2020–2023
Title VI Program

November 21, 2019

Merced County Association of Governments
369 W. 18th Street
Merced, CA 95340
(209) 723-3153
www.mcagov.org
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OVERVIEW

Background

Merced County Association of Governments (MCAG) is the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for Merced County. MCAG is a regional planning organization that addresses multi-jurisdictional issues such as transportation, solid waste, and housing. MCAG member agencies consist of the County and the Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, and Merced. MCAG has an eleven-member governing board, which is comprised of five county supervisors and one representative from each of the six city councils.

There are two transit entities working out of the MCAG office. These transit entities are the Transit Joint Powers Authority for Merced County (TJPAMC) and the Yosemite Area Regional Transportation System (YARTS). Each transit entity has its own Title VI Plan.

- TJPAMC operates “The Bus” transit system for Merced County, and its governing board is made up of the same members as the MCAG Board. MCAG works closely with TJPAMC in regard to transit planning and implementation.

- YARTS operates the intercity transit system for the Counties of Merced, Mariposa, Mono, Fresno, and Tuolumne. MCAG provides management, administrative, and accounting support to YARTS.

Annually, MCAG is the subrecipient of Caltrans for FTA 5303 Metropolitan Planning funding. TJPAMC and YARTS are designated recipients of other Federal Transit Administration (FTA) funds.

Federal Title VI Requirement

In accordance with Federal law, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities. Title VI of the Civil Rights Act of 1964 (Title VI) state:

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

As a MPO and a recipient of FTA funding, MCAG is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012, the following report describes how MCAG’s activities, programs, and policies adhere to the provisions established in Title VI.

Federal Financial Assistance

The following table identifies the Federal Transit Administration (FTA) funds, of which MCAG is the designated recipient.

<table>
<thead>
<tr>
<th>Grant Number</th>
<th>Grant Program</th>
<th>Project Description</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FTA 5303</td>
<td>Metropolitan Planning</td>
<td>MPO Planning</td>
<td>$84,135</td>
</tr>
</tbody>
</table>
General Requirements and Guidelines

1. MCAG will annually submit Title VI program certifications and assurances to the Federal Transit Administration.

2. MCAG has developed procedures for investigating and tracking Title VI complaints filed against MCAG and will make procedures for filing a complaint available to members of the public upon request.

3. MCAG will maintain a list of any active investigations conducted by FTA and non-FTA entities, lawsuits, or complaints naming MCAG that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint; a summary of the allegations(s); the status of the investigation, lawsuit, or complaint; and actions taken by MCAG in response to the investigation, lawsuit, or complaint.

4. MCAG will ensure individuals who are Limited English Proficient (LEP) have meaningful access to MCAG programs and activities. Interpreting services are available for individuals, who are LEP. Brochures will be available in Spanish.

5. MCAG operates programs without regard to race, color, and national origin. The Title VI statement policy documents procedures that the public should follow in order to request additional information on MCAG’s nondiscrimination obligations as well as procedures to file a discrimination complaint against MCAG.

6. If requested, MCAG will provide information other than that required of FTA C 4701.1B in writing to investigate complaints of discrimination or to resolve concerns about possible non-compliance with Title VI.

7. MCAG will update its Title VI program every three years and submit update to the Federal Transit Administration.
STATEMENT POLICY

Merced County Association of Governments (MCAG), a federal grant subrecipient, is required by the Federal Transit Administration (FTA) to comply with Title VI of the Civil Rights Act of 1964 and its amendments to the end that no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. In addition, the agency ensures that no person in the following protected classes: creed, religion, gender identity, sexual orientation, age, disability, marital or veteran status, are excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program of activity receiving federal financial assistance.

Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with Limited English proficiency. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

The purpose of this document is to establish a framework for efforts MCAG will take to ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964 and aforementioned Presidential Executive Orders. MCAG is committed to enforcing these provisions and protecting the rights and opportunities of all persons associated with MCAG or who are affected by its programs.

MCAG’s commitment includes vigorously enforcing all applicable laws and regulations that affect MCAG and those organizations, both public and private, which participate and benefit from MCAG’s programs. The agency will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in MCAG’s programs are given an equal and equitable chance to participate.

MCAG’s subrecipients and contractors (if any) are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services.

MCAG is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act. Any person or firm, who feels that they have been discriminated against or would like more information, is encouraged to contact the MCAG or Federal Transit Administration (FTA):

MCAG
Attn: Kristina Meraz
Human Resources and Risk Management Manager
369 West 18th Street
Merced, CA 95340
(209) 723-3153; Fax (209) 722-0322

FTA Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave, SE
Washington, DC 20590
GENERAL REPORTING REQUIREMENTS

Title VI Notice to the Public

The Merced County Association of Governments (MCAG) is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, or national origin may file a Title VI complaint with MCAG within 180 days from the date of the alleged discrimination.

For more information about MCAG’s Title VI program, including where to find complaint forms and procedures to file a complaint, visit www.mcagov.org/TitleVI. Questions, concerns, complaints, requests for reasonable accommodations, or other inquiries from the public with regard to the accessibility of services or facilities for MCAG shall be directed to Kristina Meraz, Kristina.Meraz@mcagov.org, 369 West 18th Street, Merced, CA 95340, (209) 723-3153.

Locations where Public Notice is Posted

- MCAG website: www.mcagov.org/TitleVI
- MCAG Administrative office - front reception area
  - 369 W. 18th Street Merced, CA 95340
- MCAG Administrative office - Front conference room
  - 369 W. 18th Street Merced, CA 95340
- Transit Joint Powers Authority reception area
  - 1810 K Street Merced, CA 95340

Corresponding pictures of the locations of these postings as well a screenshot of the MCAG website can be found in Appendix B.

Monitoring Subrecipients

Chapter III, Section 12 of the Circular requires primary recipients to monitor their subrecipients for compliance with the US DOT Title VI regulations. MCAG is the subrecipient of Caltrans for FTA 5303 Metropolitan Planning funding, and there are no subrecipients.

Title VI Complaint Procedures

This document outlines the Title VI complaint procedures related to providing programs, services, and benefits. It does not deny the complainant the right to file formal complaints with the California Department of Transportation, the Secretary of the US Department of Transportation, Equal Employment Opportunity Commission (EEOC), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 requires that no person in the United States shall, on the grounds of race, color or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
1. Title VI complaint forms may be downloaded from www.mcagov.org/TitleVI or requested from the MCAG Administration. The complainant may also submit a written statement that contains all of the following information:

   a. Name, address, and telephone number of the complainant.
   b. The basis of the complaint (race, color, national origin).
   c. The date or dates on which the alleged discriminatory event or events occurred.
   d. The nature of the incident that led the complainant to feel discrimination was a factor.
   e. Names, addresses and telephone numbers of persons who may have knowledge of the event.
   f. Other agencies or courts where complaint may have been filed and a contact name.
   g. Complainant’s signature and date.

