



Permian Basin
MPO Metropolitan
Planning
Organization

TITLE VI/ENVIRONMENTAL JUSTICE PLAN

Permian Basin
Metropolitan Planning Organization
(MPO)

Approved by the Policy Board: May 19, 2014

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Introduction

The Title VI Plan has been prepared to address the responsibilities of the Permian Basin Metropolitan Planning Organization (MPO) as a recipient of Federal financial assistance as they relate to requirements of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and Executive Order 12898. These federal laws and orders seek to prevent any form of discrimination and to ensure certain populations are not disproportionately adversely affected by plans, programs, and projects implemented by public agencies.

Title VI

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that, “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” (42 U.S.C Section 2000d).

Environmental Justice

Presidential Executive Order 12898, entitled Federal Actions to Address Environmental Justice in *Minority Populations and Low-Income Populations*, promulgated on February 11, 1994, expanded the scope of previous guidance to include identifying and avoiding “disproportionately high and adverse” effects on minority and low-income populations. The United States Department of Transportation (U.S. DOT) Order 6640.23 requires the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) to implement the principles of environmental justice in all plans, policies, and activities.

The three principles of environmental justice are:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Environmental justice must be considered in all phases of planning and focuses on enhanced public involvement and an analysis of the distribution of benefits and impacts. Environmental Justice issues arise most frequently when certain communities:

- receive the benefits of improved accessibility, faster trips, and congestion relief, while others experience fewer benefits;
- suffer disproportionately from transportation Plans' negative impacts, like air pollution;
- have to pay higher transportation taxes or higher fares than others in relation to the services that they receive; or
- are less represented than others when policymaking bodies debate and decide what should be done with transportation resources.

While environmental justice concerns are more frequently raised during project development, Title VI applies equally to the plans, programs, and activities of planning, activities in which the Permian Basin MPO is actively involved.

Permian Basin MPO Title VI/Environmental Justice Program Assurance

The Permian Basin MPO, acting as the transportation planning agency for the metropolitan area boundary and as designated recipient of federal transportation funds, will not discriminate against any person with respect to an MPO plan, activity, or service, nor to disproportionately adversely impact environmental justice populations. Permian Basin MPO has developed the following policy statement:

The Permian Basin MPO assures that no person shall, on the grounds of race, color, national origin, sex, age, disability or income status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (P.L. 100.259), and other related federal orders, directives, and guidelines, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity. Additionally, per Executive Order 12898 (Environmental Justice) and subsequent United States Department of Transportation, Federal Highway Administration, and Federal Transit Administration directives, the Permian Basin MPO shall make every effort to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of the Permian Basin MPO's programs, policies, and activities on Title VI/Environmental Justice protected populations. Furthermore, the Permian Basin MPO assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs or activities are federally funded or not. In the event that the Permian Basin MPO distributes federal aid funds to another entity, the MPO will include Title VI language in all written agreements. The Title VI Coordinator is responsible for carrying out the activities

documented in the Permian Basin MPO's Title VI/Environmental Justice Program.

Permian Basin Title VI/Environmental Justice Plan

The following activities comprise the Permian Basin MPO's formal Title VI/Environmental Justice Plan. The implementation of these activities will be the responsibility of the Permian Basin MPO's Title VI Coordinator, with assistance from other MPO support staff.

