aging. One of the resources used by COA is Central Montana Shuttle System. This service is to provide transportation to those who need it in a safe, courteous, and dependable manner. They started looking for property to build a new bus barn to house their fleet of buses that would provide a covered indoor facility. Their fleet is currently housed outdoors and open to the elements of weather. Many people in the community rely on Central Montana Shuttle to provide vital transportation to doctor appointments in town and out, work, hair appointments, groceries, or banking. The new bus barn would not only be beneficial to the community but the employees of the bus service also.

Public Involvement

Working with the board of directors for the Fergus Council on Aging and the Central Montana Shuttle bus service. They had public meetings to discuss the plans for the new building. Advertised in papers and radio. They got the support of the community on the new build. The information is also published on the Montana Department of Transportation website, that is open to the public. If there is enough negative interest in the project, then a public meeting would be held, followed by a public hearing, if necessary.

Study Purpose

The board looked at purchasing three different lots for the Central Montana Shuttle bus barn. After reviewing the three (as attached) locations the committee numbered them from one to three in order of preference. It was determined that the first chosen site was historical and would not be able to be purchased. They then pursued the second site as it made more scenes to punches than the third as the third site was a Trailor court and they would have to possibly relocated renters and cause possible hardship for them. Per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected.

Title VI Compliance

Fergus County Council on Aging is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Montana Department of Transportation’s Office of Civil Rights is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility.
- Compare impacts of various siting alternatives.
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.

Site Selection Process

There was no land or buildings that could be adapted listed for sale on the market when we started looking. They reached out to community meetings and to the City of Lewistown to see if they had any ideas. They found land for sale at three different locations to consider. They inquired with the owners if they would be willing to sell, which they were. They were categorized in three wants one through three. They held meetings on which site would best serve for the new bus barn and they came up with the site selected to be the best fit for the needs of the new bus barn. Here were the lot options for the Lewistown Bus Barn site. These options were numbered in the order of preference for the new building. Option choice #1. The site was owned by private individuals.

Lot Options:



2058_001.pdf

Community Outreach

They have reached out to community leaders and the COA board, held meetings to get feedback and all the feedback they received was very positive and they feel they have truly gotten a sense of what the community wants and that they are fully supporting them.

Benefits and Burdens Analysis

Benefits: The land has plenty of room to build on so all vehicles will have a locked, covered area so that they are safe and out of the weather. The lot has excellent visibility which will increase awareness of our services. It is also centrally located and has just moved across the street from the existing building where the busses are staged. The land is a vacant lot so they could start building at any time. The vibration/noise will be minimal as there is no blasting, pile driving. Just basic land prep and concrete foundation and prefab metal and/or wood construction.

Burdens: I do not see any burdens for this location.

Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
Fergus County (Lewistown) 312 West Watson Street	The land was purchased, and the location is just across the street from the existing building being used for the buses.	I do not see any burdens associated with this site.
Fergus County (Lewistown) 316 West Watson Street	Not available.	This land was deemed historical so there was no way of purchasing.
Fergus County (Lewistown) 301 West Water Street		Most expensive per square foot. They would have to evict the renters of the mobile park and could cause a hardship for the renters.

Site Location:

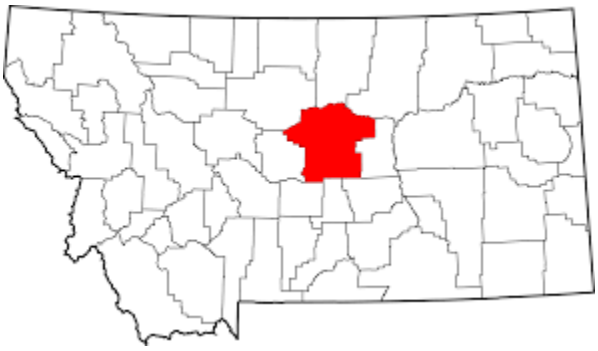
Fergus County

312 West Watson Street

Lewistown, MT 59457

Aerial Photo of lot.

dir0pr.pdf



Alternatives Equity Analysis and Cumulative Impacts

While location, size, price, and other criteria were used to select the candidate sites, MDT analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin., MDT looked at U.S. Census Tract Block Groups 2 and 3 of the existing sites compared to demographics for the City of Lewistown as a whole.

Table 2: Demographic Data

	316 West Watson Block Group 2, Census Tract 302	**312 West Watson** Block Group 2, Census Tract 302	**301-309 West Water Street** Block Group 3, Census Tract 302
Total Population	2092		2433
White	2079		2303
Non-White	13		130
Non-White %	0.62%		5.34%
Population under Poverty Line	21.6%		
Percentage under Poverty Line	13.6%		
Median Income (Households)	$47,618.00		
LEP %	0.6%		

Source: Data from U.S. Census 2015-201 American Community Survey 5 Year Estimates

Conclusions

The location identified and evaluated for consideration for a new Fergus County Transit Authority Bus barn, Operations, and Maintenance Facility was selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate (non-white), and LEP rate for the site showed no adverse impacts. This site is in a block group 2 with lower averages than the City of Lewistown for minority, low-income and LEP populations.