2. If the complainant is unable to write a complaint, MCAG staff will assist the complainant, if requested by complainant.

3. Complainants have the right to complain directly to the appropriate federal agency. Complaints must be filed within one-hundred eighty (180) calendar days of the last alleged incident.

4. MCAG will begin an investigation within fifteen (15) working days of receipt of a complaint.

5. MCAG will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If the complainant fails to provide the requested information in a timely basis, MCAG may administratively close the complaint.

6. MCAG will complete the investigation within ninety (90) days of receipt of the complaint. If additional time is needed for investigation, complainant will be contacted. A written investigation report will be prepared by the investigator. This report shall include a summary description of the incident, findings and recommended corrective action.

7. A closing letter will be provided to the complainant and the respondent or respondent department. Parties will have five (5) working days from receipt of the closing letter to appeal. If neither party appeals, the complaint will be closed.

8. If required, the investigation report will be forwarded to the appropriate federal agency.

Complaints may be mailed, faxed or emailed to the address below:

MCAG
Attn: Kristina Meraz, Human Resources and Risk Management Manager
369 West 18th Street Merced, CA 95340
(209) 723-3153
Fax (209) 723-0322
Kristina.Meraz@mcagov.org

Appendix C includes both the English and Spanish version of the Title VI Complaint Procedures.
Title VI Complaint Form: English

**Section I:**

<table>
<thead>
<tr>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Telephone (Home):</td>
</tr>
<tr>
<td>Electronic Mail Address:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accessible Format Requirements?</th>
<th>Large Print</th>
<th>Audio Tape</th>
</tr>
</thead>
<tbody>
<tr>
<td>TDD</td>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

**Section II:**

| Are you filing this complaint on your own behalf? | Yes* | No |

*If you answered "yes" to this question, go to Section III.

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | Yes | No |

**Section III:**

<table>
<thead>
<tr>
<th>I believe the discrimination I experienced was based on (check all that apply):</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Race</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Alleged Discrimination (Month, Day, Year):</th>
</tr>
</thead>
</table>

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

________________________________________________________________________

________________________________________________________________________

**Section IV**

| Have you previously filed a Title VI complaint with this agency? | Yes | No |

**Section V**

<table>
<thead>
<tr>
<th>Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Yes</td>
</tr>
</tbody>
</table>
If yes, check all that apply:

[ ] Federal Agency: ________________________  [ ] Federal Court ________________________
[ ] State Agency ________________________  [ ] State Court ________________________
[ ] Local Agency ________________________

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

______________________________________           ___________________
Signature                                                                                    Date

Please submit this form in person, or mail this form to the address below:

MCAG Federal Transit Administration
ATTN: Kristina Meraz Office of Civil Rights
369 W. 18th St. Merced, CA  95340 1200 New Jersey Avenue SE
(209) 723-3153 Fax (209) 723-0322 Washington, DC 20590
Kristina.Meraz@mcagov.org

Appendix C includes both the English and Spanish version of the Title VI Complaint Form, procedures for how to file a complaint, and photos of where the public notice is posted.

**Investigations, Lawsuits, and Complaints**

MCAG has neither been involved in any civil rights compliance review activities nor has received any Title VI complaints in the past three years. Furthermore, MCAG has not been named in any lawsuit or compliance issue alleging discrimination on the basis of race, color, or national origin.
PUBLIC PARTICIPATION PLAN (PPP)

Introduction

As a Metropolitan Planning Organization (MPO), the Merced County Association of Governments (MCAG) addresses issues of mutual concern to the county and the cities in the Merced County region and satisfies federal and state transportation planning and programming mandates. MCAG provides a forum for planning, discussion, and study of area-wide issues, prepares and adopts regional plans and programs, serves as the regional agency for federal and state transportation programs and funding opportunities and addresses other area-wide issues based on the desires of the member jurisdictions. MCAG represents its member agencies as planner, programmer, and broker in developing an efficient and effective intermodal transportation system that provides for the mobility needs of people, goods, and services while protecting the environment.

MCAG and its member agencies are responsible for determining policy, adopting plans and programs, and awarding funds to implement these plans. This procedural document is intended to give the MCAG Governing Board and member agency staff guidance for public involvement and interagency consultation in the regional planning process. It contains procedures and strategies MCAG uses to initiate, seek and foster greater public involvement in all the agency’s transportation planning activities. MCAG’s documented participation plan defines a process for providing reasonable opportunities to be involved in the regional and metropolitan planning processes. The complete PPP can be found in Appendix D.

Purpose of the Public Participation Plan

MCAG developed this Public Participation Plan (PPP) as a guide to meeting the MPO requirements for early coordination, public involvement and project development. The PPP is intended to provide direction for public participation activities conducted by MCAG and contains the requirements, procedures, strategies and techniques used by MCAG to communicate with the public and appropriate affected agencies. This plan defines a process that outlines roles, responsibilities and key decision points for consulting with affected public agencies and other interested parties, and providing reasonable opportunities to be involved in the metropolitan transportation planning process.

MCAG’s Commitment to Public Participation

Commitment 1: Early Engagement

- Provide adequate public notice of public participation activities and opportunities, and time for public review and comment at key decision points, including but not limited to, a reasonable opportunity to comment on the proposed Regional Transportation Plan (RTP), Sustainable Communities Strategy (SCS) and the Federal Transportation Improvement Program (FTIP);
- Provide timely notice and reasonable access to information about MCAG’s issues and processes.

Commitment 2: Access to All

- Employ visualization techniques to describe the RTP and FTIP;
- Make public information (technical information and meeting notices) available in electronically accessible formats and means, such as the internet;
- Hold public meetings at convenient and accessible locations and times;
- Consider the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and
other services;

- No individual shall, on the basis or grounds of disability, race, age or sex, be excluded from participation in or be denied the benefits of services, programs, or activities, or be subjected to discrimination by MCAG.

Commitment 3: Response to Public Comment

- Demonstrate explicit consideration and response to public input received during the development of the RTP and FTIP;
- Forward all formal public comments to the MCAG Governing Board or appropriate committee for consideration during decision making.

Commitment 4: Open Communication

- Provide additional opportunity for public comment, if the final RTP or FTIP differs significantly from the version that was made available for public comment by MCAG and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;
- Coordinate with statewide transportation planning public involvement and consultation processes.

Commitment 5: Review

- Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process.

Public Participation Plan (PPP) Development

While updating the Public Participation Plan in compliance with federal and state legislation, MCAG embarked upon an evaluation of our current public engagement practices by requesting input and consultation on how to best engage the public in the transportation planning process. MCAG solicited input through regular standing committee meeting agendas (Citizens Advisory Committee, Technical Planning Committee, Technical Review Board and the Governing Board), as well as through a public hearing, and a 45-day public review and comment period for the draft plan. The updated PPP was adopted on September 22, 2016.

