



# Office of Business Opportunity and Equity Compliance

## Title VI

### Report of Findings

November 12, 2024

#### I. Purpose of the review

To determine how well the Brown County Planning Commission/Green Bay MPO's policies and procedures follow Title VI/Nondiscrimination requirements to involve Title VI and LEP populations in decision-making processes.

#### II. Scope of review

The review will examine public involvement/outreach policies and procedures, language needs assessments, demographics of advisory committees, public meeting attendance, demographic maps, and dissemination of information procedures from FFY 2021 to FFY 2023.

#### III. Expected Results

Completed report with recommendations and best practices included as warranted. The report and its recommendations will be shared with the Brown County Planning Commission/Green Bay MPO that will lead to ongoing improvements in the agency's decision-making processes.

#### IV. Team Members

Team Members	Agency	Title
Tondra Davis	WisDOT/OBOEC	Director
Taqwanya Smith	WisDOT/OBOEC	Title VI Program Coordinator
Cole Runge	Green Bay MPO	Planning Director/MPO Director
Lisa Conard	Green Bay MPO	Principal Planner

#### V. Background

Brown County Planning Commission/Green Bay MPO (Green Bay MPO) is the federally designated Metropolitan Planning Organization for the Green Bay Urbanized Area. The Green Bay Urbanized Area covers approximately 222 square miles and includes the following communities: Cities of De Pere and Green Bay; Villages of Allouez, Ashwaubenon, Bellevue, Hobart, and Howard; and partial communities of Village of Suamico and Towns of Glenmore, Green Bay, Humboldt, Lawrence, Ledgeview, Little Suamico, Pittsfield, Rockland, and Scott. The population of the Green Bay Urbanized Area is 240,315. Green Bay MPO is housed within the Brown County Planning Commission. Green Bay MPO has a staff of four which includes the Planning Director/MPO Director, Principal Planner, and two Senior Planners. One entry-level Planner 1 position is currently vacant.

**VI. Review Areas**

**A. Title VI**

1. Regulation - 49 CFR § 21.7(a)(1)

Every application for Federal financial assistance to which this part applies, except an application to which paragraph (b) of this section applies, and every application for Federal financial assistance to provide a facility shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the application, contain or be accompanied by, an *assurance* that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this part. *Every award of Federal financial assistance shall require the submission of such an assurance.*

2. Regulation - 23 CFR § 200.9(b)(7)

Conduct Title VI reviews of cities, counties, consultant contractors, suppliers, universities, colleges, *planning agencies*, and other recipients of Federal-aid highway funds.

3. Data Collection and Analysis

<b>Requirement</b>	<b>Action</b>	<b>Where</b>	<b>Commendation/ Recommendation</b>
Signed Standard DOT Title VI Assurances by MPO Director	Assurances were signed by the MPO Director for FFY 2021, 2022, and 2023.	Website	Commendable.
Signed Title VI Subrecipient Implementation Plan Agreement by MPO Director	Agreement was signed by the MPO Director for FFY 2021, 2022, and 2023.	Website	Commendable.
Notice of Nondiscrimination to the public	Notice of Nondiscrimination provided on website, at MPO office, and in the Title VI/LEP Plan.	Website and office	Commendable.
Title VI complaint form, policy, and procedure	Complaint/comment form, procedure, and log provided on website. Complaint/comment form, instructions, and procedures are also provided in the Title VI/LEP Plan.	Website and MPO Office at the front desk	Commendable.
Title VI complaint log	Maintains a Title VI complaint log.	MPO files	Commendable.

No Title VI complaints, investigations or lawsuits were received by Green Bay MPO within the past 5 years. Green Bay MPO underwent a U.S. DOT FHWA and FTA Federal Certification Review in 2022. The review certified the planning process. The next review is scheduled for 2026.

**B. Limited English Proficiency (LEP)**

1. Regulation - 23 CFR § 200.9(b)(12)

Develop Title VI information for dissemination to the general public and, where appropriate, *in languages other than English*.