Title VI Equity Analysis

Facility Site Selection

Park County Public Transit: Livingston, MT

February 17, 2021

Background and Project Description

We currently rent an office and closet from the Park County Fairgrounds at the current location where space is limited, during the summer months we must park our transit vehicles outdoors in the elements. During the winter we rent space from the Park County fairgrounds from October 15th-April 15th to house our vehicles. The office space we rent has pluming issues in the restroom and at times we need to go to another building to use the restroom, this is not adequate for dispatch and other employees. The project will be a facility approximately 3,360 sf building 56'X60' with four stalls. It will house all the vehicles and have adequate office space. Many people in the community rely on PCPT to provide rides to and from work and appointments throughout the day. The new bus barn would not only be beneficial to the community but the employees of the bus service also.

Public Involvement

They had public meetings to discuss the plans for the new building. Advertised in local paper and posted meetings and times on their Transit website. The public meetings are not real well attended but those that attend or are told about the discussions had strong support on the new build. Meetings were held with the county commissioners to vote on the new construction. The transit board was also on board for the new building. The information is also published on the Montana Department of Transportation website, that is open to the public. If there is enough negative interest in the project, then a public meeting would be held, followed by a public hearing, if necessary.

Study Purpose

Since the County is donating the land that the new transit facility will be built on, this location was the only available location. The County was not interested in purchasing land – especially at the price that land is selling for in Livingston area – and therefore did not look at any other locations. There is no historical effect on the location of the new building.

Title VI Compliance

Park County Public Transit is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or

national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Montana Department of Transportation’s Office of Civil Rights is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility.
- Compare impacts of various siting alternatives.
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.

Site Selection Process

The site location made scenes as this is the same location as the existing location that houses the buses now. The site of the new building has easy access to get in and out of for the transit vehicles with minimal traffic to work around. It has a direct route to get to downtown and other areas of the service area. Again, with the county donating the land for the new bus shed it was a good idea to build on this site.

Benefits and Burdens Analysis

Benefits: The land has plenty of room to build on so all vehicles will have a locked, covered area so that they are safe and out of the weather. The land was donated by Park County, no streets will be shut off at any time due to construction. The

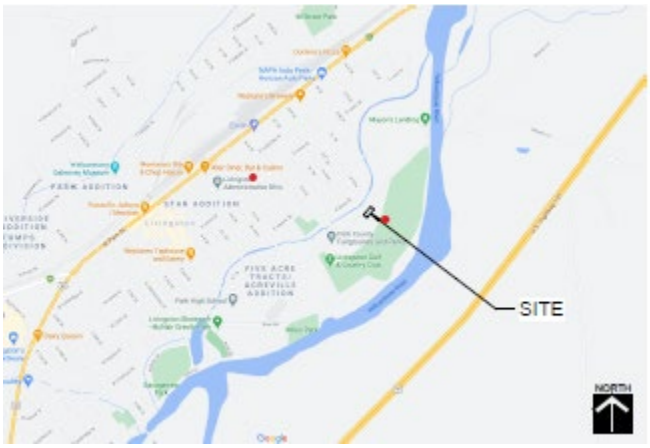
vibration/noise will be minimal as there is no blasting, pile driving. Just basic concrete foundation and prefab metal and/or wood construction.

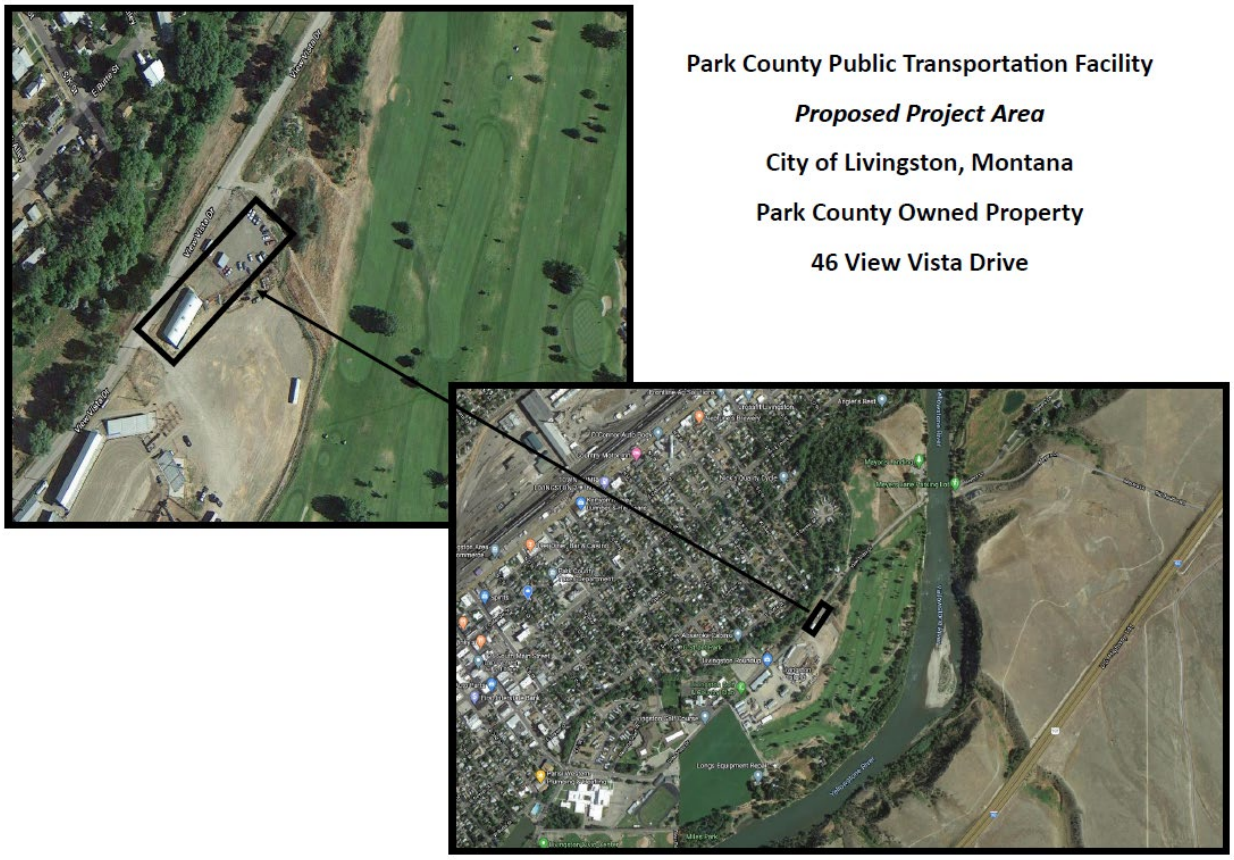
Burdens: I do not see any burdens for this location.

Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
Park County 46 View Vista Drive Livingston, MT	The land was donated by Park County. All vehicles will be housed indoors.	I do not see any burdens associated with this site.
Existing Structure at Park County 46 View Vista Drive Livingston, MT	Existing Structure office space only.	They have no shelter for the buses and the offices do not work for the day to day operation.

Site Location Maps:





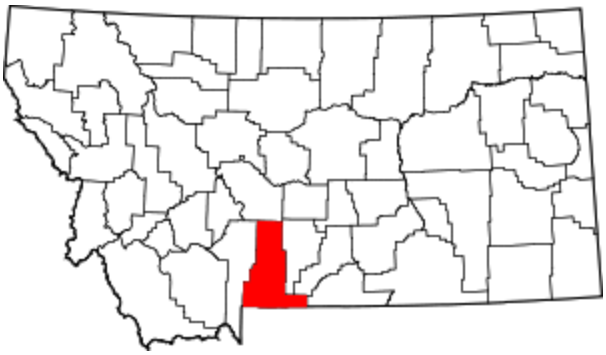
Park County Public Transportation Facility

Proposed Project Area

City of Livingston, Montana

Park County Owned Property

46 View Vista Drive



United States Census Bureau. Population, Census, April 1, 2010

Park County, Montana's estimated population is **15,636** according to the most recent United States census data.

Alternatives Equity Analysis and Cumulative Impacts

Location, size, price, and other criteria were used to select the candidate sites, MDT analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin., MDT looked at U.S. Census Tract Block Groups 1 and 2 of the existing sites compared to demographics for the City of Livingston as a whole. Livingston has such a small service area that wherever they build a site, assuming it is not 20 miles away or something like that, the comparison to the demographic data will be identical.

Table 2: Demographic Data

	Livingston Park County transit	Block Group 2,Census Track 3
Total Population		16,352
White		15,631
Non-White		721
Non-White %		4.4%
Population under Poverty Line		2,043
Percentage under Poverty Line		12.6%
Median Income (Households)		$58,510.00
LEP %	0%	0%

Source: Data from U.S. Census 2015-201 American Community Survey 5 Year Estimates

Conclusions

The location identified and evaluated for consideration for a new Park County Bus barn, Operations was selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate (non-white), and LEP rate for the site showed no adverse impacts. This site is in a block group with lower averages than the City of Livingston for minority, low-income and LEP populations.

Title VI Equity Analysis

Facility Site Selection

Phillips County: Malta, MT

December 9, 2020

Background and Project Description

Phillips Transit Authority was started roughly twelve years ago, they have learned to deal with the problems of providing service to their community no matter which season or time of year. Their goal then and now is much the same, to provide transportation to those who need it in a safe, courteous, and dependable manner. They have acquired a fleet of 5 buses and 3 vans, but still lack the support and safety of a proper storage facility needed for their fleet. Many people in the community rely on Phillips Transit Authority to provide vital transportation to doctor appointments in town and out, kids needing a ride to school, work or senior meals, hair appointments, groceries, or banking. There are no other options, unless they have friends or family that can take them. Many are elderly with no one to fall back on. Without Phillips Transit Authority, many of them become shut ins.