Public Participation Policies

The following requirements will apply as deemed appropriate by the MCAG management staff and the MCAG Board Chair:

1. No person shall be denied participation;
2. As required, a public notice will be placed in the legal advertising sections of at least one newspaper of general circulation within the affected community, including a Spanish-language publication;
3. MCAG shall provide appropriate assistance, auxiliary aids, a translator/interpreter for non-English speaking and hearing-impaired individuals and/or services when necessary if requested 3 working days in advance of the meeting. If MCAG is unable to accommodate a services request for a public hearing, then the hearing will be continued a specified date when accommodations are available;
4. MCAG meeting agendas and minutes are made available on the MCAG website [www.mcagov.org/agendacenter](http://www.mcagov.org/agendacenter), and are posted at meeting locations at least 72 hours before regular meetings of advisory or standing committees, or 24 hours before special meetings;

>Note: The Brown Act (CA Government Code 549541.1) also states that any person may request a copy of the agenda or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. That request is valid for the calendar year in which it is filed and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which shall not exceed the cost of providing the service.

5. Public hearings will be held prior to a decision point as a formal means to gather citizen comments and positions from all interested parties for the public record. MCAG’s public outreach is required in many facets of state and federal transportation programs or planning documents. Notices for public hearings will be published in a general circulation newspaper. MCAG will accept comments from the public during the period between the notice and hearing date. These comments will be considered part of the public record. Also, during this period, MCAG will accept questions and provide clarification on issues raised by the public;

6. MCAG’s outreach media list included newspapers, radio and television broadcast media, ad appropriate business or government publications and contacts;

7. If major amendments are made to any plans or programs during the review and comment period, the plan(s) will be made available for an additional public review period of the same duration prior to final adoption;

8. For high-profile projects/plans, MCAG may form an ad hoc advisory committee specific to that particular plan or project, or determine what, if any, existing committees would appropriately review the plan or project.

Public Participation Plan Evaluation and Updates

MCAG’s Public Participation Plan is not a static document, but an on-going strategy that will be periodically reviewed and updated based on experiences and the changing circumstances of the agency and the transportation community it serves. This plan may be subject to occasional minor changes. Any major updates will include a review by MCAG’s formal committees and Governing Board, a public hearing and a 45-day public review and comment period.

Public Participation Strategies

MCAG uses several strategies to provide interested parties with reasonable opportunities be involved in the transportation planning process. Staff understands the importance of educating members of the public on MCAG’s mission and an overview of the issues/projects under consideration prior to involvement in planning activities.

Below is a list of participation strategies that serves as a menu for MCAG staff to use in the development of specific outreach strategies for each plan/program on a case-by-case basis. The following list is not exclusive, meaning additional strategies may be identified for specific projects or circumstances.

Public Workshops/Meetings

- Participate in or speak at meetings of existing agencies/community groups
- Co-host workshops with community groups, business associations, etc.
- Partner with community-based organizations in low-income and minority communities for targeted outreach
• Various format types:
  o Open houses
  o Facilitated discussions
  o Customized presentations

Visualization Techniques
• Maps
• Charts, graphics, illustrations, photographs
• Table-top displays and models
• Web content
• PowerPoint slide shows and/or videos

Polls/Surveys
• Electronic surveys
• Intercept interviews where people congregate, such as transit hubs
• Printed surveys distributed at meetings, community events, etc.

Focus Groups
• Recruit participants by interest area or area of expertise/field
• Recruit participants randomly/voluntarily through an open public recruitment process

Printed Material
• User-friendly documents, including use of executive summaries and simplified language
• Post cards/Flyers
• Maps, charts, photographs, and other visual means of displaying information
• Translated material into Spanish, or other languages as deemed appropriate

Targeted Distribution (Mail/Email)
• Work with community-based organization to deliver material to community members, businesses and schools
• Email to targeted contact lists – either MCAG’s, and outside agency’s or purchased
• Distribute flyers to key community organizations
• Place notices on monitors inside transit vehicles and at transit hubs

Local Media
• News releases and press advisories
• Submit human interest stories that center around MCAG projects
• Invite reporters to public hearings, etc
• Meet with editorial staff; Opinion pieces/commentaries
• Purchase display ads or radio spots
• Participate in or place speakers on radio/tv talk shows
• Public service announcements

Electronic Access to Information
• Keep website updated with current content and simplified layouts
• Audio/video of current and past public meetings/workshops
• Electronic duplication of open house/workshop material
• Online access to maps, charts, plans, etc
• Post event/meeting information on website calendars

Newsletters
• MCAG’s monthly electronic newsletter
• Submit articles for publication in community/corporate/online newsletters
Public Notification Tools
• Email blasts for e-newsletters, press releases
• Social media accounts
• Printed materials
• Electronic access to information
• Local media; Notices in local papers, on MCAG’s website and distributed through the media

Other Outreach Techniques
• Information/comment tables or booths at community events and public gathering places
• Form public review committee during plan development to review documents for readability

Outreach completed since last PPP document update

MCAG has conducted public outreach at a variety of events and public forums in the last three years since the Agency’s Title VI program was last updated. These are listed below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Outreach Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/21/17</td>
<td>Holiday Open House</td>
</tr>
<tr>
<td>06/06/18</td>
<td>Merced Fair</td>
</tr>
<tr>
<td>06/07/18</td>
<td>Merced Fair</td>
</tr>
<tr>
<td>06/08/18</td>
<td>Merced Fair</td>
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<td>Merced Fair</td>
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<tr>
<td>06/10/18</td>
<td>Merced Fair</td>
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<tr>
<td>10/04/18</td>
<td>Livingston Health Fair</td>
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<tr>
<td>11/20/18</td>
<td>Merced Realtors Association presentation</td>
</tr>
<tr>
<td>11/28/18</td>
<td>Merced Rotary presentation</td>
</tr>
<tr>
<td>11/30/18</td>
<td>League of Women Voters presentation</td>
</tr>
<tr>
<td>12/20/18</td>
<td>Holiday Open House</td>
</tr>
<tr>
<td>03/15/19</td>
<td>Leadership Merced presentation</td>
</tr>
<tr>
<td>03/16/19</td>
<td>Dibs-Vanpool A Looza</td>
</tr>
<tr>
<td>04/02/19</td>
<td>Measure V Annual Report Event</td>
</tr>
<tr>
<td>04/08/19</td>
<td>Atwater Realtors Association presentation</td>
</tr>
<tr>
<td>04/13/19</td>
<td>Week of the young child- Day at the Park</td>
</tr>
<tr>
<td>04/17/19</td>
<td>Los Banos Measure V Annual Report Event</td>
</tr>
<tr>
<td>04/17/19</td>
<td>Presentation to Los Banos City Council</td>
</tr>
<tr>
<td>05/06/19</td>
<td>Presentation to Merced City Council</td>
</tr>
<tr>
<td>05/21/19</td>
<td>Presentation to Gustine City Council</td>
</tr>
<tr>
<td>05/28/19</td>
<td>Presentation to Atwater City Council</td>
</tr>
<tr>
<td>06/04/19</td>
<td>Presentation to Livingston City Council</td>
</tr>
<tr>
<td>06/05/19</td>
<td>Merced County Fair</td>
</tr>
<tr>
<td>06/06/19</td>
<td>Merced County Fair</td>
</tr>
<tr>
<td>06/07/19</td>
<td>Merced County Fair</td>
</tr>
<tr>
<td>06/08/19</td>
<td>Merced County Fair</td>
</tr>
<tr>
<td>06/09/19</td>
<td>Merced County Fair</td>
</tr>
<tr>
<td>06/26/19</td>
<td>Presentation to Dos Palos City Council</td>
</tr>
</tbody>
</table>
LIMITED ENGLISH PROFICIENCY (LEP) PLAN