Title VI Notice to the Public

The following statement shall be posted onsite at the Permian Basin MPO office and on the website: www.PermianBasinmpo.com (*Documents will be translated into languages other than English, upon request.*)

STATEMENT OF RIGHTS: The Midland Odessa Transportation Organization MPO is committed to ensuring that no person is excluded from participation in or denied the benefits of or be subject to discrimination in the receipt of its services on the basis of race, color, national origin or any other characteristics protected by law including Title VI of the Civil Rights Act of 1964 as amended. Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the Permian Basin MPO's Plan has a right to file a formal complaint. Any such complaint must be in writing and submitted to Permian Basin MPO's Title VI Coordinator within one-hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints or if information is needed in another language, please contact:

Permian Basin MPO

Cameron Walker, Title VI Coordinator

P.O. Box 60916

Midland, TX 79711

Phone# 432-617-0129

Subcontractors and Vendors

Contractors and subcontractors are responsible for complying with the Title VI Plan of the recipient with whom they are contracting. All subcontractors and vendors who receive payments from the Permian Basin MPO where funding originates from any Federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

Title VI Complaint Procedures

How to file a Title VI Complaint?

Title VI complaints may be filed with Permian Basin MPO directly, through the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the U.S. Department of Transportation (USDOT). Federal and state law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident.

The complainant may submit a written statement to Permian Basin that contains the following information:

The Title VI Complaint Form (see Appendix A) may be used to submit the complaint information. The complaint may be filed in writing with Permian Basin MPO at the following address below:

- Complainant's name
- Respondent's name (person against whom the complaint is filed)
- Date(s) of alleged incident
- Location of alleged incident
- Type of alleged discrimination
- Explain what happened and how you believe you were discriminated against
- Contact information of any person who may have knowledge of the incident
- Other information that you believe is relevant to the investigation
- Have you filed a complaint with Permian Basin MPO before? If so, include: when, where, and how
- Complainant's signature and date
- Complaint may be mailed or faxed to the following location:

Permian Basin MPO

Attn: Title VI Coordinator

P.O. Box 60916

Midland, TX 79711

FAX 432-617-0165

What happens to my complaint?

The Permian Basin MPO Director is charged with the primary responsibility of processing Title VI complaints received by Permian Basin. The Permian Basin MPO Director will forward all transportation related external discrimination complaints filed under Title VI against the Permian Basin MPO or its sub-recipients to the TxDOT Office of Civil Rights for investigation within ten (10) calendar days. This includes any complaint which alleges exclusion from participation in and/or denial of benefits or services under any program or activity administered by Permian Basin or by businesses under contract with Permian Basin based on race, religion, (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, age, retaliation or disability. The Permian Basin Director will also forward any transportation related complaints where there is a question whether the basis of the allegation(s) falls under coverage of Title VI to the TxDOT Office of Civil Rights for determination of jurisdiction. The Permian Basin Director may also attempt to investigate and resolve the complaint informally.

Title VI Transportation – Related Investigations, Complaints and Lawsuits

The Permian Basin MPO will prepare and maintain a list of the following alleged discriminations on the basis of race, color, or national origin:

The information will include the date that the transportation Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint.

List of Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				

Complaints				
1.				
2.				

***No active complaints, investigations, or lawsuits that are Title VI related**

Public Participation Plan

The Midland-Odessa Metropolitan Planning Organization (PERMIAN BASIN) is the metropolitan planning organization responsible for working with local, state, and federal governments, as well as the private and public sectors, to coordinate the highway, transit, and land use planning processes in the Permian Basin Metropolitan Area Boundary. The metropolitan area boundary includes the Cities of Odessa and Midland and portions of the Counties of Midland and Ector. The Permian Basin MPO is the organization that sets the transportation priorities by bringing together government entities within the urban area boundary to make continuing, cooperative, and comprehensive transportation decisions.

Permian Basin’s Public Participation Plan (PPP) emphasizes the importance of early, on-going public involvement in the transportation planning process. Early public involvement enables the MPO to make more informed decisions, improve quality through collaborative efforts, and build mutual understanding and trust between the MPO and the public. The Public Participation Plan outlines various tools and time limits for public involvement in the development of various planning documents.

The intent of the Permian Basin MPO in regards to the Public Participation Plan is to provide the greatest possible involvement in the transportation planning process. The MPO assures the implementation of the PPP in a continuous, proactive manner and adheres to the principles of Environmental Justice and Title VI of the Civil Rights Act of 1964.