The major issue they face is the Montana weather. For the last 12 years, they have rented an office space in the basement of our Phillips County Hospital and park their buses on an empty lot in the back. In the spring, summer, and fall, one of the problems is keeping the mice out. They have had to replace wiring several times from them chewing through wires and are constantly on the defense to protect drivers and riders from the possibility of hantavirus. Summertime also presents the problems of cooling the buses down and the ongoing problems with the air conditioners in the vehicles. In the winter, they have problems with starting the buses, often causing them to call for help from local mechanic shops. They have one storage stall overnight for the Sprinter as it is a diesel and has a very hard time starting. The drivers come in an hour early to try and get buses running, swept off, scraped, pre-tripped and warmed up for the day. If they had proper shelter for their fleet, they could save many hours on the clock. Even something as important but simple such as wiping down buses with a disinfectant becomes a challenge at -30 below. They expect this of the drivers daily before any vehicle hits the road. Unfortunately, some items can get missed when it’s dark, cold, snowing or raining.

Their fleet is aging. They have buses that are 17 years, the Head Start bus, the MOI bus is 16 years old, Bus 1 is 15 years old, Sprinter is 10 years old. Newest bus is 2 years old. Their mini vans are 17, 10 and 4 years old. The building they would like to build will be a steel building of roughly 4800 square feet (60x80x14') on a minimum of 5" engineered monolithic concrete slab. They will specify a high insulation value of at least R-25 in the walls and R-32 in the ceiling. Insulation will be either spray on foam or fiberglass with an Opti liner to protect it. All walk doors and windows will be insulated as well. All overhead doors will be commercial grade insulated with electric operators. The preferred heat source will be a radiant floor heat system. They are including as required,

handicap accessible bathroom, office space and driver ready room. The wash bay will be equipped with the proper sediment/oil trap as well as floor drains for each bay to handle snow run off from the buses. Lighting will be LED both inside and out. They will have concrete aprons in front of all doors. One area in the shop will be partitioned off to allow a separate maintenance workspace and have separate zone for its heat control. All work will be performed by licensed contractors, electricians, plumbers, and all materials will meet engineers' specifications. Estimates received on such a building indicate we will need roughly $450,000.00 So our request for Capital Assistance for a bus barn is $450,000.00.

Public Involvement

They have held different meetings, gatherings, distributed surveys and tried to get input from community leaders and others about the possibility of a bus barn. After an overwhelming response, it was agreed that they needed a building to house their fleet and provide the space needed to maintain them. Ads were placed in the local paper with no response received. Public involvement process starts with a public notice, which is put out by our sub-recipients whenever they receive FTA funds through MDT, about the project. If there is enough negative interest in the project, then a public meeting would be held, followed by a public hearing, if necessary.

Study Purpose

The president of the COA obtained a grant to do a feasibility study of the current building and it was determined that that building would not work, as it would only house 2 buses with no shelter. Since then, they held several meetings to discuss a new bus barn. A committee was formed, and they have explored various lots and buildings around town, and none were found that would accommodate. They then met with the Phillips County Hospital board about acquiring land from them just east of their present office. After several meetings, the hospital reached an agreement to donate the land needed to erect their building on the lot in the back of the hospital. Per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected.

Title VI Compliance

Phillips Transit Authority is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Montana Department of Transportation’s Office of Civil Rights is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility.
- Compare impacts of various siting alternatives.
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- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.

Site Selection Process

In 2014, they tried to partner with the Council on Aging (COA) to either build a bus barn with space for the Council or try to make something work at the current COA location. The president of the COA obtained a grant to do a feasibility study of the current building and it was determined that that building would not work, as it would only house 2 buses with no shelter. Since then, they held several meetings to discuss a new bus barn. A committee was formed, and they have explored various lots and buildings around town, and none were found that would accommodate. They then met with the Phillips County Hospital board about acquiring land from them just east of their present office. After several meetings, the hospital reached an agreement to donate the land

needed to erect their building on the lot in the back of the hospital. They were fortunate enough to obtain funding to build a bus barn. The hospital has donated the land behind there facilities' Phillips Transit Authority. The buses are currently located at the Hospital. The bus barn will also house the offices for the transit provider.

Community Outreach

Public meetings in the past have not been well attended at all, so they made up a survey questionnaire and have handed these out to public and most of the businesses that we have riders shopping at. Several surveys were made up and they received almost all of them back. This has worked out well in the past for feedback. All the comments were very positive.

Benefits and Burdens Analysis

Hospital donated the land, and the existing Transit Location is already on the same property where the new bus barn will be constructed. I do not see any burdens. No streets will be shut off at any time due to construction. Vibration/noise will be minimal as there is no blasting, pile driving. Just basic concrete foundation and pre-fab metal and/or wood construction.

Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
Phillips County Transit Authority (Malta) 311 E. 8th Ave. East	The land was donated by the Hospital and the existing Transit Location is already on the same property where the new bus barn will be constructed.	I do not see any burdens associated with this site.
Existing Structure at Council on Aging. South 1st St West	Existing Structure.	Would have to park outside, no shelter and only room for maybe 2 buses. Would need to find a spot for the other 6 vehicles.

Site Location Maps

Phillips County Transit Authority (Malta)

311 E. 8th Ave. East

Malta MT, 59538

PLAT of:
TRANSIT ADDITION to MALTA, MONTANA
NE1/4SW1/4, SECTION 17, T30N, R30E, P.M.M.
PHILLIPS COUNTY, MONTANA



PURPOSE:To create an addition to the City Of Malta, Montana.