This Limited English Proficiency (LEP) Plan addresses MCAG’s responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

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

Plan Summary

MCAG has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access public information provided by MCAG. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, MCAG used the U.S. Department of Transportation (U.S. DOT) Four-Factor LEP analysis which considers the following:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MCAG program or activity.
2. The frequency with which LEP persons come in contact with MCAG’s programs or activities.
3. The nature and importance of programs or activities provided by MCAG to the LEP population.
4. The resources available to MCAG and overall cost to provide LEP assistance.
Summary of Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MCAG program or activity.

The American Community Survey (ACS) provides information at various levels on multiple topics. For the purposes of this Title VI program, our assessment utilized the population estimates provided in the County of Merced geographic boundaries.

<table>
<thead>
<tr>
<th>Race or Ethnicity</th>
<th>Merced County</th>
<th>California</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimate</td>
<td>Percent of Total</td>
</tr>
<tr>
<td>White</td>
<td>153,649</td>
<td>57.5%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>8,621</td>
<td>3.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>20,224</td>
<td>7.6%</td>
</tr>
<tr>
<td>Native Hawaiian/Pacific Islander</td>
<td>456</td>
<td>0.2%</td>
</tr>
<tr>
<td>American Indian/Alaska Native</td>
<td>1,826</td>
<td>0.7%</td>
</tr>
<tr>
<td>Some other race alone</td>
<td>70,466</td>
<td>26.4%</td>
</tr>
<tr>
<td>Two or more races</td>
<td>12,148</td>
<td>4.5%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>155,650</td>
<td>58.2%</td>
</tr>
<tr>
<td>Total</td>
<td>267,390</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

American Community Survey 2013-2017 five-year estimates

Staff reviewed the 2013-2017 American Community Survey (ACS) 5-year estimates and determined that 128,634 persons in Merced County [52.3% of the population] speak a language other than English. In Merced County, 56,696 persons [44.1%] have limited English proficiency; that is, they speak English less than “very well.”

In Merced County, of those persons with limited English proficiency, 47,785 (84.3%) speak Spanish, 4,491 (7.9%) speak Asian and Pacific Island languages, and 3,947 (6.9%) speak other Indo-European languages.

Summary Demographic Profile of Metropolitan area by Census Block Group

This section takes a closer look at the overall demographic characteristics discussed in the previous section, using block group-level American Community Survey data to show the geographic distribution of various populations.

Total Population

The greatest concentrations of the approximately 267,000 people in Merced County are located in the northwest area of Merced and in the eastern portion of Los Banos. Other more densely populated areas include Atwater, Delhi, Dos Palos, Livingston, west Los Banos, south Merced. (Hilmar and Gustine are also located in census tracts with higher populations, though this is likely due to the size of the census tract rather than the density of population.)
Race/Ethnicity

The 2017 American Community Survey reveals the White population makes up the largest group at 57.5 percent, followed by Some other race alone at 26.4 percent. Persons of Hispanic or Latino ethnicity (of any race) comprise 58.2 percent of the total service area population.

The maps below illustrate the concentration of minority (non-White) and Hispanic or Latino individuals residing in each census tract within Merced County and that the highest concentrations of minority residents (85 to 94.8 percent) are in southern Merced, Planada, and Livingston. They also show the highest concentrations of Hispanic/Latino residents (70 to 90.4 percent) in Merced south of Highway 59, Delhi, Dos Palos, Le Grand, Livingston, Los Banos, Planada, and Winton.
Hispanic/Latino Population by Census Block Group

Legend
Merced County Census Tracts
Percent
- 28.0% - 39.9%
- 40.0% - 49.9%
- 50.0% - 59.9%
- 60.0% - 69.9%
- 70.0% - 80.4%

Merced County

Based on ACS 2013-2017 5 Year Estimates. Quantities shown reflect percent of population that has Hispanic or Latino origin.
**LEP Populations**

The census tracts with the greatest concentrations (25 to 36.3 percent) of the approximately 55,000 LEP individuals in Merced County include south-central Merced, western Los Banos, Planada, and the area surrounding Dos Palos.

![LEP Population by Census Block Group](image-url)
There are nearly 46,000 Spanish-speaking residents of Merced County who speak English less than “very well.” The highest concentrations of these residents (30 to 44 percent) are located in south-central Merced, eastern Los Banos, and Planada. The large census tract encompassing Gustine also shows a high Spanish-speaking LEP population.
**Other Indic Languages**

There are 2,160 residents of Merced County who speak “other Indic languages” and speak English less than “very well.” “Other Indic languages” includes Indic languages (such as Assamese, Bengali, Marathi, Nepali, Oriya, Punjabi, Sinhalese, and Sindhi) not enumerated separately in the American Community Survey (as are Gujarati, Hindi, and Urdu). While this is not an insignificant population, no single language is singled out as having an LEP population greater than 1,000.

The highest concentrations of LEP speakers of “other Indic languages” (3.0 to 8.86 percent) are noted in Atwater and Livingston, followed by Delhi (2.0 to 2.99 percent).

Beginning in 2017, the American Community Survey began breaking out data regarding Bengali, Punjabi, Tamil, and Telugu, which should provide additional detail regarding specific Indic languages for future Title VI Program updates.

*Other Indic Languages-Speaking Population by Census Block Group*
There are approximately 1,900 residents of Merced County who speak Hmong and speak English less than “very well.” This population is heavily concentrated in the southwest portion of Merced, though still comprises no more than 5.27 percent of any census tract.
Portuguese

There are approximately 1,850 residents of Merced County who speak Portuguese and speak English less than “very well.” This population is most heavily concentrated in the census tract including Hilmar, just south of Turlock.

Given a person who speaks Portuguese typically has an easier time understanding Spanish than vice versa, it may be that the provision of information in Spanish in some ways has a mitigating effect on the need for information in Portuguese. However, given the two languages do have significant differences, having information in Spanish does not negate the potential need for information and/or communication in Portuguese.