Public Participation Plan General Guidelines

The Public Participation Plan is intended to provide direction for public involvement activities to be conducted by the Permian Basin MPO and contains policies, goals, objectives, and techniques used by the MPO for public involvement. In its public participation process, the Permian Basin MPO will:

- Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including, but not limited to local jurisdiction concerns).

- Provide reasonable public access to technical and policy information used in the development of the Long Range Metropolitan Transportation Plans (MTP), the Transportation Improvement Program (TIP), and other appropriate transportation plans and projects, and conduct open public meetings where matters related to transportation Plans are being considered.
- Give adequate public notice of public participation activities and allow time for public review and comment at key decision points, including, but not limited to, approval of the MTP, the TIP, and other appropriate transportation plans and projects. If the final draft of any transportation plan differs significantly from the one available for public comment by the Permian Basin MPO and raises new material issues, which interested parties could not reasonably have foreseen, an additional opportunity for public comment on the revised plan will be made available.
- When significant written and oral comments are received on the draft transportation plan (including the financial plan for the MTP and TIP) as a result of the public participation process or the interagency consultation process required under MAP-21, a report on the disposition of comments shall be made part of the final plan.
- Solicit the needs of those under-served by existing transportation systems, including but not limited to the transportation disadvantaged, minorities, elderly, persons with disabilities, and low-income households. MAP-21 requires that the MPO shall provide reasonable opportunities for affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation planning process.
- Provide a public comment period of 45 calendar days prior to the adoption of the Public Participation Plan and/or any amendments. Notice of the comment period will be advertised in the Midland Reporter Telegram and the Odessa American prior to the commencement of the 45-day comment period.
- Provide a public comment period of not less than 30 calendar days prior to adoption of the MTP and the TIP, and a public comment period of not less than 10 calendar days prior to the adoption of any formal amendments or updates.
- Coordinate the Public Participation Process with statewide Participation Processes wherever possible to enhance public consideration of the issues, plans and programs, and reduce redundancies and costs.

Minutes of the public meetings will be retained by the MPO for a period of three (3) years. Current minutes of the public meetings will be maintained on the MPO website as shown below. The public will be given an opportunity to comment on or at every public meeting or forum.

The Public Participation will be made available during regular business hours at:

Permian Basin MPO

9601 Wright Drive

Midland, TX 79706

www.permianbasinmpo.com

Public Participation Goals and Objectives

Permian Basin MPO Goal: To provide the public with thorough information on transportation planning services and project development in a convenient and timely manner.

The following objectives will enable the Permian Basin MPO to meet its overall goal for public participation:

- 1) Educate the public regarding the planning of transportation system improvements. These include but are not limited to:
 - a. Electronically mail meeting announcement to the MPO contact list and or to targeted groups for upcoming activities;
 - b. Employ visualization techniques to depict transportation plans;
 - c. Conduct workshops when practical and feasible
- 2) Provide citizens, public agencies, private transportation and shipping providers, users of pedestrian and bicycle facilities, representatives of the disabled, and other interested parties with opportunities to participate in the transportation planning process.
- 3) Solicit public feedback early in the transportation planning process so that the final design incorporates solutions which include consideration of public concerns.
- 4) Increase involvement of traditionally underserved communities, such as low-income and minority households, and foster ownership of transportation decision-making by considering the needs of those communities.
- 5) Continuously improve public participation
 - a. Evaluate public involvement techniques.
 - b. Public Participation Plan will be reviewed at least every four (4) years in order to improve the effectiveness of public involvement.

All persons attending the public meetings will be asked to sign a roster that will be retained by the MPO.

Public Participation Outreach

Public participation is an ongoing and integral part of corridor studies, regularly repeated activities such as the MTP, TIP and scenario planning. The following section contains descriptions of public participation tools that will be used by the Permian Basin MPO:

Website – Permian Basin MPO will use its own website to announce public participation opportunities. The site (www.PermianBasinmpo.com) will be used to list current and topical information on both regular and special meetings, planning studies, publications, related public events and work products.