LOT #1 DESCRIPTION: A lot in the NE1/4SW1/4, Section 17, T30N, R30E, P.M.M., Phillips County, Montana and more particularly describes as follows: Beginning at the 1/4 corner common to said Sections 17 & 18; Thence N 89° 52' 03" E, a distance of 2148.71 feet; Thence S 00° 10' 54" E, for a distance of 275.00 feet to the True Point of Beginning; Thence N 89° 57' 45" E, for a distance of 150.19 feet; Thence S 00° 04' 15" W, for a distance of 180.00 feet; Thence S 89° 56' 36" W, for a distance of 150.00 feet; Thence N 00° 04' 15" W, for a distance of 75.05 feet to the SE corner of the Clinic/Good Samaritan Addition to Malta, Montana; Thence N 00° 04' 15" E, for a distance of 105.00 feet to the True Point of Beginning and containing 0.621 Acres more or less.

CERTIFICATE OF OWNER: I (WE) hereby certify that the purpose of this survey is as recited hereon and that I (WE) have caused this survey to be made.

Signature of Owner(s)

CERTIFICATE OF NOTARY: STATE OF MONTANA)ss County of)

On this day of , 20 , before me a Notary Public personally appeared , known to me to be the person(s) named in the within instrument and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year above written.

Notary for the State of Montana Print Name (S E A L)
Residing at
My commission expires

CERTIFICATE OF MORTGAGEE: I(WE), the mortgagee(s), who have an interest in the land described hereon, join in and concur with this division of land for the purpose stated.

Signature of Mortgagee(s)

CERTIFICATE OF TREASURER: I hereby certify that all the Real Property Taxes assessed and levied on the land shown hereon have been paid.

County Treasurer Date

CERTIFICATE OF APPROVAL BY GOVERNING BODY: The City Council of Malta, Phillips County, Montana hereby certifies that it has reviewed this Subdivision Plat and found the same to conform to State and Local Subdivision laws and regulations and hereby approves it this day of , 20 .

Mayor Clerk

CERTIFICATE OF SURVEYOR: I hereby certify that this drawing accurately represents a survey made during the month of , 20 .

Michael C. Kaiser 10063LS

CERTIFICATE OF FILING:
Filed this day of , 20 .
at O'clock m. as .

Clerk and Recorder Deputy

LEGEND
- + Calculated Point
- ○ Found Rebar, No Cap
- ⊙ Quarter Corner
- ● Set 1/2" Rebar w/ Y.P.C. mrkd 10063LS
- ⊛ 1 1/4" A.C. Block Monument
- ○ Circle