### Portuguese-Speaking Population by Census Block Group

![Map showing Portuguese-speaking population by census block group](image)

#### Legend
- **Merced County Census Tracts**
- **Percent**
  - 0.000%
  - 0.001% - 0.749%
  - 0.750% - 1.749%
  - 1.750% - 2.986%
  - 2.986%
- **Merced County**

Based on ACS 2011-2015 5-Year Estimates. Percentages shown reflect percent of population 5 years and older who cannot speak English “very well” and who speak Portuguese.

2. **The frequency with which LEP persons come in contact with MCAG’s programs or activities.**

MCAG assessed the frequency with which staff have, or could have, contact with LEP persons.

This includes documenting requests for interpreters and translated documents. To date, the most frequent contact with LEP persons was at public meetings and workshops during the development of the Regional Transportation Plan. At these meetings, materials and presentations were provided and translated in Spanish.
The table below details the meetings at which interpretation was provided.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/17/2017</td>
<td>RTP Workshop</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>7/19/2017</td>
<td>RTP Workshop</td>
<td>Livingston City Council Chambers</td>
</tr>
<tr>
<td>7/20/2017</td>
<td>RTP Workshop</td>
<td>Merced Council Chambers</td>
</tr>
<tr>
<td>8/16/2017</td>
<td>RTP Workshop</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>10/23/2017</td>
<td>RTP Workshop</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>10/25/2017</td>
<td>RTP Workshop</td>
<td>Livingston City Council Chambers</td>
</tr>
<tr>
<td>11/2/2017</td>
<td>RTP Workshop</td>
<td>Merced Council Chambers</td>
</tr>
<tr>
<td>11/6/2017</td>
<td>RTP Workshop</td>
<td>Planada Senior Annex Building</td>
</tr>
<tr>
<td>1/8/2018</td>
<td>Regional Transportation Plan</td>
<td>MCAG Office</td>
</tr>
<tr>
<td></td>
<td>Advisory Committee Meeting</td>
<td></td>
</tr>
<tr>
<td>1/10/2018</td>
<td>RTP Workshop</td>
<td>Planada Senior Annex Building</td>
</tr>
<tr>
<td>5/23/2018</td>
<td>RTP Open House</td>
<td>Merced Council Chambers</td>
</tr>
<tr>
<td>5/24/2018</td>
<td>RTP Open House</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>5/30/2018</td>
<td>RTP Open House</td>
<td>Livingston City Council Chambers</td>
</tr>
<tr>
<td>5/31/2018</td>
<td>RTP Open House</td>
<td>Planada Senior Annex Building</td>
</tr>
<tr>
<td>6/21/2018</td>
<td>RTP Public Hearing</td>
<td>Merced County Admin Building</td>
</tr>
<tr>
<td>6/21/2018</td>
<td>RTP Public Hearing</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>7/25/2018</td>
<td>DBE Workshop</td>
<td>Merced Civic Center</td>
</tr>
<tr>
<td>8/28/2018</td>
<td>Measure V Public Hearing</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>8/31/2018</td>
<td>Measure V Public Hearing</td>
<td>Merced Civic Center</td>
</tr>
<tr>
<td>12/20/2018</td>
<td>Governing Board Meeting</td>
<td>Merced County Admin Building</td>
</tr>
<tr>
<td>1/17/2019</td>
<td>Governing Board Meeting</td>
<td>Livingston City Council Chambers</td>
</tr>
<tr>
<td>1/31/2019</td>
<td>Unmet Transit Needs</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>2/5/2019</td>
<td>Unmet Transit Needs</td>
<td>Atwater Council Chambers</td>
</tr>
<tr>
<td>2/7/2019</td>
<td>Unmet Transit Needs</td>
<td>Merced Civic Center</td>
</tr>
<tr>
<td>2/11/2019</td>
<td>Unmet Transit Needs</td>
<td>Planada Senior Annex Building</td>
</tr>
<tr>
<td>2/21/2019</td>
<td>Governing Board Meeting</td>
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<tr>
<td>3/21/2019</td>
<td>Governing Board Meeting</td>
<td>Los Banos City Council Chambers</td>
</tr>
<tr>
<td>4/18/2019</td>
<td>Governing Board Meeting</td>
<td>Merced County Admin Building</td>
</tr>
<tr>
<td>5/16/2019</td>
<td>Governing Board Meeting</td>
<td>Merced Council Chambers</td>
</tr>
<tr>
<td>6/20/2019</td>
<td>Governing Board Meeting</td>
<td>Merced County Admin Building</td>
</tr>
<tr>
<td>7/18/2019</td>
<td>Governing Board Meeting</td>
<td>Atwater Council Chambers</td>
</tr>
<tr>
<td>8/15/2019</td>
<td>Governing Board Meeting</td>
<td>Merced County Admin Building</td>
</tr>
<tr>
<td>8/19/2019</td>
<td>Measure V Public Hearing</td>
<td>Atwater Community Center</td>
</tr>
<tr>
<td>8/27/2019</td>
<td>Measure V Public Hearing</td>
<td>Gustine Council Chambers</td>
</tr>
<tr>
<td>10/2/2019</td>
<td>Unmet Transit Needs</td>
<td>Merced Civic Center</td>
</tr>
<tr>
<td>10/3/2019</td>
<td>Unmet Transit Needs</td>
<td>Gustine Council Chambers</td>
</tr>
</tbody>
</table>
3. The nature and importance of programs or activities provided by MCAG to the LEP population.

The largest geographic concentration of LEP individuals in the MCAG service area is Spanish. Approximately 44.8% of the population speaks Spanish, while speaking English less than “very well”.

MCAG plays an important role in comprehensive transportation planning and funding in Merced County, which will affect residents in the long-term and not in an immediate manner. MCAG identifies future investments and long-term strategies to maintain, manage, and improve transportation. Unfortunately, not many people, and few LEP persons, have demonstrated an interest in long-range transportation planning. There have historically been limited requests for translated documents and few LEP attendees at the MCAG meetings or events outside of the Measure V Expenditure Plan process. However, those LEP participants were actively engaged with the aid of an on-site Spanish translator and translated materials.

4. The resources available to MCAG and overall cost to provide LEP assistance.

MCAG assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as-needed basis. MCAG has three existing staff, averaging approximately $50 per hour that can translate documents and interpret over the phone. Staff is required to review documents as part of their regular duties, so there is typically no additional cost for this type of LEP assistance. However, outside consultant services are needed when on-site translation is provided at meetings and other events. MCAG has partnered with Language Care out of the United Way of Merced County at a rate of $47 per hour for on-site translation efforts at monthly Governing Board meetings, SSTAC hearings and other public meetings, hearings, and workshops as needed. The annual budget includes costs for translation services, and printing materials in both English and Spanish.

Safe Harbor

Based on the four-factor analysis, staff has determined that Spanish is the only language that must be translated. The only two languages besides English and Spanish that exceed the threshold of 1,000 LEP individuals are Hmong and Portuguese. However, each of these populations makes up less than one percent of the population and MCAG will provide interpreters for these, and other LEP populations, if requested in advance by an individual, free of cost.