2. Data Collection and Analysis

<b>Requirement</b>	<b>Action</b>	<b>Commendation/ Recommendation</b>
Four-factor analysis	Conducted a four-factor analysis in 2021.	Commendable.
Language Access Plan	Developed a Title VI/Nondiscrimination Program and LEP Plan in 2023.	Commendable.
Method(s) used to provide language translation	Has had no requests for translated documents. Proactively provided translated documents. Translated various documents and materials into other languages even when not requested.	Commendable.
Method(s) used to provide language interpretation	Has had no requests for interpreters at meetings. If the MPO is aware of the need for an interpreter at project meetings, an interpreter will be provided as resources allow.	Commendable.
Use or planned use of bilingual employees	Has bilingual employees. One Senior Planner is bilingual in English and Hmong. Another staff person is bilingual in English and Spanish.	Commendable.
Information disseminated in languages other than English	Nondiscrimination Notice provided on website in English, Hmong, Spanish, and Somali. Notice is also in the MPO brochure and printed in four languages. Complaint/comment form on website provided in English, Hmong, Spanish, and Somali. Taglines provided in English, Hmong, and Spanish. "Your Right to an Interpreter" form provided on website. "I Speak" cards available at MPO office. Documents translated by Google Translate are reviewed for accuracy.	Commendable.

Green Bay MPO conducted a four-factor analysis, using the American Community Survey, in 2021. The LEP population is 4.2% with the majority being Spanish-speaking individuals. The LEP population consists of:

- Spanish – 2.5%
- Asian and Pacific Island languages – 0.9%
- Other Indo-European languages – 0.7%
- Other languages – 0.1%

The Safe Harbor LEP threshold of 5% or 1,000 individuals, whichever is less, has been met in Brown County for persons who speak Spanish. Green Bay MPO will also consider Hmong to meet the "safe harbor" threshold as specific data regarding ability to speak English less than "very well" is not available. The Community Service Agency (COMSA), an organization that serves refugees, identified that 4,500 Somali lived in Brown County in November 2022. Of the 4,500 Somali about half speaks less than "very well" English. Therefore, Green Bay MPO will consider Somali to meet the "safe harbor" threshold. Safe Harbor requires that written translations of vital documents be made available and that Green Bay MPO will provide such in Spanish, Hmong and Somali upon request at no charge to the public.

Green Bay MPO has a dedicated staff member to conduct outreach and education activities throughout the Metropolitan Planning Area communities. The Outreach and Education Coordinator has given presentations about Green Bay MPO's programs to community organizations that serve the various LEP populations. The Outreach and Education Coordinator has participated and interacted with various LEP individuals by attending events held by these organizations. Some of the events include Asian-American and Pacific Island (AAPI) Celebration, Juneteenth Celebration, and Festival Estamos Aqui. Green Bay MPO states that staff will continue all possible outreach efforts to the various LEP populations. "I Speak" cards that allow non-English speakers to select from 34 languages and provide contact information to receive translator services are available at the MPO Office.

Green Bay MPO provides LEP training to staff including: self-guided training and resources available at *LEP.gov*; staff will be made aware of the Title VI Policy and LEP Plan and its provisions; staff will be knowledgeable on language assistance services offered to the public; staff will be knowledgeable on how to process a Title VI/LEP complaint; and all contractors or subcontractors performing work for the Green Bay MPO will be required to follow the Title VI/LEP Plan.

Green Bay MPO provides LEP notices to the public including: a legal notice published twice in the local newspaper; publication of the LEP Plan on the MPO website; publication of the LEP Plan made available at the MPO Office; and a public review period of not less than 45 days.

**C. Public Involvement and Outreach**

1. Regulation - 49 CFR § 21.9(b)

In general, recipients should have available for the Secretary *racial and ethnic data* showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance.

2. Regulation - 23 CFR § 200.9(b)(4)

Develop procedures for the collection of statistical data (*race, color, religion, sex, and national origin*) of participants in, and beneficiaries of State highway programs, i.e., *relocatees, impacted citizens and affected communities*.