Section: 17

SHEET 1 of 1

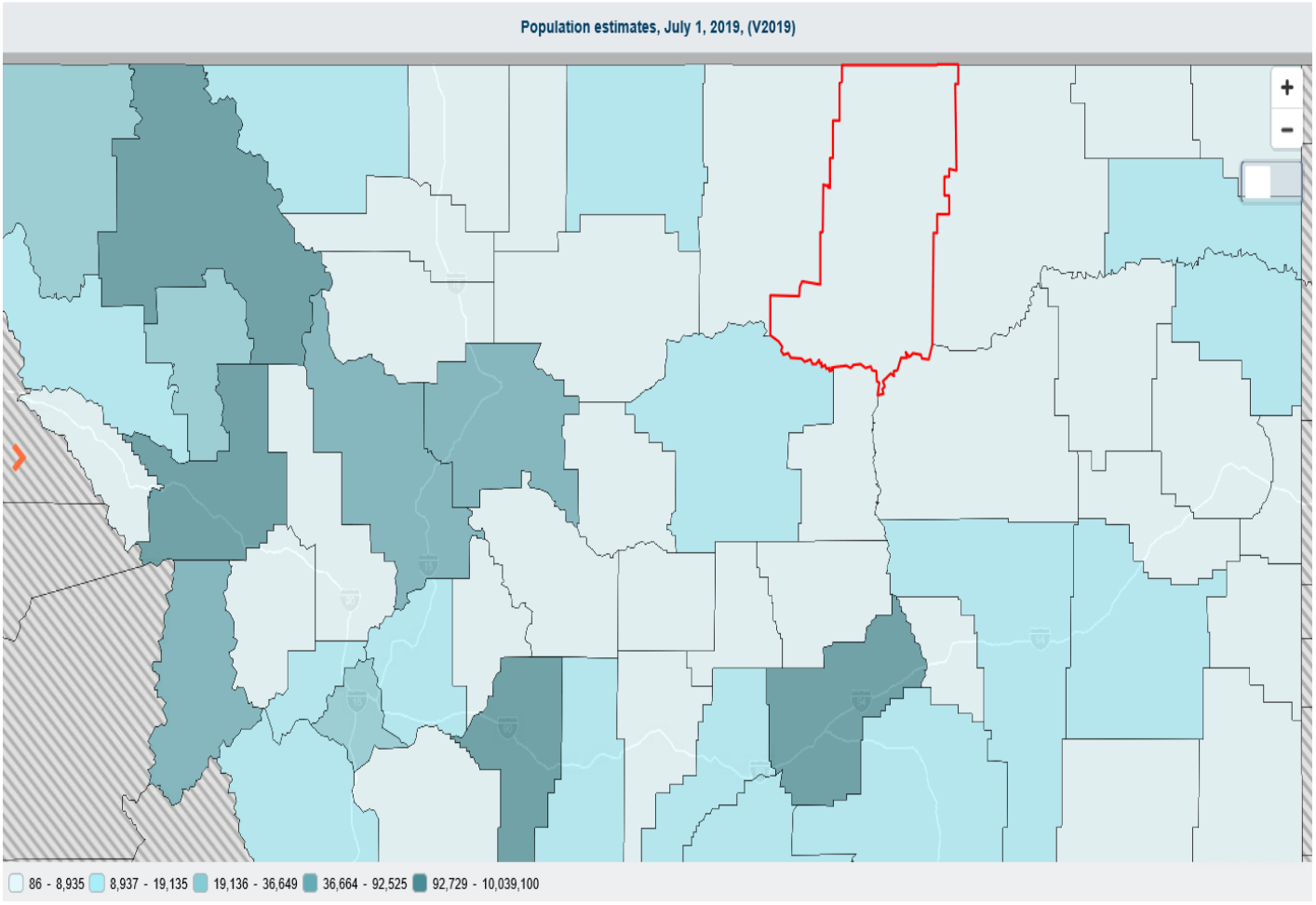
TRANSIT ADDITION to MALTA, MONTANA

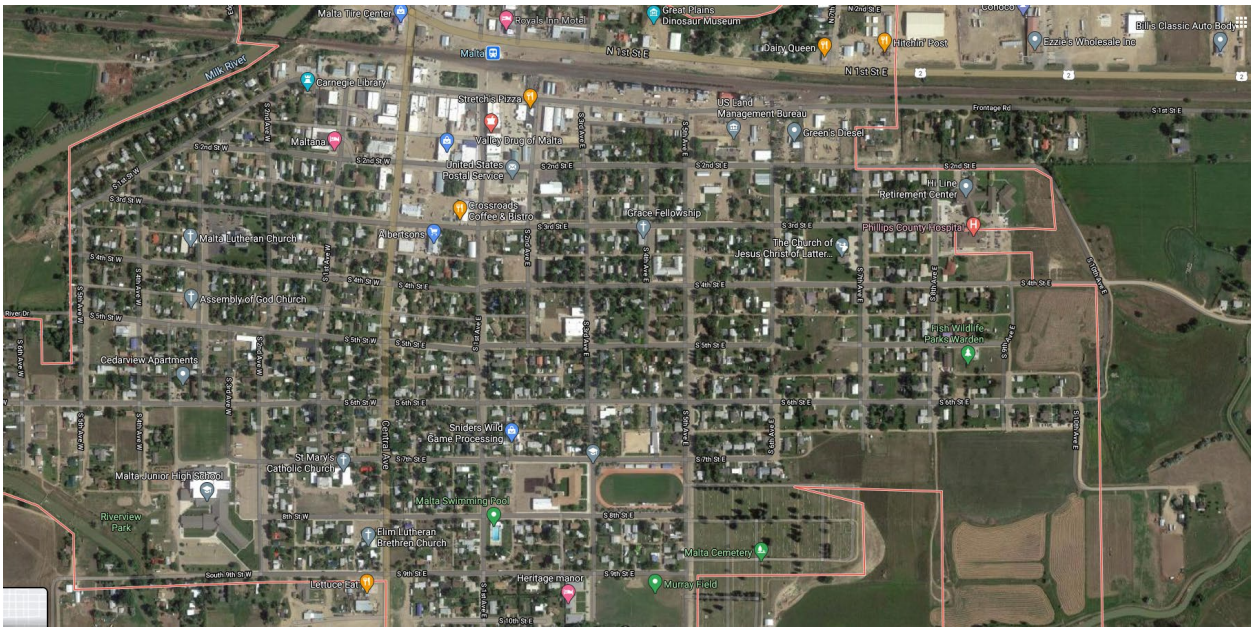
PHILLIPS COUNTY, MONTANA

Prepared For: Phillips County Hospital

SCALE:	DRAWN BY:	DATE:
100 Ft/In	M. Kaiser	8 November, 2019

Traverse PC


Population estimates, July 1, 2019, (V2019)
86 - 8,935
8,937 - 19,135
19,136 - 36,649
36,664 - 92,525
92,729 - 10,039,100


Malta Tire Center
Royal Inn Motel
Great Plains Dinosaur Museum
Milk River
Malta
N 1st St E
Dairy Queen
Hitchin' Post
Ellis Classic Auto Body
Ezzie's Wholesale Inc
Carnegie Library
Stretch's Pizza
US Land Management Bureau
Valley Drug of Malta
Malteno
Green's Diesel
United States Postal Service
Frontage Rd
Hi Line Retirement Center
Crossroads Coffee & Bistro
Grace Fellowship
Phillips County Hospital
Albertsons
Malta Lutheran Church
The Church of Jesus Christ of Latter...
Assembly of God Church
High Wildlife Ranger Warden
Cedarview Apartments
Sniders Wild Game Processing
St Mary's Catholic Church
Malta Junior High School
Malta Swimming Pool
Riverview Park
Elim Lutheran Brethren Church
Malta Cemetery
Lettuce Eat
Heritage manor
Murray Field