Language Assistance

MCAG provides translation services at public meetings when requested at least three business days in advance. Staff will make every attempt to arrange for translation services when requested with less than three days notice, however, the results will be determined by the availability of the contracted translator and equipment. This information, including how to request translation services, is posted on the front page of meeting agendas and on public notices.

Limited English Proficiency (LEP) Plan Outline

Strategies to help MCAG staff identify a LEP person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to MCAG-sponsored events. By informally engaging participants in conversation, it is possible to gauge each attendee’s ability to speak and understand English.

3. Have Spanish-speaking staff available at MCAG meetings. This will assist MCAG in identifying language assistance needs for future events and meetings.

**Language Assistance Measures**

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which MCAG staff responds to LEP persons, whether in person, by telephone, or in writing.

MCAG will continue to:

1. Provide vital information to LEP groups on MCAG programs and services;
2. Network with local human service organizations, i.e. Golden Valley Health Center, that provide services to LEP individuals and seek opportunities to provide information on MCAG programs and services;
3. Provide a bilingual staff person at MCAG community events, and public hearings;
4. Place statements in notices and publications that interpreter services are available for these meetings, with three-day advance notice;
5. Post the MCAG Title VI Policy and LEP Plan and PPP plan on the agency website, www.mcagov.org;
6. Provide google translate on the agency website;
7. Provide translated materials that are key to engaging and informing LEP persons. The following is a list of translated documents:
   - Public Hearing notices
   - Key documents such as the Measure V Expenditure Plan and the Regional Transportation Plan
   - Surveys
   - Frequently Asked Questions

When an interpreter is needed for a language other than Spanish, staff will attempt to access language assistance services from a professional translation service (private consultant or qualified community volunteer).

**Staff Training**

The following training is provided to MCAG staff:

1. Information on the MCAG Title VI Procedures and LEP responsibilities;
2. Description of language assistance services offered to the public;
3. Documentation of language assistance requests;
4. Use of language line service;
5. How to handle a potential Title VI/LEP complaint.
Outreach Techniques

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

Monitoring and Updating the LEP Plan

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

1. The number of documented LEP person contacts encountered annually;
2. Determine how the needs of LEP persons have been addressed;
3. Determine the current LEP population in the service area;
4. Determine whether the need for translation services has changed;
5. Determine whether local language assistance programs have been effective and sufficient to meet the need;
6. Determine whether MCAG's financial resources are sufficient to fund language assistance resources needed;
7. Determine whether MCAG has fully complied with the goals of this LEP Plan;
8. Determine whether complaints have been received concerning MCAG's failure to meet the needs of LEP individuals.

Dissemination of the LEP Plan

A link to the MCAG LEP Plan, as it exists in the MCAG Title VI Program, is included on the MCAG website at www.mcagov.org.

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

Membership of non-elected committees and councils

Below are descriptions of each of MCAG’s non-elected advisory boards and committees. They offer the organization an excellent opportunity for expanding public participation opportunities during the transportation planning process. This is accomplished not only by active membership but also by presentations made before them and attendance at open meetings. To find out more about each group, who staffs them and how to get involved with the work they are doing, contact MCAG at (209) 723-3153, email Executive Director, Stacie Dabbs Guzman at stacie.dabbs@mcagov.org or visit the MCAG website at www.mcagov.org.

Social Services Transportation Advisory Council

The purpose of Social Services Transportation Advisory Council (SSTAC) is to solicit the input of transit dependent and transit disadvantaged persons, including the elderly, disabled, low-income persons,
youth regarding transit needs in Merced County. Members of the SSTAC are appointed by the MCAG Governing Board, representing a broad range of service providers representing the elderly, disabled, and persons of limited means. In the appointment of council members, MCAG strives to attain geographic and minority representation. The SSTAC is convened annually, at minimum, for the Unmet Transit Needs process as required by the Transportation Development Act.

The current committee reflects the following:

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Social Services Transportation Advisory Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>20%</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>60%</td>
</tr>
<tr>
<td>African American/Black</td>
<td>0%</td>
</tr>
<tr>
<td>Asian</td>
<td>20%</td>
</tr>
<tr>
<td>Native American</td>
<td>0%</td>
</tr>
</tbody>
</table>

Citizens Advisory Committee

The 17-member* Citizens Advisory Committee (CAC) provides policy and program recommendations directly to the MCAG Governing Board. It is comprised of private sector individuals who are appointed by the MCAG Governing Board to serve based on the geographic location of their home or business and their work experience. According to the CAC by-laws, no member of the CAC can be an elected official in Merced County. The CAC meets at 8:30am on the first Friday of every month at MCAG.

The current composition of the CAC includes representatives from the following fields/industries:

- Real Estate
- Economic Development
- Construction
- Civic Engineering
- Goods Movement
- Agriculture
- Small Business
- Education
- Student Representative
- Finance/Commerce
- Water/Irrigation District
- Health
- Citizens-At-Large (5)

CAC membership is open to all members of the public, including minority population groups that are traditionally underrepresented and/or underserved. The current committee reflects the following:

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic / Latino</td>
<td>4</td>
</tr>
<tr>
<td>Not Hispanic / Latino</td>
<td>11</td>
</tr>
</tbody>
</table>
Measure V Citizens Oversight Committee

The 14-member* Measure V Citizens Oversight Committee (COC) was created by Merced County’s voter-approved half-cent transportation sales tax - Measure V - to ensure that the funds are being spent in accordance with the Measure V Expenditure Plan. The COC also acts to inform the public about the nature of Measure V program revenues and expenditures. Half of the COC members are nominated by each of the Agency’s seven member agencies and then confirmed by the MCAG Governing Board while the other half of the membership are appointed by the MCAG Governing Board.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic / Latino</td>
<td>2</td>
</tr>
<tr>
<td>Not Hispanic / Latino</td>
<td>11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Race</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>13</td>
</tr>
<tr>
<td>Black or African American</td>
<td>1</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
</tr>
<tr>
<td>Some other race</td>
<td>1</td>
</tr>
</tbody>
</table>

*Student and Small Business seats are currently vacant.

MCAG routinely disseminates press releases to all media outlets in the County, including Spanish language media, notifying the public of vacancies on its non-elected committees and councils as well as to members of the public and community organizations. These include organizations representing minority populations such as the Merced Lao Family Inc., Hispanic Chamber of Commerce, and the NAACP – Branch 1047.

**SUBRECIPIENTS**

MCAG does not have any subrecipients to monitor for compliance with Title VI.

**TITLE VI EQUITY ANALYSIS**

MCAG has not constructed a facility during this reporting period.
The 2018 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) was adopted by MCAG on August 6, 2018. The long-range RTP/SCS prioritizes and guides all Merced County regional transportation development over 20-25 years.

The RTP, updated every four years, is the comprehensive guide for transportation investments (transit, highway, local roads, bicycle, and pedestrian projects), and establishes the financial foundation for how the region invests in its surface transportation system by identifying how much money is available to address critical transportation need and setting the policy on how projected revenue will be spent.