Database – Permian Basin MPO maintains a master database of business, federal, state and local agencies and interested citizens. The database will be used to establish and maintain a list of e-mail contacts for electronic meeting notification and announcements.

Legal Advertisements – Government Code, Chapter 551 requires posting a notice of any public meeting where a decision could be made or that may be attended by more than one elected official. The MPO regularly posts notices of the Permian Basin MPO Policy Board Meetings in the Odessa American and the Midland Reporter Telegram newspapers.

Press Releases – Formal press releases will be sent to local media (newspaper, television, radio and city websites) to announce upcoming meetings and activities and to provide information on specific issues being considered by the Permian Basin MPO of their board/committees.

Public Meetings – The Public Meetings provide a formal setting for citizens to provide comments to the MPO prior to the final adoption of work products.

Project Workshops/Open Houses – The purpose of project-specific meetings will be to provide information to the public and to solicit public comment and obtain a sense of public priorities.

The Permian Basin MPO staff will continually monitor the public participation outreach efforts to identify those methods that are the most efficient and effective.

Limited English Proficiency (LEP)_Plan

Introduction

This LEP has been prepared to address the Permian Basin MPO'S responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its

implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

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 understands English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Permian MPO departments receiving federal grant funds.

Plan Summary: Permian Basin MPO has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. 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, Permian Basin MPO used a four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Permian Basin-MPO.
2. The frequency with which LEP persons come in contact with Permian Basin-MPO services.
3. The nature and importance of services provided by the Permian Basin-MPO to the LEP population.
4. The interpretation services available to the Permian Basin-MPO and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

Meaningful Access: Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to require Permian Basin MPO services.

The Permian Basin MPO staff reviewed the 2010 U.S. Census Report and estimated that 20,529 persons in the Permian Basin MPO area have limited English proficiency; that is, they speak English "not well" or "not at all," this is only 0.9% of the estimated overall population in the service area of 225,832 persons. Of those persons with limited English proficiency, 19,476 speak Spanish, 1,053 speak Indo- European, Asian or other Pacific Island Languages.

2. The frequency with which LEP persons come in contact with Permian Basin MPO services.

The Permian Basin MPO staff reviewed the frequency with which the board/council, office staff and the Technical Advisory Committee, the Policy Board and the Regional Coordinated Transportation Planning Committee have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Permian Basin MPO has had no requests to provide interpreters and no requests for translated program documents. The board/council, office staff and bus/van drivers have had very little contact with LEP persons.

3. The nature and importance of services provided by the Permian Basin MPO to the LEP population.

There are a few geographic concentrations of LEP individuals in the service area of Permian Basin-MPO. Census Tracts 11, 15, 19, 20, 27 and 28.02 in Ector County and Census Tracts 11, 14, 15, 17 and 101.09 in Midland County have significant proportions of persons with Limited English Proficiency (see Appendix B). However, the overwhelming majority of the population speaks English, even if English is a second language. As a result, there are few social, service, professional and leadership organizations within the Permian Basin MPO service area that focus on outreach to LEP individuals. The Permian Basin-MPO board/council, office staff and bus/van drivers are most likely to encounter LEP individuals through bus/van rides, office visits, phone conversations, and attendance at Board/Council meetings.

4. The resources available to the Permian Basin MPO and overall cost to provide LEP assistance.

The Permian Basin MPO reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and contacted local citizens that may be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation, if needed, would be provided through a telephone interpreter line if such a service is available. This would likely require Permian Basin MPO to pay a fee.

Language Assistance

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

How the Permian Basin-MPO staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.