Alternatives Equity Analysis and Cumulative Impacts

While location, size, price, and other criteria were used to select the candidate sites, MDT analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin. MDT looked at U.S. Census Tract Block Groups 1 and 2 of the existing site compared to demographics for the City of Malta as a whole. Malta has such a small service area that wherever they build a site, assuming it is not 20 miles away or something like that, the comparison to the demographic data will be identical.

Table 2: Demographic Data

	Malta Phillips County Transit Authority 311 E. 8th Ave. East Malta MT, 59538 Block Group 2, Census Tract 602, Phillips County, Montana Block Group 1, Census Tract 602, Phillips County, Montana	
Total Population		2140
White		1881
Non-White		259
Non-White %		12%
Population under Poverty Line		498
Percentage under Poverty Line		8.2%
Median Income (Households)		$42,110.00 weighted median for combined block groups
LEP %	0%	0%

Source: Data from U.S. Census 2012-2016 American Community Survey 5 Year Estimates

Conclusions

The location identified and evaluated for consideration for a new Phillips County Transit Authority Bus barn, Operations, and Maintenance Facility was selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate (non-white), and LEP rate for the site showed no adverse impacts. This site is in a block group with lower averages than the City of Malta for minority, low-income and LEP populations.

Title VI Equity Analysis

Facility Site Selection

Lake County: Ronan, MT

February 17, 2021

Background and Project Description

They currently rent a 450 square foot office space with limited, outdoor parking for our transit vehicles. They started looking for land in Lake County, specifically in Ronan because Pablo is home to CSKT Transit, and we already contract with Polson Senior Center's Transportation. Ronan is a great place to have our headquarters because it is centrally located in Lake County (1 hour to Kalispell to the North and 1 hour to Missoula in the South) and there are no other transportation opportunities here for community members. They are trying to build a new facility here in Ronan for the Lake County Council on Aging.

We are applying for a grant through MDT to buy land and build a facility.... I would really like to keep the facility in Ronan but am having a hard time finding land to build on. Since you are so well connected in the community I was wondering if you had any ideas. I have approached Steve Todd about the land behind the senior center and am waiting to hear back from him. I also am checking on the land by Ronan Dental. The lot would need to be big enough to build a 8-10 bay shop for our vehicles, room for our offices and conference room, and a decent sized parking area.

Public Involvement

They have reached out to the following community meetings to get feedback: The Ronan Community Round Table, Ronan Chamber of Commerce, the Lake County Transportation Advisory Committee, The Area VI Agency on Aging Board, The Lake County Commissioners, and the Confederated Salish and Kootenai Tribe's Residential and Self Sufficiency Opportunities Meeting. All the feedback we received was incredibly positive and they feel they have truly gotten a sense of what the community wants and that they are fully supporting them. They have reached out to different members in the community to provide insight.

Study Purpose

There is not really anything for sale in the way of commercial land or buildings with space for vehicles in Ronan, so they have been having to approach landowners directly.

Title VI Compliance

Lake County Council on Aging is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

Montana Department of Transportation’s Office of Civil Rights is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

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- Compare impacts of various siting alternatives.
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

If disparate impacts are identified, the least discriminatory alternative must be implemented.

Site Selection Process

There was no land or buildings that could be adapted listed for sale on the market when we started looking. They reached out to community meetings and to the City Planner in Ronan to see if they had any ideas. They found land for sale on Round Butte Road and off of Hwy 93. We inquired with the owners if they would be willing to sell, which they were. Their asking price ended up being over double what the fair market value of the property is, so those two pieces of land did not work. Next, they reached out to St. Luke’s Hospital which owns a lot next to their current location. They at this time are not willing to sell or let them build on the land because they are trying to expand their facilities to be able to have more specialized doctors come to St. Luke and offer

services. They also found a piece of land next to Ronan Dental that at this time they are not willing to part with or donate.

They finally found a piece of land that was not for sale across from Town Pump on Hwy 93. They were able to contact the landowner and because they are a non-profit community organization, he was willing to sell to them.

Community Outreach

They have reached out to the following community meetings to get feedback: The Ronan Community Round Table, Ronan Chamber of Commerce, the Lake County Transportation Advisory Committee, The Area VI Agency on Aging Board, The Lake County Commissioners, and the Confederated Salish and Kootenai Tribe's Residential and Self Sufficiency Opportunities Meeting. All the feedback they received was incredibly positive and they feel they have truly gotten a sense of what the community wants and that they are fully supporting them.

Benefits and Burdens Analysis

Benefits: The land has plenty of room to build on so all vehicles will have a locked, covered area so that they are safe and out of the weather. The lot has excellent visibility which will increase awareness of our services. It also is close to one of the stop lights in Ronan and is across the street from a gas station. The land is cleared already so they can start building right away. No streets will be shut off at any time due to construction. The vibration/noise will be minimal as there is no blasting, pile driving. Just basic concrete foundation and pre-fab metal and/or wood construction.