Due to its comprehensive, long-term vision, the RTP provides the easiest and best opportunity for interested residents and public agencies to influence MCAG’s policy and investment priorities for transportation in Merced County. It is at the RTP development state where investment priorities and major planning-level project design concepts are established and broad, regional impacts of transportation on the environment are addressed. Under California Senate Bill 375 (Steinberg, Chapter 728, 2008 Statutes), the RTP must include a SCS to integrate planning for growth and housing with long-range transportation investments, including goals for reducing greenhouse gas emissions for cars and light trucks.

MCAG held a series of public workshops in Merced, Los Banos, Livingston/Delhi, and Planada during each of the two key phases of public outreach.

- Phase 1: Visioning and Education;
- Phase 2: Transportation and Land Use Scenarios.

The purpose of the public workshops was to educate audiences about key transportation planning concepts and greenhouse gas emission targets, to foster a better understanding of the RTP/SCS, and to build awareness of the importance of robust and meaningful public input. MCAG used visualization tools and techniques, in English and Spanish, to help participants develop a clear understanding of the issues and policy choices. Participants were engaged in the development process via the usage of clickers, comment cards, surveys (printed and online in both English and Spanish), and frequently asked questions (online in both English and Spanish). Spanish translation services and materials were provided.

<table>
<thead>
<tr>
<th>Locations and Dates of Public Workshops &amp; Open House events</th>
<th>Number in Attendance</th>
<th>Needing Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Los Banos Council Chambers, 7/17/2017</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>City of Livingston Council Chambers, 7/19/2017</td>
<td>18</td>
<td>5</td>
</tr>
<tr>
<td>City of Merced Council Chambers, 7/20/2017</td>
<td>24</td>
<td>8</td>
</tr>
<tr>
<td>City of Los Banos Council Chambers, 8/16/17</td>
<td>29</td>
<td>0</td>
</tr>
<tr>
<td>City of Los Banos Council Chambers, 10/23/17</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>City of Livingston Council Chambers, 10/25/17</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>City of Merced Council Chambers, 11/2/17</td>
<td>25</td>
<td>1</td>
</tr>
<tr>
<td>Planada Senior Annex, 11/6/17</td>
<td>12</td>
<td>5</td>
</tr>
<tr>
<td>Planada Senior Annex, 1/10/18</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>Merced City Council Chambers, 5/23/18</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>
MCAG held two public hearings on the Draft RTP/SCS in Merced and Los Banos on June 21, 2019. In total, four members of the public attended, and none requested the use of the Spanish translation services that were provided. These hearings were publicly noticed in English and Spanish in local newspapers.

Unmet Transit Needs Assessment

Each year, pursuant to the Transportation Development Act (TDA) requirements, MCAG, as the Regional Transportation Planning Agency (RTPA) and MPO for Merced County, is required to identify any unmet transit needs that may exist in the Merced County region. Should any unmet transit needs be identified, a further determination must be made to establish whether those needs are reasonable to meet. In accordance with state law, TDA funds must be allocated first to unmet transit needs, which are found to be reasonable to meet, before any remaining funds can be distributed to local jurisdictions for non-transit purposes. After each Unmet Transit Needs process, the MCAG Governing Board must adopt a resolution making one of the following three findings:

1. There are no unmet transit needs;
2. There are no unmet transit needs that are reasonable to meet;
3. There are unmet transit needs, including transit needs that are reasonable to meet.

Public participation is an important component of the Unmet Transit Needs process. Although the TDA only requires MCAG to hold one public hearing, staff makes the effort to go beyond the minimum requirements to provide public hearings throughout the region. To provide more opportunities for potential transit-dependent populations to discuss their transit needs, MCAG staff along with the SSTAC conducted six public hearings at the following locations and times during the most recent Unmet Transit Needs reporting period:

<table>
<thead>
<tr>
<th>Locations and Dates of Public Hearings</th>
<th>Number in Attendance*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Banos Community Center, 1/31/2019, 4 PM</td>
<td>2</td>
</tr>
<tr>
<td>Los Banos Community Center, 1/31/2019, 7 PM</td>
<td>0</td>
</tr>
<tr>
<td>City of Atwater Council Chambers, 2/5/2019, 4 PM</td>
<td>4</td>
</tr>
<tr>
<td>City of Atwater Council Chambers, 2/5/2019, 7 PM</td>
<td>1</td>
</tr>
<tr>
<td>City of Merced Council Chambers, 2/7/2019, 4 PM</td>
<td>22</td>
</tr>
<tr>
<td>City of Merced Council Chambers, 2/7/2019, 7 PM</td>
<td>3</td>
</tr>
<tr>
<td>Planada Community Center, 2/11/19, 4 PM</td>
<td>4</td>
</tr>
<tr>
<td>Planada Community Center, 2/11/19, 7 PM</td>
<td>0</td>
</tr>
</tbody>
</table>

* Number in Attendance does not include MCAG staff or SSTAC members

Below is a list of places where the public hearings were publicized:

- Public notice of the eight public hearings was posted in the Merced Sun-Star one month prior to the hearings on December 26, 2018
- A press release was sent to MCAG’s media contacts in Merced County on December 27, 2018
• A flyer and information about the hearings was circulated in English and Spanish in the Merced County Hispanic Chamber of Commerce newsletter during the month of January 2019.
• Radio ads and a 2-minute radio interview to advertise the hearings were aired on a Spanish language station, RadioLobo.
• A radio interview to advertise the hearings was aired on “Community Conversations” (KYOS).
• Newspaper advertisements to advertise the hearings were placed in the Merced County Times, Atwater-Winton Times, Los Banos Enterprise, and Merced Sun-Star.
• Newspaper advertisements to advertise the hearings in Spanish were placed in Vida en el Valle (Spanish language newspaper)
• Notices of the eight public hearings were posted at Merced Civic Center, Atwater City Hall and Los Banos City Hall
• Special flyers (in English and Spanish) were posted at the following locations:

<table>
<thead>
<tr>
<th>Merced Civic Center</th>
<th>Center of Vision Enhancement (COVE)</th>
<th>Transit Operations and Maintenance Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atwater City Hall</td>
<td>Resources for Independence, Central Valley (RICV)</td>
<td>Atwater Transpo</td>
</tr>
<tr>
<td>Los Banos City Hall</td>
<td>Merced Target Store</td>
<td>Atwater Jack in the Box</td>
</tr>
<tr>
<td>Los Banos Community Center</td>
<td>Merced College</td>
<td>Atwater SaveMart Supermarket</td>
</tr>
<tr>
<td>Merced County Association of Governments</td>
<td>Merced Walmart Store</td>
<td>Atwater Community Center</td>
</tr>
<tr>
<td>Merced Transpo</td>
<td>Merced Mall</td>
<td>Winton VFW</td>
</tr>
<tr>
<td>Merced County Human Service Agency</td>
<td>Golden Valley Health Center - Merced</td>
<td>Castle Airport Aviation Center</td>
</tr>
<tr>
<td>Atwater Human Service Agency</td>
<td>Planada Community Center</td>
<td>Le Grand Library</td>
</tr>
<tr>
<td>Rancho Market in Le Grand</td>
<td>Planada Golden Valley Health Center</td>
<td></td>
</tr>
</tbody>
</table>