- All Permian Basin MPO staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- All Permian Basin MPO staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the Permian Basin MPO sponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator or interpreter (sign language for hearing impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures

Although there is a very low percentage in the Permian Basin MPO of LEP individuals, Permian Basin will strive to offer the following measures:

1. The Permian Basin MPO staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.
 - Language interpretation will be accessed for all other languages through a telephone or live interpretation service, when possible.

Staff Training

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the "I Speak" cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the Permian Basin-MPO will be required to follow the Title VI LEP guidelines.

Translation of Documents

Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time Permian Basin MPO considers it unnecessary to translate documents, and due to the small local LEP population, the Permian Basin-MPO does not have a formal outreach procedure in place, as of 2013. However, translation resources have been identified but are limited in this region. However, when and if the need arises for LEP outreach, Permian Basin-MPO will consider the following options:

- Upon request staff will prepare documents, or schedule a meeting(s), when the target audience is expected to include LEP individuals in the requested language. Meeting notices will contain the following language:

“Any hearing impaired person or person needing language translation services should contact Permian Basin MPO at (432) 617-0129 or at cwalker@permianbasinmpo.com at least 72 hours before the scheduled meeting.”

Monitoring and Updating the LEP Plan

Permian Basin MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when additional census data becomes available, or when it is clear that higher concentrations of LEP individuals are present in the Permian Basin MPO service area. Updates will include the following:

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

Dissemination of the Permian Basin MPO LEP Plan

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language those LEP persons would understand that documents are available in that language upon request at 432-617-0129.

Membership of Non-Elected Committees and Councils

Minority representation on planning and advisory bodies is covered by Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning advisory, or similar body which is an integral part of the program.” Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

The Permian Basin MPO is composed of one policy board, one technical committee and one volunteer committee:

The Policy Board (PB) is composed of elected officials of the entities of Ector County, Midland County, the cities of Midland and Odessa and TxDOT. The voting membership of the Policy Board will consist of one representative for each participating agency, city and county. Permian Basin MPO has been designated as a Transportation Management Area (TMA) and will have transit representation from the Midland Odessa Urban Transit District EZ-Rider by July of 2014.

The Technical Advisory Committee (TAC) is composed of public works, engineers, or planning professionals from the entities of Ector County, Midland County, the cities of Midland and Odessa, TxDOT and EZ-Rider. Officials serving on the TAC shall be designated by a written letter and a supporting documentation from the City Manager, County Judge, or District Engineer, delivered and on file at the Permian Basin MPO administrative offices before the member’s attendance at a TAC meeting.

The Regionally Coordinated Transportation Planning (RCTP) committee is composed of public, private and nonprofit transit related organizations and other health and human service agencies that serve the seventeen counties in West Texas. Permian Basin and RCTP have worked extensively to invite current and potential stakeholders to the regional coordination meetings. The approach to engage Stakeholders has been to attend regular network meetings, hosted by either regional stakeholders or other organizations that are not yet part of the regional coordination committee. The network meetings have proven useful in recruiting the public and other agencies that are concerned with public transportation.

Table Depicting Membership of Committees and Councils Broken Down By Race

Body	Number of Members	Race
Policy Board	5	4-Caucasion 1-Latino
Technical Advisory Committee	10	7-Caucasion 3-Latino

While the Permian Basin MPO encourages a diverse makeup, it is not within the direct control of the organization.

Monitoring Sub-recipients

Title 49 CFR 21.9(b) requires that recipients monitor sub-recipients to ensure compliance. Likewise, sub-recipients shall monitor third-party sub-contractors for compliancy by documenting the process used for monitoring this part. The Title VI program of the sub-contractor shall serve as evidence to demonstrate compliancy. Sub-recipients who may be transit providers are responsible for reporting on their own pursuant to 49 CFR 21.9(b).

Determination of Site or Location of Facilities

While Permian Basin MPO does not engage in or fund property acquisition with planning funds, it understands this requirement (49 CFR 21.9(b) (3)) and will operate within guidance should the situation ever arise.