Burdens: I do not see any burdens for this location.

Table 1: Benefits & Burdens

Site	Benefits/Positive Impacts	Burdens/Adverse Impacts
Lake County (Ronan) Hwy 93, Ronan	The location of the land where the structure will be built. Visibility to the community will increase the awareness of their service.	I do not see any burdens associated with this site.
Existing Structure at Lake County Senior Center. 528 Main St SW Ronan, MT	Existing Structure office space only.	They have no shelter for their Vehicles. Must Park outside and deal with the weather year-round.

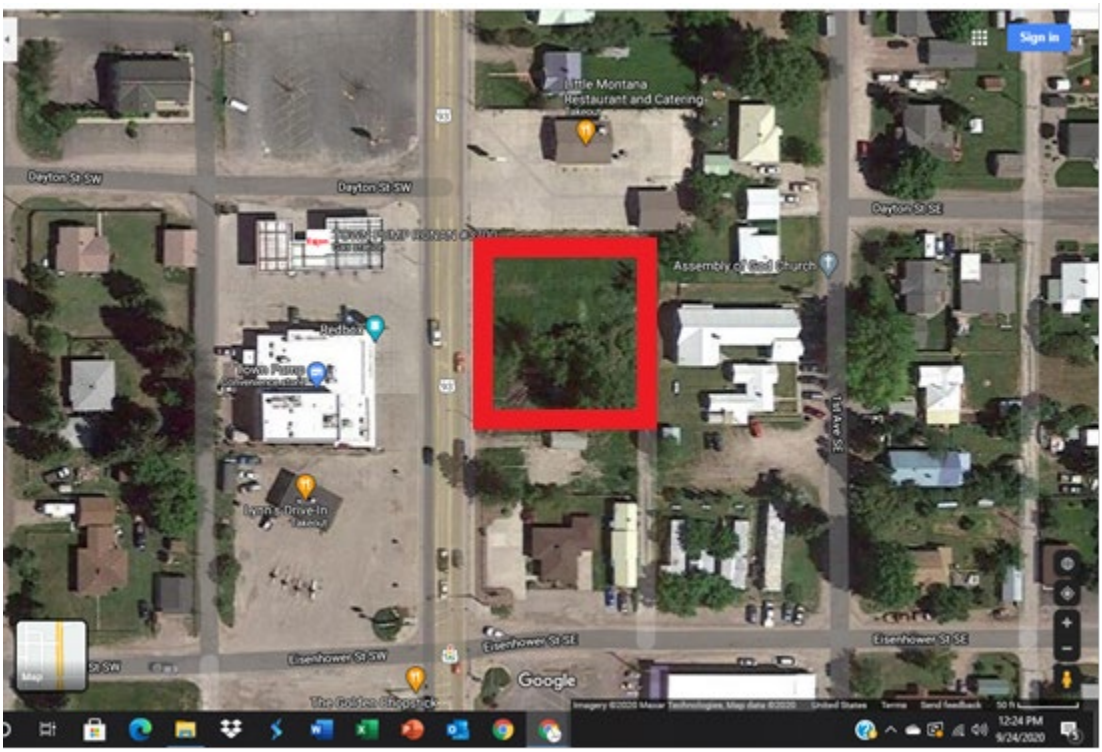
Site Location Maps

Lake County

mile post 46.7 US Highway 93

Section 01, T20N, R20W, Ronan, Lake County, MT

Hwy 93, Ronan, MT 59864.





Lake County, Montana's estimated population is **30,934** with a growth rate of 0.78% in the past year according to the most recent United States census data.

Alternatives Equity Analysis and Cumulative Impacts

While location, size, price, and other criteria were used to select the candidate sites, MDT analyzed demographics to ensure the site selection would have no disparate impact due to race, color, or national origin., MDT looked at U.S. Census Tract Block Groups 1 and 2 of the existing sites compared to demographics for the City of Ronan as a whole. Ronan has such a small service area that wherever they build a site, assuming it is not 20 miles away or something like that, the comparison to the demographic data will be identical.

Table 2: Demographic Data

	Ronan Lake Community Transit Hwy 93 Ronan, MT 59864 Block Group2, Census Tract 9403.01 Lake County, Montana	(Tract A, Amended Lots 19 and 20, Lots 17 and 18, Block C lots 15-16.)
Total Population		1871
White		1147
Non-White		724
Non-White %		38.7%
Population under Poverty Line		498
Percentage under Poverty Line		24.1%
Median Income (Households)		$32,986 weighted median for all races
LEP %	0%	0%

Source: Data from U.S. Census 2015-201 American Community Survey 5 Year Estimates

Conclusions

The location identified and evaluated for consideration for a new Lake County Council on Aging Bus barn, Operations, and Maintenance Facility was selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate (non-white), and LEP rate for the site showed no adverse impacts. This site is in a block group with lower averages than the City of Ronan for minority, low-income and LEP populations.