3. Data Collection and Analysis

Requirement	Action	Commendation/ Recommendation
Public Involvement or Participation Plan	Public Participation Plan updated in 2024.	Commendable.
Identify population eligible to be served	Identified population eligible to be served by race and ethnicity using the 2020 Census. Identified LEP population eligible to be served using the 2021 American Community Survey.	Commendable.
Collection of demographic data of public involvement participants	Collected on a project-by-project basis, i.e. where an online survey and/or mapping survey are used. Participants can self-identify and provide information if they want to be contacted.	Commendable.
Demographic maps used in decision-making	Uses the demographic analysis in the Title VI/LEP Plan to identify areas of minority and low-income populations. Analyzes minority and low-income populations by Census block or American Community Survey block group to determine if transportation projects will adversely affect those populations.	Commendable.
Information disseminated to the public.	Outreach and Education Coordinator. Public participation outreach list.	Commendable.
Outreach to Title VI and LEP populations	Works proactively with agencies that advocate for minority and low-income populations. Conducts informal interviews. Establishes and staffs information/outreach stations during special events, festivals, and other activities. One-on-One meetings with community leaders and advocacy groups.	Commendable.
Advisory Committee membership lists	Minority membership: MPO Policy Board-0/28; Technical Advisory Committee-2/16; and Transportation Coordinating Committee-2/20.	Commendable.

The Green Bay MPO Public Participation Plan (PPP) is a document that summarizes methods used to involve the public in the development of planning documents, studies, and other products that address the area's transportation system. The PPP is reviewed annually to determine if revisions are necessary. The PPP is formally updated as needed or every 4 years.

Green Bay MPO has a dedicated staff member to conduct outreach and education activities throughout the Metropolitan Planning Area communities. The Outreach and Education Coordinator conducts outreach and engagement efforts to minority and low-income populations, LEP populations, seniors, and individual with disabilities in the Metropolitan Planning Area communities. The Outreach and Education Coordinator has attended different community and cultural events held by various minority groups that represent the communities in the Metropolitan Planning Area. In addition, the Outreach and Education Coordinator has given presentations and participated on a variety of panels to discuss transportation planning and issues to different interest groups. The Outreach and Education Coordinator also has had conversations with various individuals and agencies on transportation needs and how transportation services can be improved for users. The Outreach and Education Coordinator meets one-on-one with community leaders and advocacy groups that represent minority populations in the community, participates on panels to discuss transportation topics that target specific audiences, and attends meetings and events hosted by Environmental Justice, Title VI, and other traditionally underserved groups.

Green Bay MPO has a Public Participation Outreach List with over 200 email contacts. The list includes residents, interest groups, federal agencies, state agencies, local agencies, housing agencies, elected officials, and others. Green Bay MPO also has an Identification of Stakeholders List which includes residents, minority and LEP populations, low-income populations, seniors and individuals with disabilities, federal and state agencies, local units of government, environmental resource agencies, Oneida Nation of Wisconsin, public and private transportation providers, private organizations and businesses, port, rail, airport, bicyclists, pedestrians, and other interested parties.

## VII. **Summary**

The review of the Brown County Planning Commission/Green Bay MPO found many commendable practices and procedures. Commendable practices and procedures under Title VI include: Title VI Assurances signed by the Planning Director/MPO Director; Title VI Non-Discrimination Program and Limited English Proficiency Plan; Notice of Nondiscrimination to the public; and a Title VI complaint/comment form, instructions, and procedures.

Commendable practices and procedures under LEP include: a four-factor analysis; Title VI Non-Discrimination Program and Limited English Proficiency Plan; LEP training for front-line staff; and translation of the Nondiscrimination statement, complaint/comment form, and taglines into different languages.

Commendable practices and procedures under Public Involvement and Outreach include: a Public Participation Plan; use of the U.S. Census and American Community Survey to identify the populations eligible to be served; demographic analysis of minority and low-income populations; and minority membership on advisory committees.

The review also found that as a best practice, Brown County Planning Commission/Green Bay MPO created the Outreach and Education Coordinator position several years ago to provide outreach to traditionally underrepresented populations. This outreach and engagement with traditionally underrepresented populations has been beneficial and informative to the planning process.