• Special flyers (in English and Spanish) were mailed by COVE to those on their mailing lists
• Notice and information regarding the hearings was posted on mcagov.org and MCAG’s Facebook page
• Notice and information regarding the hearings was posted on mercedthebus.com and The Bus’s Facebook page
• Notice and information regarding the hearings was posted on MyMerced.com
• Audible and visual announcements (in English and Spanish) regarding the hearings were made on all buses
• Special flyers and information regarding the hearings in English and Spanish were emailed over 300 interested individuals.
• Information, schedules and flyers regarding the hearings were included in the meeting agendas for MCAG’s Committees, including the Citizens Advisory Committee, Social Services Transportation Advisory Council and Merced County Governing Board in December 2018 and January 2019.

The special flyers had English on one side and Spanish on the other. They contained information about the hearing dates and locations, background information regarding the purpose of the hearings and unmet transit needs, and how residents could personally participate in the unmet transit needs process. However, residents did not need to attend a hearing to provide a comment. Other options included submitting a comment by phone, mail, email, or by filling out a new online survey. The online survey was available in English and Spanish. Nearly 80% of the public comments received were through the online survey. In addition, staff augmented the MCAG website by including a dedicated unmet transit needs
webpage. This makes information regarding the unmet transit needs process in Merced County, submitting a comment, or looking at past years’ unmet transit needs reports readily accessible. Merced County residents could submit their comments by email or phone until Tuesday, February 12, 2019.

At all eight hearings, a Spanish language interpreter was available. A handout (in English and Spanish) was given to each person in attendance to briefly explain the hearing process and to show clearly how to participate in the hearings. This helped to inform each attendee of what to expect at the hearing and helped to lessen confusion and apprehension, especially if they had never participated at a public hearing before.

For the recent Fiscal Year 2019-20 undertaking, three unmet transit needs that were reasonable to meet were identified.

1. Extend evening service hours to accommodate students attending night classes, and persons discharged from the hospital.
2. The Bus Live App should have accessibility options such as contrast/inverted colors, larger or smaller text, and voice over.
3. Provide audible announcements on paratransit buses.

These unmet needs will be addressed, and measures will be implemented by the transit agency.
A broad environmental justice analysis was completed as part of the 2018 RTP process that focuses on minority and low-income residents. Minority refers to the total non-white, non-Hispanic population. Low-income refers to households with incomes that fall below 200 percent of the federal poverty level (200% of ~$25,000/household = $50,000). The analysis mainly assesses whether all racial and income areas will benefit equally from transportation investments. The goal of this process is to ensure racial, low-income, and geographic equity of transportation investment benefits. Populations considered high minority or low-income should realize equal levels of benefit from transportation investments compared to other population groups. Also, transportation investments should not be concentrated in one geographic region, but rather should be fairly distributed.

The full Environmental Justice report and maps, is provided in Appendix F.

Analysis Observations

In addition to analyzing the funding allocation by income status, the financial analysis also analyzed transit funding for total expenditures and state and federal expenditures by minority and non-minority status in compliance with Title VI requirements.

In 2012, the Federal Transit Administration issued guidance to recipients of FTA funding for compliance with federal Title VI requirements. Part of these requirements is to determine the population compared to use of public transit investments from State and Federal funding sources, and to determine the ratio of per capita benefit for minority populations versus non-minority populations. To meet the requirements of FTA, MCAG undertook this analysis to determine any disparate impacts.

The most recent ACS 5-year estimates were used to determine total population and the ways in which minority and non-minority populations travel to work. Using the transit mode splits for each minority and non-minority population group, the overall percentage of transit commutes was calculated for each group. State and federal transit expenditures were then split by the percentage of transit commutes for minority and non-minority populations. Per capita benefits were then calculated by the total group populations and a ratio of the minority versus non-minority benefit was calculated. The results of this analysis are presented in the table below.

<table>
<thead>
<tr>
<th>Transit Funding Benefit</th>
<th>Total</th>
<th>Minority</th>
<th>Non-Minoritiy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>282,016</td>
<td>187,553</td>
<td>94,463</td>
</tr>
<tr>
<td>Percent of Total Population</td>
<td>-</td>
<td>67%</td>
<td>33%</td>
</tr>
<tr>
<td>Transit Commute Mode Split by Household Type</td>
<td>-</td>
<td>1.59%</td>
<td>0.96%</td>
</tr>
<tr>
<td>% of Transit Commutes</td>
<td>-</td>
<td>76.70%</td>
<td>23.30%</td>
</tr>
<tr>
<td>Total State and Federal Funding</td>
<td>$16,308,000</td>
<td>$12,508,782</td>
<td>$3,799,218</td>
</tr>
<tr>
<td>Per Capita Benefit, State/Federal Transit Funding</td>
<td>-</td>
<td>66.7</td>
<td>40.2</td>
</tr>
<tr>
<td>Minority Benefit as a % of Non-Minority Benefit</td>
<td>-</td>
<td>329%</td>
<td>-</td>
</tr>
</tbody>
</table>
Conclusion of Environmental Justice Analysis

The region wide EJ analysis, based on six identified performance measures, indicates that the plan will not have a disparate impact on the identified EJ communities. Regionally, the amount of benefit within low-income and minority populations is proportional to non-EJ communities, if not higher, with better access to transit service and frequent transit service in the plan compared with Business as Usual. Additionally, the plan will result in a greater mix of housing and more affordable housing (both single-family and multi-family) than Business as Usual.

The financial equity analysis, including a focus on State and Federal Transit funding, also shows that a significant portion of transit funds will benefit minority populations.

Furthermore, the plan reduces congested lane miles, and vehicle hours of delay for all users of the transportation system while increasing the amount of funding available for alternative modes of transportation including transit, bicycling and walking – which benefit low-income and minority populations to a greater degree. A financial analysis of expenditures by mode share for low-income populations and transit expenditures by minority populations revealed that while roadway expenditures slightly favor non low-income populations, transit and bicycle/pedestrian expenditures generate an overall benefit for low-income and minority populations in the Merced region.

MCAG will continue to adhere to implementing EJ principles in all future planning processes. Additionally, MCAG is committed to the continual improvement of its EJ performance measures used to evaluate and analyze the benefits and burdens of its transportation planning efforts on EJ populations within the region.

Assistance to Subrecipients

MCAG does not pass-through FTA funding. MCAG is a subrecipient of Caltrans, receiving FTA Section 5303 planning funds as part of the consolidated planning grant from the State of California. MCAG uses these funds internally; MCAG does not have subrecipients.